

2009

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REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



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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 2009

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 22, 2008	January 2, 2009
2	December 29, 2008	January 9, 2009
3	January 5, 2009	January 16, 2009
4	January 12, 2009	January 23, 2009
5	January 20, 2009	January 30, 2009
6	January 26, 2009	February 6, 2009
7	February 2, 2009	February 13, 2009
8	February 9, 2009	February 20, 2009
9	February 17, 2009	February 27, 2009
10	February 23, 2009	March 6, 2009
11	March 2, 2009	March 13, 2009
12	March 9, 2009	March 20, 2009
13	March 16, 2009	March 27, 2009
14	March 23, 2009	April 3, 2009
15	March 30, 2009	April 10, 2009
16	April 6, 2009	April 17, 2009
17	April 13, 2009	April 24, 2009
18	April 20, 2009	May 1, 2009
19	April 27, 2009	May 8, 2009
20	May 4, 2009	May 15, 2009
21	May 11, 2009	May 22, 2009
22	May 18, 2009	May 29, 2009
23	May 26, 2009	June 5, 2009

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
24	June 1, 2009	June 12, 2009
25	June 8, 2009	June 19, 2009
26	June 15, 2009	June 26, 2009
27	June 22, 2009	July 6, 2009
28	June 29, 2009	July 10, 2009
29	July 6, 2009	July 17, 2009
30	July 13, 2009	July 24, 2009
31	July 20, 2009	July 31, 2009
32	July 27, 2009	August 7, 2009
33	August 3, 2009	August 14, 2009
34	August 10, 2009	August 21, 2009
35	August 17, 2009	August 28, 2009
36	August 24, 2009	September 4, 2009
37	August 31, 2009	September 11, 2009
38	September 8, 2009	September 18, 2009
39	September 14, 2009	September 25, 2009
40	September 21, 2009	October 2, 2009
41	September 28, 2009	October 9, 2009
42	October 5, 2009	October 16, 2009
43	October 13, 2009	October 23, 2009
44	October 19, 2009	October 30, 2009
45	October 26, 2009	November 6, 2009
46	November 2, 2009	November 13, 2009
47	November 9, 2009	November 20, 2009
48	November 16, 2009	November 30, 2009
49	November 23, 2009	December 4, 2009
50	November 30, 2009	December 11, 2009
51	December 7, 2009	December 18, 2009
52	December 14, 2009	December 28, 2009

Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from May 11 to July 1, 2009.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Life Reinsurance Agreements
- 2) Code Citation: 50 Ill. Adm. Code 1103
- 3) Section Number: 1103.50 Proposed Action:
New Section
- 4) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- 5) A Complete Description of the Subjects and Issues Involved: Section 1103.50 was repealed effective in April of 2006, however, during the Division's recent NAIC Accreditation review, a deficiency was noted because Section 1103.50 had been repealed from our regulation causing the Illinois reinsurance standards to be inconsistent with those of the NAIC. To correct this deficiency the Division will reinstate Section 1103.50.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Eve Blackwell-Lewis
Senior Staff Attorney
Department of Financial and
Professional Regulation

Craig Cellini
Rules Coordinator
Department of Financial and
Professional Regulation

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

Division of Insurance		320 West Washington
320 West Washington, 4 th Floor	or	3 rd Floor
Springfield, Illinois 62767-0001		Springfield, Illinois 62767-0001
217/782-2867		217/785-0813

- 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: Insurance
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2009

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER 0: REINSURANCE

PART 1103

LIFE REINSURANCE AGREEMENTS

Section

1103.10	Preamble
1103.20	Scope
1103.25	Definitions
1103.30	Accounting Requirements
1103.40	Written Agreements
1103.50	Existing Agreements (Repealed)
1103.EXHIBIT A	Risk Category

AUTHORITY: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Adopted at 18 Ill. Reg. 685, effective January 5, 1994; amended at 30 Ill. Reg. 7766, effective April 6, 2006; amended at 33 Ill. Reg. _____, effective _____.

Section 1103.50 Existing Agreements (~~Repealed~~)

On or before December 31, 2009, all insurers that are subject to this Part must be able to certify that they have reduced to zero any reserve credits or assets established with respect to reinsurance agreements entered into prior to December 31, 1994 that, under the provisions of this Part, would not be entitled to recognition of the reserve credits or established assets; however, the reinsurance agreements must have been in compliance with the laws and regulations in existence immediately preceding the effective date of this Part (January 5, 1994).

(Source: Old Section repealed at 30 Ill. Reg. 7766, effective April 6, 2006; new Section added at 33 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting
- 2) Code Citation: 17 Ill. Adm. Code 530
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
530.70	Amendment
530.80	Amendment
530.85	Amendment
530.95	Amendment
530.110	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29]
- 5) A Complete Description of the Subjects and Issues Involved: Amendments are being made to: change the Department's website address for making reservations; update information pertaining to conveyance for disabled hunters, clarify reservation deadlines and site-specific regulations at controlled permit hunting sites; update site-specific regulations for youth pheasant hunting; and update sites and site-specific information for non-fee hunting sites.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

period of 45 days following publication of this Notice to:

William K. Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: January 2009

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 530

COCK PHEASANT, HUNGARIAN PARTRIDGE,
BOBWHITE QUAIL, AND RABBIT HUNTING

Section	
530.10	Statewide General Regulations
530.20	Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
530.30	Statewide Hungarian Partridge Regulations (Repealed)
530.40	Statewide Bobwhite Quail Regulations (Repealed)
530.50	Statewide Rabbit Regulations (Repealed)
530.60	Statewide Crow Regulations (Repealed)
530.70	Permit Requirements for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites
530.80	Regulations for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites
530.85	Youth Pheasant Hunting Permit Requirements
530.90	Illinois Youth Pheasant Hunting Sites Permit Requirements (Repealed)
530.95	Youth Pheasant Hunting Regulations
530.100	Illinois Youth Pheasant Hunting Regulations (Repealed)
530.105	Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites (Repealed)
530.110	Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
530.115	Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites
530.120	Regulations for Hunting Crow at Various Department-Owned or -Managed Sites (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill. Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendment at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendment at 13 Ill. Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10775, effective June 20, 1990; emergency amendment at 14 Ill. Reg. 18324, effective October 29, 1990, for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill. Reg. 9924, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days; emergency expired March 23, 1992; amended at 15 Ill. Reg. 18138, effective December 6, 1991; amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. 18951, effective December 1, 1992; amended at 17 Ill. Reg. 15534, effective September 10, 1993; amended at 18 Ill. Reg. 12628, effective August 9, 1994; amended at 19 Ill. Reg. 12615, effective August 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12397, effective August 30, 1996; amended at 21 Ill. Reg. 9042, effective June 26, 1997; amended at 22 Ill. Reg. 14762, effective August 3, 1998; amended at 23 Ill. Reg. 9012, effective July 28, 1999; amended at 24 Ill. Reg. 12496, effective August 7, 2000; amended at 25 Ill. Reg. 11119, effective August 21, 2001; amended at 26 Ill. Reg. 16210, effective October 18, 2002; amended at 27 Ill. Reg. 15381, effective September 18, 2003; amended at 28 Ill. Reg. 12835, effective September 1, 2004; amended at 29 Ill. Reg. 13813, effective August 26, 2005; amended at 30 Ill. Reg. 14478, effective August 24, 2006; amended at 31 Ill. Reg. 9175, effective June 18, 2007; amended at 32 Ill. Reg. 17455, effective October 24, 2008; amended at 33 Ill. Reg. _____, effective _____.

Section 530.70 Permit Requirements for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites

- a) Applicants must contact the Department of Natural Resources (Department or DNR) to obtain a permit reservation. For Silver Springs State Park, Ramsey Lake State Park, Horseshoe Lake State Park (Madison County) and Chain O'Lakes State Park, applicants must contact the public/private partnership area concessionaire. Should the concessionaire, for any reason, fail to operate the concession, applicants must contact the DNR. Applications for reservations will be accepted on the first Monday of August until 24 hours before the last hunt date. Methods for making reservations are available on the Department's Website at: <http://dnr.state.il.us>, by email at: dnr.pheasant@illinois.gov

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

dnr.pheasant@illinois.gov or by writing to the Department's Division of Parks and Recreation-Pheasant at the address cited in subsection (c). Only applications for reservations submitted by Illinois residents will be accepted during the first two weeks of the application period. Reservations will be confirmed. Providing false information on the application is a Class A misdemeanor (see 520 ILCS 5/2.38).

- b) Permits will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 80 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) For all DNR operated sites the permit is valid for the permit holder and up to three hunting partners. The hunting partners cannot hunt without the permit holder being present to hunt. Methods for changing hunting reservations and transferring permits will be provided on the Department's Website at: <http://dnr.state.il.us>, by email at: dnr.pheasant@illinois.gov or by writing to:

Illinois Department of Natural Resources
Division of Parks and Recreation – Pheasant
One Natural Resources Way
Springfield IL 62702-1271

- d) Reservations for pheasant hunting will be issued by the Department for the Des Plaines Conservation Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit, Johnson-Sauk Trail State Park, Kankakee River State Park, Lee County Conservation Area (Green River), Moraine View State Park, Sand Ridge State Forest and Wayne Fitzgerald State Park.
- e) The Department will operate a conveyance or authorize a conveyance to be used for disabled hunters possessing a current Standing Vehicle Permit at some controlled pheasant hunting sites. Reservations for Disabled Controlled Pheasant Hunting Permits ~~this conveyance~~ must be made at least 48 hours ~~2 days~~ in advance of the hunt, and shall be on a first come first served basis. Sites where the conveyance will be available, as well as dates of operation, shall be provided on the Department's Controlled Pheasant Hunting Website and/or publicly

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

announced.

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

Section 530.80 Regulations for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites

a) Hunting Seasons:

- 1) The following controlled pheasant hunting areas shall be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season [\(except as provided in subsection \(a\)\(4\)\)](#) and on December 25.

Chain O'Lakes State Park

Des Plaines Conservation Area

Eldon Hazlet State Park (Carlyle Lake)

Horseshoe Lake State Park – Madison County

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit

Johnson-Sauk Trail State Park

Kankakee River State Park

Moraine View State Park

Ramsey Lake State Park

Sand Ridge State Forest

Silver Springs State Park

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Wayne Fitzgerald State Park (Rend Lake)

- 2) The following controlled pheasant hunting areas are open to the Illinois Youth Pheasant Hunting Program only on the first Sunday of the site's controlled pheasant hunting season.

Chain O'Lakes State Park

Des Plaines Conservation Area

Eldon Hazlet State Park (Carlyle Lake)

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit

Johnson-Sauk Trail State Park

Lee County Conservation Area (Green River State Wildlife Area)

Moraine View State Park

Sand Ridge State Forest

Wayne Fitzgerald State Park (Rend Lake)

- 3) The controlled hunting season on the Lee County Conservation Area (Green River) is each Sunday and Monday following the first Saturday in November through the eighth Sunday following (closed on Sunday during the November and December firearm deer season) ~~November 2, 3, 9, 10, 16, 17, 24, 30 and December 1, 8, 14, 15, 16.~~

- 4) Controlled pheasant hunting seasons are listed below; exceptions are in parentheses; with written authorization from the Director, captive-reared game bird hunting may be scheduled during the season authorized by statute (see 520 ILCS 5/2.6) on the following DNR operated areas:

Des Plaines Conservation Area (closed during the November 3-day

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

firearm deer season) and Moraine View State Park – the Wednesday before the first Saturday of November through the ninth Sunday following

Eldon Hazlet State Park and Wayne Fitzgerald State Park – the Wednesday following the first Saturday of November through the ninth Sunday following

Horseshoe Lake State Park – Madison County (closed New Year's Day) – the second Wednesday of December or the first hunting day after the close of the central zone duck season, whichever occurs first, through the next following January 31

Iroquois County Conservation Area and Chain O'Lakes State Park (closed during the November 3-day firearm deer season) – the Wednesday before the first Saturday in November through the seventh Sunday following

Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit (closed during the November and December firearm deer seasons), Johnson-Sauk Trail State Park (closed New Year's Day), Kankakee River State Park (closed New Year's Day), Ramsey Lake State Park (closed New Year's Day), Sand Ridge State Forest – season dates are those specified in Section 530.20

Silver Springs State Park (closed New Year's Day) – the third Saturday of October through the next following January 8

- b) Hunting hours are listed below. On Thanksgiving Day, hunting hours are 9:00 a.m.-1:00 p.m. Hunters with reservations are required to check in at the check station on the following sites at the listed times. Hunters with reservations that check in after the required check-in time may not be allowed to hunt if the site hunter quota has been filled.

Site Name	Check-In Times	Hunting Hours
Chain O'Lakes State Park	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Des Plaines Conservation	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Area

Eldon Hazlet State Park (Carlyle Lake)	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Horseshoe Lake State Park (Madison County)	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Iroquois County Conservation Area	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Jim Edgar Panther Creek State Fish and Wildlife Area (Controlled Unit)	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Johnson-Sauk Trail State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Kankakee River State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Lee County Conservation Area (Green River State Wildlife Area)	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Moraine View State Park	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Ramsey Lake State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Sand Ridge State Forest	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Silver Springs State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Wayne Fitzgerald State Park (Rend Lake)	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.

- c) Except for Standing Vehicle Permittees [with a Disabled Controlled Pheasant Hunting Permit](#)~~hunting from the Department's disabled conveyance~~, during the controlled pheasant hunting season when daily quotas are not filled, permits shall be issued by drawing held at the conclusion of check-in time and if daily quotas

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

remain unfilled at the conclusion of the drawing, on a first come-first served basis until 12:00 noon at the following sites:

Des Plaines Conservation Area

Eldon Hazlet State Park

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area

Johnson-Sauk Trail State Park

Lee County Conservation Area (Green River)

Kankakee River State Park

Moraine View State Park

Sand Ridge State Forest

Wayne Fitzgerald State Park

- d) Hunting licenses, daily ["Public Hunting Grounds for Pheasants" fees and hunting permit fees collected by public/private partnership area concessionaire usage stamps and fees:](#)
- 1) [Depending on the availability of staff during](#) ~~During~~ the controlled pheasant hunting season, hunters [may be](#) ~~are~~ required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card, they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.
 - 2) [Pursuant to 520 ILCS 5/1.13, at](#) ~~A~~ the Lee County Conservation Area (Green River) and the Iroquois County Conservation Area, hunters must [pay the following daily Public Hunting Grounds for Pheasants fee to obtain a daily usage stamp from](#) the Department prior to hunting: [\\$25](#)

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~~residents; \$35 non-residents. On, except on~~ the Sunday following Thanksgiving Day, hunters under 16 are not required to ~~pay the daily Public Hunting Grounds for Pheasants fee~~ obtain a stamp.

- 3) ~~Pursuant to 520 ILCS 5/1.13, at~~ the Des Plaines Conservation Area, Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit, Johnson-Sauk Trail State Park, Kankakee River State Park, Moraine View State Park, Eldon Hazlet State Park (Carlyle Lake), Wayne Fitzgerald State Park and Sand Ridge State Forest, hunters must ~~pay the following daily Public Hunting Grounds for Pheasants fee to obtain a daily usage stamp from~~ the Department prior to hunting: ~~\$25 residents; \$35 non-residents. On, except on~~ the Sunday following Thanksgiving Day and the ~~Saturday~~ Friday between Christmas Day and New Year's Day, hunters under 16 are not required to ~~pay the daily Public Hunting Grounds for Pheasants fee~~ obtain a stamp.

- 4) ~~At Chain O'Lakes State Park, Horseshoe Lake State Park (Madison County), Ramsey Lake State Park and Silver Springs State Park, hunters must pay the following hunting permit fees to be collected by the public/private partnership area concessionaire under the terms of a Controlled Pheasant Hunting Agreement with the Department prior to hunting: 2 pheasant permit – \$25 residents and \$35 non-residents; 3 pheasant permit – \$36; 4 pheasant permit – \$45. On days authorized by the Department, hunters under 16 are not required to pay a hunting permit fee. Fees of not more than \$23 for a 2 pheasant hunting permit, \$32 for a 3 pheasant hunting permit or \$39 for a 4 pheasant hunting permit must be paid to the public/private partnership area concessionaire at the following sites. In the event of a weather anomaly, such as drought, the listed fees may be increased.~~

~~Chain O'Lakes State Park~~

~~Horseshoe Lake State Park (Madison County)~~

~~Ramsey Lake State Park~~

~~Silver Springs State Park~~

- e) During the controlled pheasant hunting season, hunters must wear a back patch

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issued by the check station.

- f) Anyone who has killed game previously and has it in possession or in their vehicle must declare it with the person in charge of the area during check-in. All game found in a hunter's possession after hunting has started on the area shall be considered illegally taken if the hunter has not declared it prior to going afield.
- g) All hunting must be done with shotguns or bow and arrow. Only shot shells with a shot size of No. 5 lead or a non-toxic shot size ballistically equivalent to No. 5 lead or smaller may be used, except at Chain O' Lakes State Park, Johnson-Sauk Trail State Park, Lee County Conservation Area (Green River), Wayne Fitzgerald State Park and Eldon Hazlet State Park where only nontoxic shot approved by the U.S. Fish and Wildlife Service may be possessed and only shot shells with a shot size ballistically equivalent to No. 5 lead or smaller may be used or in possession. Flu flu arrows only may be used or in possession by bow and arrow hunters.
- h) Non-hunters are not allowed in the field, except at special hunts publicly announced by the Department where non-hunters authorized by the Department shall be allowed in the field, and except for operators of Department conveyances and Standing Vehicle Permittees and a single dog handler for the Permittee.
- i) Hunters under 16 years of age must be accompanied by an adult hunter.
- j) Daily limits – On the following areas, ~~hunters may obtain one permit each day;~~ a permit authorizes the harvest of 2 pheasants of either sex per hunter; exceptions are in parentheses. ~~With;~~ with written authorization from the Director, the Department may issue more than one permit to a hunter and the limits provided for in 520 ILCS 5/3.28 shall apply ~~for Illinois Conservation Foundation sponsored hunts:~~

Chain O'Lakes State Park (two 2 pheasant permits or one 3 or 4 pheasant permit per hunter each day)

Des Plaines Conservation Area

Eldon Hazlet State Park

Lee County Conservation Area (2 cock pheasants per permit hunter)

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Horseshoe Lake State Park-Madison County (two 2 pheasant permits or one 3 or 4 pheasant permit per hunter each day; additionally, first day only, 4 quail and 2 rabbits per hunter)

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area (additionally, 8 bobwhite quail opening day through the Sunday following Thanksgiving and 4 rabbits per hunter)

Johnson-Sauk Trail State Park (additionally, 8 bobwhite quail, 2 Hungarian partridge and 4 rabbits per hunter)

Kankakee River State Park (additionally, 8 bobwhite quail and 4 rabbits per hunter)

Moraine View State Park

Ramsey Lake State Park (two 2 pheasant permits or one 3 or 4 pheasant permit per hunter each day; additionally, 8 bobwhite quail and 4 rabbits per hunter)

Sand Ridge State Forest (additionally, 8 bobwhite quail and 4 rabbits per hunter)

Silver Springs State Park (two 2 pheasant permits or one 3 or 4 pheasant permit per hunter each day)

Wayne Fitzgerald State Park

- k) Tagging of birds.
During the controlled pheasant hunting season, all pheasants must be affixed with a Department tag before they are removed from the area during the controlled pheasant hunting season. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- l) During the controlled pheasant hunting season, hunters may not leave the confines of any permit area and return to hunt on the permit area during the same day.

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- m) Any person who violates any provision of this Part or 17 Ill. Adm. Code 510.10(c)(1), (4) and (6) or 510.10(d)(7) or Section 2.33(n), (x) or (z) of the Wildlife Code [520 ILCS 5/2.33(n), (x) or (z)] shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. Hunters may request a hearing within ten days after the citation by written request addressed to: Legal Division, Department of Natural Resources, One Natural Resources Way, Springfield IL 62702-1271. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.
- n) Violation of a site regulation is a petty offense (see 520 ILCS 5/2.6, 2.7, 2.13 or 2.27).

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

Section 530.85 Youth Pheasant Hunting Permit Requirements

- a) Applicants must contact the Department of Natural Resources (Department or DNR) to obtain a permit reservation. Applications for reservations will be accepted on the first Monday of August until 24 hours before the hunt date. Methods for making reservations are available on the Department's Website at: <http://dnr.state.il.us>, by email at: dnr.pheasant@illinois.gov or by writing to the Department's Division of Parks and Recreation. Only applications for reservations submitted by Illinois residents will be accepted during the first two weeks of the application period. Reservations will be confirmed. Providing false information on the application is a Class A misdemeanor (see 520 ILCS 5/2.38).
- b) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) Methods for transferring permits will be provided on the Department's Website at: <http://dnr.state.il.us>, by email at: dnr.pheasant@illinois.gov or by writing to:

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Illinois Department of Natural Resources
Division of Parks and Recreation – Youth Pheasant Hunt
One Natural Resources Way
Springfield IL 62702-1271

- d) Reservations for the Illinois Youth Pheasant Hunt permits will be issued for Chain O'Lakes State Park, Clinton Lake State Recreation Area, Des Plaines Conservation Area, Edward R. Madigan State Park, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Johnson-Sauk Trail State Park, Lee County Conservation Area (Green River), Moraine View State Park, Wayne Fitzgerald (Rend Lake) State Park, Mackinaw River State Fish and Wildlife Area, Horseshoe Lake State Park (Madison County), Sand Ridge State Forest, Sangchris Lake State Park and Jim Edgar Panther Creek State Fish and Wildlife Area-Controlled Unit.

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

Section 530.95 Youth Pheasant Hunting Regulations

- a) At the following sites, the Illinois Youth Pheasant Hunt will be held on:
- 1) the Saturday preceding the opening of the statewide upland game season:
 - Clinton Lake State Recreation Area
 - Mackinaw River State Fish and Wildlife Area
 - 2) the Sunday following the opening of the statewide upland game season:
 - Chain O'Lakes State Park
 - Des Plaines Conservation Area
 - Edward R. Madigan State Park
 - Lee County Conservation Area (Green River)
 - Iroquois County Conservation Area

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Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit

Johnson-Sauk Trail State Park

Moraine View State Park

Sand Ridge State Forest

Sangchris Lake State Park

- 3) the second Sunday following the opening of the statewide upland game season:

Eldon Hazlet State Park (Carlyle Lake)

Horseshoe Lake State Park (Madison County)

Wayne Fitzgerald State Park (Rend Lake)

- b) Hunting hours are from 9:00 a.m. to 4:00 p.m., except at Sangchris Lake hunting hours are from 11:00 a.m. to 4:00 p.m. Hunters with reservations or permits are required to check in at the check station between 7:00 and 8:00 a.m. (between 10:00 and 10:30 a.m. at Sangchris Lake State Park).
- c) All hunters must be between the ages of 10-15 inclusive and have a youth hunting permit. Stand-by permits will not be available except at Sangchris Lake and Edward R. Madigan State Park. [Hunters under age 16 are not required to pay a daily fee.](#)
- d) All hunters are required to deposit their hunting licenses in the check station while hunting. Each permit holder must be accompanied by a non-hunting supervisory adult. If the hunter does not have a valid Firearm Owner's Identification (FOID) card, the supervisory adult is required to have a valid FOID card. Only one supervisory adult in a hunting party is required to have a valid FOID card if the hunters in the hunting party stay under the immediate control (accompany youth hunter at all times) of the supervisory adult possessing the valid FOID card. The supervising adult shall be criminally liable for the actions of the youth in the hunting party and shall be subject to the criminal penalties provided by law.

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- e) Supervising adults are required to wear a cap and upper outer garment of solid and vivid blaze orange of a least 400 square inches. Hunters must wear a back patch issued by the check station.
- f) Persons who have killed game previously and have it in their possession or in their vehicle must declare it with the person in charge of the area prior to hunting on the area. All previously killed game found in a hunter's possession after hunting has started on the area will be considered illegally taken if the hunter has not declared it prior to going afield.
- g) All hunting must be done with shotguns. Only shot shells with a shot size of #5 lead or a nontoxic shot size ballistically equivalent to No. 5 lead or smaller may be used, except at Chain O'Lakes State Park, Eldon Hazlet State Park, Johnson-Sauk Trail State Park, Lee County Conservation Area (Green River) and Wayne Fitzgerald State Park where only shot shells approved as nontoxic by the U.S. Fish and Wildlife Service with a shot size ballistically equivalent to No. 5 lead or smaller may be used.
- h) Daily limit.
 - 1) Two pheasants of either sex at Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hazlet State Park, Iroquois County Conservation Area, Horseshoe Lake State Park (Madison County), Johnson-Sauk Trail State Park, Moraine View State Park, Sand Ridge State Forest, and Wayne Fitzgerald State Park.
 - 2) Two cock pheasants only at Clinton Lake State Recreation Area, Lee County Conservation Area (Green River) and Mackinaw River State Fish and Wildlife Area.
 - 3) Statewide upland game limits at Sangchris Lake State Park and Edward R. Madigan State Park.
 - 4) Two pheasants of either sex, eight quail and four rabbits at Jim Edgar Panther Creek State Fish and Wildlife Area – Controlled Unit.

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- i) All pheasants must be affixed with a Department tag before they are removed from the area. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- j) Violation of this Section is a petty offense (see 520 ILCS 5/2.6).

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

Section 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites

- a) General Site Regulations
 - 1) All regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping – apply in this Section, unless this Section is more restrictive.
 - 2) Only flu flu arrows may be used by bow and arrow hunters; broadheads are not allowed.
 - 3) On sites [thatwhich](#) are indicated by (1), hunters must check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
 - 4) On sites [thatwhich](#) are indicated by (2), only nontoxic shot approved by the U.S. Fish and Wildlife Service of size #3 steel or #5 bismuth shot or smaller may be used or possessed with a shot size of #3 steel or tin, #4 bismuth, #5 tungsten-iron, tungsten-polymer, tungsten-matrix or smaller may be used.
 - 5) Site specific rules or exceptions are noted in parentheses after each site.
- b) Site Specific Regulations
 - 1) Statewide regulations apply at the following sites:
 - Anderson Lake Conservation Area (1)
 - Apple River Canyon State Park – Salem and Thompson Units (rabbits only; closed during firearm deer season) (1)

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Argyle Lake State Park (closed during firearm deer season) (1)

Banner Marsh State Fish and Wildlife Area (opens the day after the close of the central zone duck season) (1)

Big Bend State Fish and Wildlife Area (hunting for bobwhite quail will terminate at the close of legal shooting hours on December 14) (1)

Big River State Forest (closed during firearm deer season) (1)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Cape Bend State Fish and Wildlife Area (1)

Carlyle Lake Lands and Waters (Corps of Engineers Managed Lands)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Crawford County Conservation Area (1)

Cypress Pond State Natural Area (1)

Deer Pond State Natural Area (1)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (1)

Eagle Creek State Park (open only January 16-22)

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch only) (1)

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[Falling Down Prairie \(1\)](#)

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site (hunting with muzzleloading shotgun or bow and arrow only) (1)

Ft. Massac State Park (1)

Fulton County Goose Management Area (opens the day after the close of the Central Illinois Quota Zone goose season) (1)

Giant City State Park (1)

Hamilton County Conservation Area (1)

Hanover Bluff State Natural Area (1)

Horseshoe Lake Conservation Area (Alexander County) (Public Hunting Area) (1)

Horseshoe Lake Conservation Area (Controlled Hunting Area; closed prior to and during the Canada goose season) (1)

Jubilee College State Park (hunting for pheasant and quail will terminate at sunset on the Sunday after Thanksgiving; closed during all site firearm deer seasons) (1)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; the defined Baldwin Lake Waterfowl Rest Area is closed) (1)

Kinkaid Lake Fish and Wildlife Area (1)

Marseilles State Fish and Wildlife Area (closed during all site firearm deer seasons; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (1)

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Marshall Fish and Wildlife Area (closed during firearm deer season) (1)

Mazonia State Fish and Wildlife Area (upland season does not open until the day after the close of the site's waterfowl season; the site is closed Mondays, Tuesdays, Christmas Day and New Year's Day) (1)

Mermet Lake Fish and Wildlife Area (1)

Mississippi River Pools 16, 17, 18

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 21, 22, 24

Mt. Vernon Game Propagation Center (hunting from January 1 to the end of season; rabbits only) (1)

Nauvoo State Park (Max Rowe Unit only)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (West and North Subunits only) (1)

Pyramid State Park (1)

[Rall Woods State Natural Area \(1\)](#)

Ramsey Lake State Park (8:00 a.m. to 4:00 p.m.; rabbits and quail only may be hunted on Mondays and Tuesdays during the fee pheasant season) (1)

Randolph County Conservation Area (1)

Ray Norbut State Fish and Wildlife Area (1)

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Red Hills State Park (1)

Rend Lake Project Lands and Waters

Sahara Woods State Fish and Wildlife Area (1)

Saline County Conservation Area (1)

Sam Dale Lake Conservation Area (8:00 a.m. to 4:00 p.m.) (1)

Sam Parr State Park (8:00 a.m. to 4:00 p.m.) (1)

Sangamon County Conservation Area

Shawnee National Forest, Oakwood Bottoms (2)

Sielbeck Forest Natural Area (1)

Skinner Farm State Habitat Area (1)

Snakeden Hollow State Fish and Wildlife Area (opens the day after the close of the Central Illinois Quota zone goose season) (1) (2)

Spoon River State Forest (1)

Stephen A. Forbes State Park (8:00 a.m. to 4:00 p.m.) (1)

Tapley Woods State Natural Area (closed during firearm and muzzleloading rifle deer seasons) (1)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area (Firing Line Management Area only) (1) (2)

Washington County Conservation Area (1)

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Weinberg-King State Park (1)

Weinberg-King State Park (Cecil White Unit)

Weinberg-King State Park (Scripps Unit) (1)

Weinberg-King State Park (Spunky Bottoms Unit) (1)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (rabbit only; opens after second firearm deer season) (1)

Wolf Creek State Park (open only January 16-22)

- 2) Statewide regulations apply at the following sites except that hunters must obtain a free site permit from site office; this permit must be in possession while hunting at the site. The permit must be returned, and harvest reported, by February 15 or the hunter will forfeit hunting privileges at the site for the following year:

Chauncey Marsh (obtain permit at Red Hills State Park headquarters)

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (4:00 p.m. daily closing; closed during firearm deer season)

Hidden Springs State Forest (no hunting during firearm deer season; 4:00 p.m. daily closing)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit

Jim Edgar Panther Creek State Fish and Wildlife Area (Open Unit)

Jim Edgar Panther Creek State Fish and Wildlife Area –

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Controlled Unit (rabbit hunting only open Monday following the close of the controlled pheasant hunting season through the next following January 22)

Kickapoo State Park (4:00 p.m. daily closing; closed during firearm deer season)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters)

Middle Fork Fish and Wildlife Area (4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (rabbit hunting permitted Mondays and Tuesdays during the site controlled hunting season; hunting hours are 8 a.m. to 4 p.m. only)

Newton Lake Fish and Wildlife Area (closed during firearm deer season)

Pyramid State Park – Galum Unit

Sanganois State Fish and Wildlife Area

Ten Mile Creek State Fish and Wildlife Area (nontoxic shot only on posted waterfowl rest areas)

- 3) Hunting is permitted on the following areas only on the dates listed in parentheses; or on sites indicated by (3), hunting will be permitted on the first and second day of the statewide upland game season and on each subsequent Wednesday and Saturday in November, and on each Thursday and Sunday in December, through December 24. On sites indicated by (4), hunting will be permitted on the first and second day of the statewide upland game season and on each subsequent Wednesday and Saturday in November and on each Thursday and Sunday in December, through December 24, except closed during the firearm deer seasons and open

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December 27 and 29. Daily hunting permits filled by drawing through DNR Permit Office. Procedures for application and drawings will be publicly announced. Illinois residents will have preference. Only one permit per person will be issued. Each permit authorizes the holder to bring the number of additional hunting partners listed in parentheses for the day's hunt. The permit must be returned and harvest reported by February 15 or permit holders will forfeit hunting privileges at the sites covered in this Section for the following year:

Birkbeck Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Bradford Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Clifton Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Coffeen Lake State Fish and Wildlife Area – Upland Management Area (open every Wednesday during the upland season; daily limit of bobwhite quail is 4; each permit authorizes the holder to bring 2 hunting partners)

Dublin Highlands Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Eagle Creek State Park (each permit authorizes the holder to bring 3 hunting partners) (3)

Edward R. Madigan State Park (open on Mondays from the opening of upland game season until Christmas Day; each permit authorizes the holder to bring 3 hunting partners; check in required before hunting)

Freeman Mine (open every Wednesday in November and December starting with opening day of upland game season except during firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners; hunting hours 8 a.m. to 4 p.m.; daily bag limit is 2 cock pheasants, 4 quail, and 2

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rabbits)

Franklin Creek State Natural Area – Nachusa Prairie Sand Farm (each permit authorizes the holder to bring 3 hunting partners) (3)

Gifford Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Green River State Wildlife Area (open only November [7, 11, 12, 14, 18, 25, 28](#), ~~5, 6, 8, 12, 19, 22~~ and December [2, 9, 10, 12, 16, 17, 19](#), ~~3, 4, 6, 10, 11, 13, 17, 18, 20~~; each permit authorizes the holder to bring 5 hunting partners) (1) (2)

Hallsville Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Harry "Babe" Woodyard State Natural Area (each permit authorizes the holder to bring 3 hunting partners; 8 a.m. to 4 p.m. hunting hours) (4)

Herschel Workman Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Hindsboro Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Hurricane Creek Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (4)

[Ilo Dillin Habitat Area \(each permit authorizes the holder to bring 3 hunting partners\) \(3\)](#)

Jim Edgar Panther Creek State Fish and Wildlife Area (Upland Game Management Area) (open every Tuesday and Saturday in November, December and January starting with opening day of upland game season except during firearm deer season and December 24 and 25; rabbit hunting only after the close of pheasant and quail season; each permit authorizes holder to bring 3 hunting partners)

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Little Rock Creek Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Loda Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Mackinaw State Fish and Wildlife Area (each permit authorizes the holder to bring 3 hunting partners) (4)

Manito Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Maytown Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Milks Grove Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Perdueville Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Pyramid State Park – Captain Unit (open only November [7, 11, 14, 18, 25, 28](#)~~1, 5, 8, 12, 15, 26~~; December [16, 19, 23, 26, 30](#)~~3, 10, 13, 20, 27~~; and January [2, 6, 9, 13](#)~~3, 7, 9, 15~~; each permit authorizes the holder to bring 2 hunting partners)

Pyramid State Park – Denmark Unit (open only November [8, 10, 14, 18, 25, 29](#)~~2, 5, 8, 12, 15, 26~~; December [16, 19, 23, 27, 30](#)~~3, 10, 13, 20, 27~~; and January [3, 6, 9, 13](#)~~4, 7, 10, 14~~; each permit authorizes the holder to bring 2 hunting partners)

Pyramid State Park – East Conant Unit (open only November [7, 11, 14, 25, 28](#)~~1, 5, 8, 12, 15, 26~~; December [9, 16, 19, 23, 26, 30](#)~~3, 10, 13, 20, 27~~; and January [2, 6, 9, 13](#)~~3, 7, 10, 14~~; each permit authorizes the holder to bring 2 hunting partners)

Sand Prairie Pheasant Habitat Area (each permit authorizes the holder to bring 5 hunting partners) (3)

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Sand Ridge State Forest (Sparks Pond Land and Water Reserve Area) (open on Saturdays and Tuesdays from the opening of the upland game season through the end of December except during firearm deer season; each permit authorizes holder to bring 3 hunting partners)

Sangchris Lake State Park (open every Wednesday and Saturday in November and December after the opening day of upland game season except the Saturday of the second firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners; hunting hours 11:00 a.m. to sunset; check in required before hunting)

Saybrook Pheasant Habitat Area (each permit authorizes the holder to bring 5 hunting partners) (3)

Sibley Pheasant Habitat Area (each permit authorizes the holder to bring 5 hunting partners) (3)

Siloam Springs State Park – Buckhorn Unit (open only the first and third days of firearm deer season and every Tuesday and Saturday thereafter until close of the statewide quail season; each permit authorizes the holder to bring 3 hunting partners)

Steward Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Victoria Pheasant Habitat Area (each permit authorizes the holder to bring 5 hunting partners) (3)

[Whitefield Pheasant Habitat Area \(each permit authorizes the holder to bring 3 hunting partners\) \(3\)](#)

Willow Creek Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Wolf Creek State Park (each permit authorizes the holder to bring 3 hunting partners) (4)

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- 4) The following sites will be open for pheasant, quail, rabbit and partridge hunting following the site's controlled pheasant hunting season; pheasants of either sex may be taken; all hen pheasants must be tagged by DNR before leaving sites; hunting hours are 8:00 a.m.-4:00 p.m.; hunting dates are noted in parentheses:

Chain O'Lakes State Park (open Wednesday through Friday following permit pheasant season) (1)

Des Plaines Conservation Area (dates are 5 days following the close of the site's permit pheasant season excluding Mondays, Tuesdays and Christmas) (1)

Eldon Hazlet State Park (no quail or rabbit hunting; controlled pheasant hunting area and for 5 consecutive days only) (1)

Iroquois County Wildlife Management Area (open Wednesday through Sunday following permit pheasant season, [excluding Christmas](#)) (1)

Kankakee River State Park (no quail hunting)

Moraine View State Park (open Monday following the close of the controlled pheasant hunting season through the close of the northern zone season) (1)

Silver Springs State Park (dates are 5 days following the close of the site's permit pheasant season, excluding Mondays and Tuesdays) (1)

- c) Violation of a site regulation is a petty offense (see 520 ILCS 5/2.6, 2.7, 2.13 or 2.27).

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

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- 1) Heading of the Part: Duck, Goose and Coot Hunting
- 2) Code Citation: 17 Ill. Adm. Code 590
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
590.15	Amendment
590.20	Amendment
590.40	Amendment
590.50	Amendment
590.60	Amendment
590.80	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10] and Migratory Bird Hunting (50 CFR 20)
- 5) A Complete Description of the Subjects and Issues Involved: Amendments to this Part are being made to: clarify regulations for submittal of blind registration forms; update the list of open sites, requirements, and site-specific regulations for permit controlled hunting; update site-specific information for check station Department sites only; update site-specific information for non-check station Department sites only; update site-specific regulations for various other Department sites; and update the list of open sites and site-specific regulations for early and late goose hunting on Department sites.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

William K. Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: January 2009

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

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 590
DUCK, GOOSE AND COOT HUNTING

Section

590.10	Statewide Regulations
590.15	Duck, Goose and Coot General Hunting Regulations on Department-Owned and -Managed Sites Listed in Sections 590.40 and 590.50
590.20	Permit Controlled Department Sites Only – Duck, Goose and Coot Hunting
590.25	Illinois Youth Waterfowl Hunting Permit Requirements (Repealed)
590.26	Illinois Youth Duck Hunting Permit Requirements (Repealed)
590.30	Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites (Repealed)
590.40	Check Station Department Sites Only – Duck, Goose and Coot Hunting
590.50	Non-Check Station Department Sites Only – Duck, Goose and Coot Hunting
590.60	Various Other Department Sites – Duck, Goose and Coot Hunting
590.70	Ohio River
590.80	Early and Late Goose (all species) Hunting Regulations on Department Sites
590.EXHIBIT A	The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10] and Migratory Bird Hunting (50 CFR 20).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; emergency expired March 3, 1984; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; emergency expired

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February 23, 1987; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Reg. 13209, effective September 11, 1995; amended at 20 Ill. Reg. 754, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12417, effective August 30, 1996; amended at 21 Ill. Reg. 578, effective December 30, 1996; amended at 21 Ill. Reg. 11713, effective August 12, 1997; amended at 22 Ill. Reg. 2182, effective January 2, 1998; amended at 22 Ill. Reg. 15961, effective August 24, 1998; amended at 22 Ill. Reg. 21881, effective December 3, 1998; emergency amendment at 23 Ill. Reg. 3092, effective March 10, 1999, for a maximum of 150 days; emergency expired August 6, 1999; amended at 23 Ill. Reg. 11195, effective August 26, 1999; emergency amendment at 23 Ill. Reg. 14640, effective December 13, 1999, for a maximum of 150 days; emergency expired May 10, 2000; amended at 24 Ill. Reg. 12517, effective August 7, 2000; amended at 25 Ill. Reg. 14131, effective October 22, 2001; amended at 26 Ill. Reg. 16238, effective October 18, 2002; amended at 27 Ill. Reg. 15409, effective September 18, 2003; amended at 28 Ill. Reg. 13562, effective September 24, 2004; amended at 29 Ill. Reg. 9654, effective June 24, 2005; emergency amendment at 29 Ill. Reg.

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13900, effective August 30, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 18924, effective November 4, 2005; amended at 30 Ill. Reg. 15694, effective September 18, 2006; amended at 31 Ill. Reg. 13128, effective August 30, 2007; amended at 32 Ill. Reg. 14761, effective August 27, 2008; amended at 33 Ill. Reg. _____, effective _____.

Section 590.15 Duck, Goose and Coot General Hunting Regulations on Department-Owned and -Managed Sites Listed in Sections 590.40 and 590.50

- a) Definitions
- 1) Blind site – A position within 10 feet of numbered stake where blind must be constructed. Sites shall be located and marked by the Department .
 - 2) Blind builder – Person who has been assigned a blind site as a result of the drawing.
 - 3) Blind partner – Persons chosen by the builder to assist in construction and maintenance of the blind and to share its blind claiming and hunting privileges.
 - 4) Drawing – Procedure by which blind sites are assigned.
 - 5) Blind registration card – Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.
 - 6) Complete blind – A blind with all framework and siding constructed and in readiness for use, including final brushing.
 - 7) Hunting party – An individual or group of hunters occupying a single boat, blind, or hunting site.
 - 8) Dog Hide – A compartment or area within or attached to a blind that houses a dog used to retrieve downed waterfowl.
- b) Blind Construction
- 1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy enough to withstand daily usage, and must be maintained in good

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condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.

- 2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.
- 3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of regular duck season (except at Mississippi River Area Pools 25 and 26 blinds and final brushing must be completed 4 weeks in advance of opening date of regular duck season) after which time the Department shall inspect all blinds and blind sites and issue Blind Registration Cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Deer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in the blind prior to the first day of regular duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.
- 4) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, shall be reassigned to alternates selected at a drawing or by a first come-first served allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, 7 days prior to the opening date of the duck season on sites posted as being closed to trespassing 7 days prior to regular duck season. At Mississippi River Area Pools 25 and 26 reassigned blinds must be completed by sunset of the Sunday immediately preceding the opening day of regular duck season. On all other sites reassigned blinds must be completed, including final brushing, by the day before the opening day of the regular duck season.
- 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes shall be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned within 30 days ~~after~~[prior to](#) the blind drawing date. Failure to do so shall result in forfeiture of blind.

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- 6) No person shall be allowed to be a blind builder or partner on more than one public waterfowl blind managed by the Department.
 - 7) Boat hides are required, except as noted in Sections 590.40 and 590.50, and must have minimum inside dimensions of 18' x 6', except all blinds allocated and constructed after January 1, 2005 must have minimum dimensions of 18' x 7½'. Boat hides shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by 3 weeks prior to the opening day of duck season, except at Mississippi River Area Pools 25 and 26 boat hides and final brushing must be completed 4 weeks prior to the opening day of duck season; failure to meet these standards shall result in forfeiture of blind site.
 - 8) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds except as indicated in Sections 590.40(a) and (b) and 590.50(a) and (b).
 - 9) Blinds must include a dog hide that is on the same level as the blind. The dog hide can either be incorporated into the blind by providing a hole at floor level that measures at least 20 inches high by 20 inches wide or by providing a separate compartment that is attached to the blind. Hides attached to the blind should have a minimum floor space that measures 2 feet by 2 feet and should be at least 2.5 feet high with 2 openings. One opening should be between the blind and the dog hide, should measure at least 20 inches by 20 inches, and should be constructed at the same level as the blind floor. The water access opening should be at least 20 inches wide and 20 inches high. Hides either within the blind or attached should have an enforced ramp to water level that is at least 15 inches wide with cleats every 12 inches. Openings in the blind must be capable of being closed when not in use.
- c) Use of blinds
- 1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

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- 2) No person shall hunt, or attempt to hunt, except from within a registered blind.
 - 3) Persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by an adult due to safety factors.
 - 4) Blinds shall not be locked.
 - 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied, is unlawful.
 - 6) No person shall fish within 250 yards of an occupied blind within the hunting area.
 - 7) All hunting parties shall hunt over a spread of at least 12 decoys during duck season and Canada goose season. The decoys shall be staked, placed, or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container.
 - 8) At sites where a manned check station is in operation, hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp at the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
 - 9) Cutting of vegetation greater than 4 inches d.b.h. will result in loss of the blind for the current allocation period.
- d) Public Drawing
- 1) Time and place for all sites holding drawings shall be publicly announced by the Department.
 - 2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current Firearm Owner's

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Identification Card unless exempted by law. Persons exempted by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have Firearm Owner's Identification Cards must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. In order to be an eligible applicant for the drawing, the participant must not at the time of the drawing have his/her hunting privileges suspended or revoked by the Department or any other jurisdiction. Applicants must be present for the registration and drawing to be eligible for allocation of blind sites.

- 3) No person is eligible to draw for a waterfowl blind who has had his or her hunting privileges suspended by Illinois or any other state, or is prohibited from possessing a firearm due to a conviction for violation of a State or federal law, or is prohibited from possessing a firearm by action of law regardless of conviction status (such as homeland security, under order of protection, etc.). Any ineligible person who submits an application to draw for a waterfowl blind shall be refused, if known by the drawer at the time to be ineligible, or shall have his or her draw declared void upon discovery of ineligibility by the Department. A refused or voided application shall be referred to the appropriate State's Attorney for possible prosecution under the Criminal Code [720 ILCS 5].
- e) Flood Rules
- In the event that State managed sites are flooded to the point that public waterfowl blinds cannot be constructed or are no longer usable, the Department, by public announcement and/or posting, may permit waterfowl hunting under one of the following rules:
- 1) If the check station for that site is open, all rules apply, except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site.
 - 2) If the check station is not operable, all rules apply except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site. Additionally, rules listed in Section 590.40(b)(1), (2), (3), (4) and (9) shall not be in force. Rules concerning blind claiming as listed in Section 590.50(b) shall apply.

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- 3) If blind sites have not been marked and no check station is operable, the area will be open to hunting from platform, floating or boat blinds or by walk-in hunting, anywhere on the area except refuges and closed waterfowl rest areas. Preplacement of unattended decoys and/or unoccupied blinds or boat hides do not constitute lawful possession of a hunting site. All hunting parties must remain 200 yards apart and follow normal closing hours for the site.
 - 4) In all above flood circumstances, regulations requiring the construction of a separate boat hide and regulations regarding the minimum standards for blind construction shall be suspended for that season.
- f) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

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

Section 590.20 Permit Controlled Department Sites Only – Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

Banner Marsh [State](#) Fish and Wildlife Area

[Double T State Fish and Wildlife Area](#)

Horseshoe Lake State Fish and Wildlife Area

[Marshall State Fish and Wildlife Area – Duck Ranch Unit](#)

[Rice Lake State Fish and Wildlife Area – Walk-in Units](#)

Sangchris Lake State Park subimpoundment

Snakeden Hollow State Fish and Wildlife Area

Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit

Union County State Fish and Wildlife Area

- b) Permit Requirements

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- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first 2 weeks of the application period. Applicants making reservations will be sent confirmation.
- 2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8].
- 3) The permit shall be for the use of the entire blind or staked site/area. It shall be the responsibility of the permit holder to bring one hunting partner or one non-hunting partner or 2 non-hunting partners (3 persons per blind but not more than 2 hunters per blind) for Snakeden Hollow State Fish and Wildlife Area, Horseshoe Lake State Fish and Wildlife Area, and Union County State Fish and Wildlife Area; or 2 partners (hunters or non-hunters; 3 persons per stake/area) for Rice Lake State Fish and Wildlife Area – Walk-in Unit; or 3 partners (hunters or non-hunters; 4 persons per blind or staked site/area) for Banner Marsh State Fish and Wildlife Area, Double T State Fish and Wildlife Area, Marshall State Fish and Wildlife Area – Duck Ranch Unit, Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit and Sangchris Lake State Park subimpoundment. Non-hunting partners are defined as persons under 21 years of age accompanying the hunter in the blind. Unallocated blinds shall be filled by a drawing at the sites.
- 4) Permits are not transferrable.
- 5) Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to:

Illinois Department of Natural Resources
Permit Office – Waterfowl

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P.O. Box 19457
Springfield IL 62794-9457

c) General regulations

- 1) All use other than permit hunting as defined in subsection (b)(3) is prohibited at:
 - A) Snakeden Hollow State Fish and Wildlife Area from two weeks before duck season through close of Central Zone Canada goose season.
 - B) [Double T State Fish and Wildlife Area from October 1 through the close of the Central Zone Duck hunting season.](#)
- 2) Hours, Permits and Stamp Charges
 - A) Hunting hours are from legal opening time until 1:00 p.m., except at Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area, which close at 12 noon.
 - B) At Snakeden Hollow State Fish and Wildlife Area from opening day through November 30, all hunters must register at the check station by 5:00 a.m. Permits are void after 5:00 a.m. From December 1 through December 31, all hunters must register at the check station by 5:30 a.m. Permits are void after 5:30 a.m. From January 1 through the close of goose season, all hunters must register at the check station by 6:00 a.m. Permits are void after 6:00 a.m. At Banner Marsh [State](#) Fish and Wildlife Area, Horseshoe Lake State Fish and Wildlife Area, [Rice Lake State Fish and Wildlife Area – Walk-in Units](#) and Union County State Fish and Wildlife Area hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites. At Sangchris Lake State Park subimpoundment hunters must be checked in 90 minutes before legal hunting hours (2 hours before sunrise). Permits are void after this time. At [Marshall State Fish and Wildlife Area – Duck Ranch Unit and](#) Spring Lake State Fish and Wildlife Area – Spring Lake

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Bottoms Unit, hunters are required to check in at the check station no later than one hour before legal shooting time; after ~~that~~^{which} time, permits are void. At Double T State Fish and Wildlife Area, hunters must check in by 4:30 a.m. at the Rice Lake check station. Permits are void after 4:30 a.m. Check out is required at all sites listed in this Section.

- C) A \$15 Daily Usage Stamp must be purchased at Snakeden Hollow State Fish and Wildlife Area. Partners between 16 and 20 years of age must pay daily usage stamp fee. Partners under 16 are not required to purchase a daily usage stamp.
- D) A \$10 Daily Usage Stamp must be purchased at Banner Marsh State Fish and Wildlife Area, Marshall State Fish and Wildlife Area – Duck Ranch Unit, Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit, Horseshoe Lake State Fish and Wildlife Area, Union County State Fish and Wildlife Area and Sangchris Lake State Park subimpoundment. Non-hunting partners between 16 and 20 years of age must pay daily usage stamp fee. All partners under 16 are not required to purchase a daily usage stamp.
- 3) Hunting shall be done from assigned locations (blinds, stakes, areas or pits)blinds only and hunters shall not move from assigned locationblind to another locationblind or leave the assigned locationblind and return.
- 4) Guns must be unloaded and encased at all times when not hunting. Except at Union County and Horseshoe Lake State Fish and Wildlife Areas, all hunting parties shall hunt over a spread of at least 12 decoys during duck season and Canada goose season. The decoys shall be staked, placed or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container.
- 5) The legal hunting seasons for Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area are the dates of the South Zone duck and goose hunting seasons except that these areas shall be closed on Mondays, Tuesdays (except for the Illinois Youth Waterfowl Hunt) and December 24, 25, 26 and 27the first weekday after December 26 other than a Monday. (These sites shall be open only for the Illinois

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Youth Goose Hunt on ~~the first weekday after~~ December ~~27~~²⁶ ~~other than a Monday~~, pursuant to Section 685.110.)

- 6) The legal hunting season at Snakeden Hollow State Fish and Wildlife Area is the dates of the Central Zone goose hunting season except that the area shall be closed on Mondays, Tuesdays, Wednesdays, and December 24, 25 and 26.
- 7) The legal hunting season at Banner Marsh State Fish and Wildlife Area and Rice Lake State Fish and Wildlife Area – Walk-in Units is the dates of the Central Zone duck hunting season.
- 8) The legal hunting season for the Sangchris Lake Subimpoundment is the opening day of the Central Zone duck hunting season, Tuesdays, Thursdays and Sundays, and the last day of the Central Zone duck hunting season except during the second firearm deer season when the Subimpoundment will be closed on the first day of the season and hunting hours will close at 10:00 a.m. during the remaining days of the second firearm deer season (on Thursdays blinds will be allocated by a daily drawing at the site pursuant to Section 590.60(b)(41)(B)).
- 9) The legal hunting season at Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit is the opening day of the Central Zone duck hunting season and every Tuesday, Thursday and Sunday of the Central Zone duck hunting season, except the second Sunday in November, which is closed due to the Youth Hunt.
- 10) The legal permit hunting season at Double T State Fish and Wildlife Area will be every Wednesday, Saturday and Sunday of the Central Zone duck hunting season.
- 11) The legal hunting season at Marshall State Fish and Wildlife Area – Duck Ranch Unit is every Tuesday, Thursday, Saturday and Sunday during the Central Zone duck season.
- 12-10) At Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area, during duck season hunters shall not~~may~~ possess more than~~up to~~ 25 shot shells. When duck season is closed, hunters shall~~may~~ not possess more than 5 shot shells for every Canada goose

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allowed in the daily bag limit. At Snakeden Hollow State Fish and Wildlife Area, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.

~~1344~~) At Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area hunters may bring up to 3 dozen decoys per party. No full bodied or supermagnum shell decoys are allowed. At Sangchris Lake Subimpoundment only Department decoys may be used.

~~1412~~) ~~At Hunters without their guns may leave the blind to retrieve crippled waterfowl at~~ Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area, hunters cannot take guns from the blind to retrieve crippled waterfowl.

~~1543~~) Hunters must be at least 16 years of age (except for the Illinois Youth Goose/Duck Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult.

~~16~~) At Rice Lake State Fish and Wildlife Area – Walk-in Units, hunting shall be by walk-in or boats without motors only.

d) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

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

Section 590.40 Check Station Department Sites Only – Duck, Goose and Coot Hunting

a) The sites listed in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in parentheses and in the remainder of this Section. Daily hunting hours close at 1:00 p.m. unless otherwise indicated in parentheses below.

1) Anderson Lake Conservation Area – All Management Units (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, felt paper, plastic snow fence or any mesh material will be prohibited in the construction of waterfowl blinds)

2) Batchtown (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3

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year blind allocation period)

- 3) Calhoun Point (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
- 4) Glades (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
- 5) Godar-Diamond (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
- 6) Horseshoe Lake State Park – Madison County (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation)
- 7) Lake DePue and Lake DePue Walk-in Unit (aka 3I)
- 8) Marshall State Fish and Wildlife Area (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, and plastic snow fence or mesh will be prohibited in the construction of waterfowl blinds; previous year's blind builders shall have until February 1 to salvage blind materials)
- 9) Mazonia State Fish and Wildlife Area (previous years blind builders shall have until February 1 to salvage blind materials; goose hunting prohibited before and after duck season; closed Mondays and Tuesdays)
- 10) Rice Lake [State Fish and Wildlife Conservation](#) Area (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, felt paper, plastic snow fence or any mesh material will be prohibited in the construction of waterfowl blinds; previous year's blind builders have until May 1 to remove their blinds)
- 11) Sanganois State Fish and Wildlife Area (check station and walk-in areas, hunters are not required to hunt from a blind site during goose seasons held after the duck season)

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- 12) Spring Lake State Fish and Wildlife Area (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, felt paper, plastic snow fence or any mesh material will be prohibited in the construction of waterfowl blinds; waterfowl hunters will have the option to either construct a platform blind (4' x 8' with boat hide) or a boat hide blind no less than 7.5' x 18' in dimension and fully enclosed on all four sides, must include four shooting holes or ports and brushed (doors capable of being closed are permitted for boat access); hunters choosing to construct a boat type of blind will not be required to construct a dog hide; blind numbers 2, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 19 must be removed in their entirety no later than 10 days after the close of the Central Zone waterfowl season, but may be removed beginning November 21; blinds 1, 3, 4, 13, 15, 16, 17, 18 and 20 must be removed in their entirety by the previous year's blind builder no later than 7 days after the next allocation period; hunting from boat blinds is permitted within 10 feet from any numbered stake if the blind has not been constructed, or beginning November 21, at locations where the blind has been dismantled; the maximum horsepower for motors on the lake is 25 h.p.; goose hunting prohibited prior to the regular duck season)
- 13) Stump Lake (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
- 14) Woodford State Fish and Wildlife Area (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, and plastic snow fence or mesh will be prohibited in the construction of waterfowl blinds; previous year's blind builders shall have until February 1 to salvage blind materials)
- 15) William Powers Conservation Area (previous years blind builders shall have until May 1 to remove blinds in their entirety, including support posts; failure to comply will result in the blind builder and partners for that blind losing privilege of being a blind builder or partner at this site for the following year; no goose hunting prior to duck season; hunting from boat blinds is permitted within 10 feet at all blind sites; all hunters must sign in prior to occupying blind and must sign out no later than one hour after closing time; [closed Mondays and Tuesdays](#))

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- b) The following regulations apply to all sites listed in this Section under subsection (a):
- 1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, when the check station is not operating, unclaimed blinds shall be allocated on a first come-first served basis, as per Section 590.50(b)(1), (2) and (3). Goose hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
 - 2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before hunting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their daily hunt must report back to the check station for reassignment.
 - 3) All hunting must be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.
 - 4) All hunters must be checked out within one hour of the close of the legal hunting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards shall be returned. [At Mississippi River Area Pools 25 and 26, hunters must be checked out within one hour after leaving their blinds.](#)
 - 5) It shall be unlawful to trespass upon the designated duck hunting area during the 7 days prior to the regular duck season as posted at the site. At Mississippi River Area Pools 25 and 26 and Horseshoe Lake State Park (Madison County) it shall be unlawful to trespass upon the designated duck hunting area between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season as posted at the site.
 - 6) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season, except [on areas of](#) Mississippi River Area Pools 25 and 26, Batchtown, Crull Hollow

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and Godar Waterfowl Rest Areas, which reopen ~~to hunting~~ the day after regular duck season closes.

- 7) No more than 4 persons shall occupy a blind at one time, except on the statewide Youth Waterfowl Hunting Day, as authorized in Section 590.15(f), 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide.
 - 8) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
 - 9) During duck season, blinds not claimed by the builder or partners by one hour before hunting time shall be assigned by a drawing at this time and during the hours from 8:00 a.m. to 11:00 a.m., except at Marshall State Fish and Wildlife Area and Woodford State Fish and Wildlife Area, any blinds left unclaimed after completion of the daily drawing will be assigned on a first come-first served basis up to 30 minutes after the drawing and from 8:00 a.m. to 11:00 a.m., and except at Batchtown, Calhoun Point, Glades, Godar-Diamond, Horseshoe Lake State Park (Madison County) and Stump Lake (9:00 a.m.-1:00 p.m.) after which time the area shall be closed to additional hunters.
 - 10) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After this date, all materials become the property of the new blind builder or the Department.
 - 11) For those sites listed in this subsection that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.
- c) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

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

Section 590.50 Non-Check Station Department Sites Only – Duck, Goose and Coot Hunting

- a) The following sites conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in the remainder of this Section.

Anderson Lake West Point Management Unit (walk-in or boat; staked sites; daily draw)

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blinds must be removed in their entirety, including support posts, by April 1; failure to comply will result in the blind builder and partners for that blind losing the privilege of being a blind builder or partner at this site for the following year)

Clear Lake Wildlife Management Area (one year blind allocation)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

~~Double T State Fish and Wildlife Area (Wednesday, Saturday and Sunday hunting only; daily drawing at Rice Lake State Fish and Wildlife Area check station; hunting from staked blind sites only; no other use October 1 through the close of the Central Zone goose season)~~

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST, except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)

Helmbold Slough (3 year blind allocation period)

Illinois River – Pool 26 (3 year blind allocation period)

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Kankakee River State Park (no boat hide required; no goose hunting permitted prior to duck season; previous years blind builders shall have until February 1 to salvage blind materials)

Lake Sinnissippi (Department Owned Land; the use of any metal, with the exception of fasteners less than 12 inches in length, will be prohibited in the construction of waterfowl blinds; waterfowl hunters allocated blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31 or 32 will have the option to either construct a platform blind (4' x 8' with boat hide) or a boat hide blind no less than 7.5' x 18' in dimension fully enclosed on all four sides, must include 4 shooting holes or ports and brushed (doors capable of being closed are permitted for boat access); hunters choosing to construct a boat hide type of blind will not be required to construct a dog hide; blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31 and 32 must be removed in their entirety no later than 10 days after the close of the Northern Zone waterfowl season, but may be removed beginning November 15; backwater blinds 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 22, 23, 24 and 25 must be removed in their entirety by the previous years' blind builder by no later than 7 days after the next allocation period; hunting from boat blinds is permitted within 10 feet from any numbered stake if the blind has not been constructed; ~~for early teal season, hunting is from numbered blinds only, or if blinds have not been constructed, within 10 feet of the numbered stake; there is no early goose season in August or September~~)

Marshall State Fish and Wildlife Area – Sparland Unit (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, and plastic snow fence or mesh will be prohibited in the construction of waterfowl blinds; previous year's blind builders shall have until February 1 to salvage blind materials; hunters are required to check in and check out at the self-check box located at the Lacon boat ramp)

Meredosia Lake (one year blind allocation period) – Rules and Regulations will be publicly announced.

Mississippi River Pool 16 (Federal Lands; no permanent blinds – temporary blinds only above Velie Chute except for Goose Pond, Sunfish Slough, and Milan Bottoms (landward area upriver from River Mile 474);

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2 year blind allocation period; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting)

Mississippi River Pool 17 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pool 18 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; hunting allowed from a portable blind or anchored boat, in Illinois waters, maintaining > 200 yard intervals at the following locations: Pool 21 – west of Long Island (river mile 332.5-340.5), Pool 22 – west of Ward Island (river mile 314.0-324.0), Pool 24 – west of Denmark Island (river mile 291.0-294.5); 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Momence Wetlands (Hunting allowed from a portable blind or anchored boat blind only; no more than 3 persons per blind site; no hunting during firearm deer seasons)

Pekin Lake State Fish and Wildlife Area (all hunting must be from portable boat blinds within 10 yards of the assigned numbered stake or buoy; no more than 3 persons shall use one blind; exceptions will be announced at the site's annual duck blind drawing; goose hunting prohibited prior to the regular duck season)

Piasa Island (3 year blind allocation period)

Quincy Bay (Mississippi River Pool 21) (hunting hours legal opening to 1:00 p.m. for blinds 1 through 25 during regular duck season only)

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Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in/boats without motors area only; no permanent blinds; daily hunting hours will close at 3:30 p.m. CST, except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; hunting parties shall not hunt over less than 12 decoys nor more than 24 decoys)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m.)

Redwing Slough/Deer Lake State Natural Area (hunting from boat blinds is permitted within 10 feet of marked blind sites)

~~Rice Lake, Walk-in Management Unit, Copperas Creek Management Unit and Big Lake Management Unit (Walk-in or boats without motors only; daily drawing; daily hunting hours will close at 1:00 p.m.)~~

Riprap Landing (3 year blind allocation period; that portion of Riprap Landing that is south of blind 5, known as Rust Land Company, will be noted as a walk-in; boats without motors in area only; no permanent blinds; hunting parties shall not hunt over less than 12 decoys or more than 24 decoys; decoys must be picked up daily; no vehicles allowed)

Shabbona Lake State Recreation Area (Hunting will be allowed between November 1 and December 31 but only when the North Zone duck and/or Canada goose seasons are open; permanent, pre-constructed blinds will be awarded for either November or December; boat and dog hides are not required; persons awarded blinds at the drawing, or their partners, must claim their blinds one hour before legal shooting hours; hunting hours will end at 1:00 p.m. daily)

Starved Rock State Park (Department managed areas; the use of any metal, with the exception of fasteners less than 12 inches in length, will be prohibited in the construction of waterfowl blinds; all blinds must be removed in their entirety no later than 10 days after the close of the Central Zone duck season; blinds may be removed beginning November

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15; hunting from boat blinds is permitted within 10 feet of staked blind sites beginning November 15 for those blinds removed on or after November 15; staked blind locations that have not had a blind built may be hunted the entire season from a boat blind anchored within 10 feet of the numbered blind stake; blind locations not built shall be available on a first come-first served basis; hunting from boat blinds within 10 feet of staked blind sites is allowed until the end of the regular Central Zone Canada goose season)

- b) The following regulations apply to all sites listed in this Section under subsection (a).
- 1) Blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first come-first served basis.
 - 2) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
 - 3) All hunting must be from registered blinds only unless otherwise noted in parentheses under subsection (a).
 - 4) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
 - 5) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After that date, blinds become the property of the new blind builders.
 - 6) No more than 4 persons shall occupy a blind at one time, except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area.
 - 7) On Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area the limit of 4 persons does not apply.

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- 8) For those sites listed in subsection (a) that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.
 - 9) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season as posted at the site.
 - 10) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site. At Mississippi River Area Pools 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding the opening date of regular duck season through the day before regular duck season as posted at the site.
- c) Blind winners on the following sites will be provided forms for the purpose of maintaining waterfowl harvest records. The forms must be completed and returned within 15 days after the close of the site's waterfowl season or the blind builder and partners for that blind shall not be allowed to be a blind builder or partner at these sites for the following year.

Chain O'Lakes State Park

Clear Lake Wildlife Management Area

Des Plaines Conservation Area

Kankakee River State Park

Pekin Lake State Fish and Wildlife Area

Redwing Slough/Deer Lake

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d) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

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

Section 590.60 Various Other Department Sites – Duck, Goose and Coot Hunting

The sites listed in this Section conform to Statewide Regulations (Section 590.10) and the following regulations, except as noted.

- a) Regulations
- 1) Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated by (1) following the location in subsection (b).
 - 2) No permanent blinds allowed, except for Department constructed blinds; all blinds must be of a portable nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or dismantled at the end on the day's hunt.
 - 3) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of the day's hunt.
 - 4) Waterfowl hunters must maintain a distance of 200 yards between hunting parties, except for Department constructed blinds or staked locations.
 - 5) No hunting is permitted within 200 yards of developed recreation areas, public use facilities, and construction or industrial sites.
 - 6) No check station is operated nor is any check in/check out required, except as indicated in the remainder of this Section.
 - 7) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season except as indicated in the remainder of this Section.
 - 8) It shall be unlawful to trespass upon the designated waterfowl hunting area

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during the 7 days prior to the regular duck season unless otherwise posted at the site.

- b) Site specific regulations
 - 1) Blanding Wildlife Area
Federal lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters.
 - 2) Boston Bay
No permanent blinds may be built; temporary blinds only; 200 yards apart.
 - 3) Cache River State Natural Area (1)
 - 4) Campbell Pond Wildlife Management Area (1)
 - 5) Cape Bend State Fish and Wildlife Area (1)
 - 6) Carlyle Lake Project Lands and Waters
 - A) No one may enter the subimpoundment area to hunt waterfowl before 4:30 a.m. each day of the waterfowl hunting season, or remain in the area after 3:00 p.m. each day of the waterfowl hunting season, except during the last 3 days of the Canada goose season and during any goose seasons that occur before or after Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4 and within the impoundments on the East Side Management Area located east of the Kaskaskia River.
 - B) The waters of Carlyle Lake are defined as the lake and that portion of the Kaskaskia River, northfork, eastfork, Peppenhorst Branch and Allen Branch north of the buoys only, and Hurricane Creek that are within the boundaries of the Carlyle Lake property.

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- C) Walk-in hunting shall be permitted in subimpoundment areas. Boats with no motors are allowed in the subimpoundments. Department personnel will designate boat launching locations.
- D) When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department personnel shall post that the area is open to boats with motors of 10 hp or less and will designate boat launching locations.
- E) Known eagle protection areas will be posted by the Site Superintendent and will be closed to waterfowl hunting.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.
- G) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest accessible registration box. All hunters must sign out and record their harvest daily before they exit the area.
- H) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.
- I) During the last 3 days of Canada goose season, hunting hours shall close at sunset daily.
- J) The following rules apply to North Allen Branch Waterfowl Management Area (Eldon Hazlet State Park) only:
 - i) Three designated blind sites are available on a first come-first served basis. Walk-in hunting only is permitted with a maximum of 4 hunters per site. All hunting must be from one blind site located between identically numbered stakes.
 - ii) Hunters must sign in prior to hunting, and sign out and

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report their harvest at the end of each day. All hunters must be checked out by 2:00 p.m. daily, except the last 3 days of the Canada goose season, and during any goose seasons that may occur after the Canada goose season, hunters must be checked out by one hour after sunset.

- iii) Decoys shall not be left out unattended.
 - iv) When the lake floods this area and designated blind sites are not usable for walk-in hunting, the Department, by public announcement and/or posting, will open the affected area to hunting from boats per Carlyle Lake Project Lands and Waters' rules.
- 7) Chauncey Marsh (1)
Permit required, may be obtained at Red Hills State Park Headquarters and must be returned by February 15.
- 8) Clinton Lake (1)
- A) Hunters must obtain a free site hunting permit and windshield card from the site office prior to hunting. While hunting, the windshield card must be visible in the windshield with the permit number clearly visible. Site hunting permits must be in the hunter's possession while in the field. Hunters must return the permit and report harvest by February 15 of the following year, or hunting privileges for the following season shall be forfeited.
 - B) Except as described in subsections (b)(8)(C) and (D), hunting is allowed only from anchored portable blinds, except that no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge.
 - C) Waterfowl hunting is also permitted from staked sites in designated areas on a first come-first served basis. Walk-in or boat hunting only. Hunting parties must hunt within 25 yards of a staked site. No more than 4 hunters per party are permitted.

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- D) Hunting ~~is permitted~~ from permanent land-based [blinds is permitted only from Disabled Hunting Program and Salt Creek Waterfowl Management Area](#) blinds.
- E) Each party must hunt over a minimum of 12 decoys. Decoys must be removed from the sites following each day's hunt. Decoys must not be left unattended.
- F) Except for the Handicap Hunting Program facilities [and Salt Creek Waterfowl Management Area](#), blinds must be portable or built from material brought in or available at the blind site. Blinds must be dismantled and removed at the end of each day's hunt. No trees or bushes may be cut.
- [G\) There will be no hunting within 200 yards of developed areas or construction zones and 300 yards of electrical power lines.](#)
- [H\) Hunting within the Salt Creek Waterfowl Management Area will be by drawn permit from the site only on designated days. Procedures for applying for a permit at the site will be publicly announced.](#)
- 9) Coffeen Lake State Fish and Wildlife Area
- A) Hunters must sign in prior to hunting and sign out, reporting harvest at the end of each day.
- B) Hunting from staked sites only.
- C) No permanent blinds.
- D) Hunting by boat access only.
- E) No cutting vegetation on site.
- F) Hunting north of railroad tracks only.
- G) Hunting hours from legal opening to 1 p.m. Fishing allowed between the railroad tracks and the county road after 1:00 p.m.

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- H) Four hunters per blind site.
 - I) No hunting during firearm deer seasons.
 - J) All hunters must be checked out at sign in box by 2:00 p.m.
- 10) Copperhead Hollow State Wildlife Area (1)
Hunters must obtain a free permit from the site office; permit must be in possession while hunting; permit must be returned and harvest reported by February 15; failure to return the permit will result in loss of hunting privileges at the site for the following year.
 - 11) Cypress Pond State Natural Area (1)
Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.
 - 12) Deer Pond State Natural Area (1)
Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.
 - 13) Devil's Island State Fish and Wildlife Area (1)
 - 14) Dog Island Wildlife Management Area (1)
Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.
 - 15) Donnelley State Wildlife Area
 - A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 except as indicated in Section 590.25.
 - B) Goose hunting is prohibited after the close of the duck season.
 - C) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.

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- D) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.
 - E) A hunter may bring one or 2 hunting partners under the age of 21.
 - F) \$10 daily usage stamp must be purchased to hunt this area. Non-hunting partners between 16 and 20 years of age must pay daily usage stamp fee. Non-hunting partners under 16 are not required to purchase a daily usage stamp.
 - G) No outboard motors are allowed by public – only by authorized DNR personnel.
 - H) No more than 3 persons shall occupy a blind at any one time.
 - I) All parties are required to report to check station within one hour after termination of hunt or no later than 2:00 p.m.
 - J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.
 - K) The first weekend and the third Saturday of the regular duck season shall be designated as youth hunt days. This shall consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
 - L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).
- 16) Fort de Chartres Historic Site (1)
- A) Hunting is allowed from anchored, portable boat blinds only on a first come-first served basis.
 - B) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.

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- C) No hunting is allowed during firearm deer season.
- 17) Fox Ridge State Park (1)
Hunting restricted to Embarras River and its flood waters.
- 18) Fox River (1)
- A) Waterfowl hunting is prohibited on that portion of the Fox River running from the Kendall-Kane County line downstream to a line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive.
 - B) Waterfowl hunting shall be from Department designated sites only on that portion of the Fox River downstream from the line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive downstream to the Fox River Drive Bridge. Hunting at the designated sites will be on a first come-first served basis. Statewide regulations shall be in effect with no other Sections of this Part being applicable.
- 19) Fox River – Chain of Lakes (Lake and McHenry Counties) (1)
Waterfowl blind regulations promulgated in accordance with the Illinois Administrative Procedure Act [5 ILCS 100] under the authority of the Fox Waterway Agency are in full force and effect on those public waters under their jurisdiction. Failure to comply with such regulations constitutes a violation of this Section. Statewide regulations shall be in effect with no other Sections of this Part applicable.
- 20) Freeman Mine
Hunting regulations will be publicly announced.
- 21) Heidecke State Fish and Wildlife Area, Braidwood Fish and Wildlife Area and Powerton Lake
- A) Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. Hunters shall

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register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than 3 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

- B) Blind sites not selected during the drawing shall be allocated on a first come-first served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.
- C) Access to water blind sites must be by boat only and from designated boat launch sites.
- D) All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind.
- E) Upon vacating blind sites, all hunters must report to the check station within one hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
- G) Heidecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to regular duck season until the close of the regular duck and Canada goose season. Powerton Lake shall be closed to boat traffic from 7 days prior to opening of regular duck season until February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the regular duck season.
- H) No hunting on Monday and Tuesday at Heidecke and Braidwood Lakes. No hunting at Powerton Lake on Monday through

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Thursday except hunting permitted on State holidays.

- I) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor.
 - J) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
 - K) Hunting is closed on Christmas Day and New Year's Day.
 - L) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
 - M) It is unlawful to shoot across any dike.
 - N) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood Lakes, waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.
- 22) Hidden Springs State Forest (hunting restricted to Richland Creek and its floodwaters) (1)
- 23) Horseshoe Lake (Alexander County) Public Hunting Area
- A) Closed to waterfowl hunting on Mondays and Tuesdays.
 - B) When duck season is closed, goose hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.
- 24) Horseshoe Lake Refuge
No hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1.
- 25) Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit

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Site permit required.

- 26) Kaskaskia River Fish and Wildlife Area (1)
The last 3 days of both the duck season and the regular Canada goose season.
- A) No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.
 - B) All waterfowl hunting parties must use at least 12 decoys. Hunting is allowed on a first come-first served basis.
 - C) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
 - D) All waterfowl hunters must register prior to hunting each day of the waterfowl season at the nearest check station, and must sign out and record their harvest daily before they exit the area.
 - E) The following regulations apply to the Doza Creek Waterfowl Management Area:
 - i) No waterfowl hunters may enter the area before 4:30 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m. During the second firearm deer season, waterfowl hunting closes at 11:00 a.m. and no waterfowl hunters may remain in the area after 1:00 p.m.
 - ii) Only waterfowl, coot, firearm deer hunting (during the second firearm deer season only), archery deer and fall archery turkey hunting (as provided by 17 Ill. Adm. Code 670 and 720) allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the second firearm deer season occurs after duck season.

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- iii) For the first 4 days of the duck season, all waterfowl hunting must occur within 10 yards of an assigned, numbered stake. Staked hunting locations shall be allocated on a daily draw basis at the Highway 154 Boat Ramp at 4:00 a.m. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select a staked location in order drawn; only those hunters registered in a party shall be allowed to hunt with their party; no less than 2 hunters and no more than 4 hunters per party; moving from staked location to staked location is not allowed. Staked locations not allocated during the drawing will not be hunted that day. Starting on day 5 and for the remainder of the waterfowl season, hunting is allowed on a first come-first served basis and hunting need not occur by a stake. Waterfowl hunters must maintain a distance of 200 yards between hunting parties.
- F) Handicapped accessible waterfowl hunting blind (Dry Lake Access Area)
- i) Application for hunting dates should be received at the site office September 1-10 and will be allocated on a first request basis or via a drawing, if needed.
 - ii) Three hunters are allowed in the blind. At least one hunter must have a P-2 handicapped certification.
 - iii) Hunters must sign in/out and report harvest at check station after hunting.
- 27) Kickapoo State Recreation Area
- A) Hunting permitted only from staked sites. Hunters must sign in prior to hunting and sign out and report harvest at the end of each day's hunt.
 - B) Hunters must register and hunt as parties. No more than 4 hunters per party are permitted. No non-hunting partners.

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- C) Upon vacating their blinds, all hunters must take their completed harvest cards, issued daily on site, and place them in the collection box at the designated check station.
 - D) Each hunting party must hunt over a minimum of 12 decoys.
 - E) Waterfowl hunting is permitted only during the first 7 weekdays of the November portion of the Central Zone Canada goose season.
 - F) Hunting from staked sites only. Hunting must be within 10 feet of the staked location. All hunting must be from one portable blind or one anchored boat blind. Electric motors only for all boats.
 - G) Blind material must be brought in and taken out each day. No vegetation may be cut at the site.
 - H) Hunting hours are from legal opening to 1:00 p.m. Hunters must be out of the field by 2:00 p.m.
 - I) Hunters wishing to move to another vacant blind location may do so on a first come-first served basis, provided they include the blind change on the harvest card and report their harvest for each blind.
- 28) Kinkaid Lake Fish & Wildlife Area (1)
- 29) ~~Marshall State Fish and Wildlife Area—Duck Ranch Unit Only~~
- ~~A) On days open to hunting, blind or staked sites shall be allocated by a random drawing held at Marshall State Fish and Wildlife Area (MSFWA) check station, 5 miles south of Lacon on S.R. 26. The drawing will be conducted 60 minutes prior to legal shooting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select hunting blinds in the order drawn. No more than 4 hunters per party; only registered party members shall be allowed to hunt in the party's blind.~~
 - ~~B) Blinds or staked sites not selected during the drawing shall be allocated on a first come first served basis. Vacant staked sites~~

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~~shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 11:00 a.m. Daily hunting hours will close at 1:00 p.m.~~

- ~~C) All hunting must be from a designated blind or staked site. Refilling or changing blinds or staked sites is not permitted.~~
- ~~D) Hunters are required to report their harvest at the end of the day's hunt on a harvest card located in the blind. Hunters are not required to report back to the MSFWA check station.~~
- ~~E) No hunting on Monday, Wednesday, or Friday.~~

2930) Mermet

- A) Waterfowl hunting shall be permitted during duck season only.
- ~~B) Hunting is allowed in the walk-in and blind areas only.~~
- BC) No fishing on the area during duck season.
- ~~CD)~~ Hunting hours are from legal opening until 1:003:30 p.m. each day, except the last 3 days of duck season, when hunting shall be allowed until sunset.
- ~~DE)~~ Manned check station will be closed Christmas Day and every Sunday and Monday during regular duck hunting season. Walk-in hunting will be allowed on Sundays and Mondays.
- EF) Blind/stake sites shall be allocated on a daily drawing basis at the manned waterfowl check station 90 minutes before legal hunting time (except Sunday and Monday when the manned check station is closed). All hunters are required to deposit their hunting licenses before entering the areas. One additional drawing will be held at the manned check station at 9 a.m. for any unoccupied waterfowl blinds/stakes~~Those persons exempted by law from having a hunting license shall deposit their Firearm Owner's Identification Card.~~

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- FG) Hunters shall register as a party/group of up to 4 hunters for the drawing (except on the statewide youth waterfowl hunting day, as authorized in 17 Ill. Adm. Code 685.110(c) when 5 people may occupy a blind/stake at one time if the party includes 2 youth hunters); each party/group drawn shall be allowed to select a blind/stake in the order drawn; only those hunters registered in that party/group shall be allowed to hunt with the party.
- GH) Upon allocation of blinds/stakes, all hunting parties/hunters must accept and hunt the blind/stake chosen, or reject the allocation of the blind/stake immediately. All those rejecting the allocation of a blind/stake shall be ineligible to hunt within the blind area for the remainder of that day. Individual hunters, or hunting parties, can only be allocated one blind/stake per day. ~~Blinds not selected during the main drawing shall be allocated on a first come first served basis. No blinds will be allocated after 1:00 p.m., except the last 3 days of duck season when no allocation will be allowed after 3:00 p.m.~~
- HI) Hunters must occupy their blinds/hunting area within one hour after registering at the manned check station.
- I) Waterfowl hunters must have their waterfowl hunting tag filled out with the date and blind/stake number or hunting location. The card must be in possession of the hunter while hunting. All waterfowl harvested must be reported on the waterfowl hunting tag and returned daily to the drop box at the hunter check station no later than 2:00 p.m.
- J) ~~All hunting parties are required to report to the check station immediately after vacating their blind/hunting area and/or no later than 4:00 p.m. At that time, waterfowl harvested must be checked in and displayed to the check station operator. Only then will the hunting license be returned to the hunter.~~
- JK) All hunters must park in designated areas only. All areas are marked with corresponding numbers or area designations. Only one vehicle per hunting party will be allowed, unless approval is granted by check station operator.

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- ~~KL~~) Within the blind area, a minimum of 12 decoys per hunting party are required while hunting waterfowl. No decoys are required within the walk-in areas. All decoys must be removed from the area at the end of the day's hunt.
- ~~LM~~) A 25 shotgun shell limit per hunter, per day, applies on this area. It is unlawful for a hunter to have in his or her possession more than 25 shotgun shells while on the site.
- ~~M~~) Hunting must be from allocated blind or staked location. Hunters may hunt other designated waterfowl hunting areas that do not have blinds or stakes; however, they must maintain a minimum distance of 200 yards from the nearest blind, stake or other hunting parties.
- ~~N~~) All hunting must be conducted from the allocated blind. Hunting outside of allocated blinds is not permitted, except within the walk-in areas.
- ~~NO~~) Attempts to claim a blind/stake by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. Insertion of a boat into a boat hide and/or the spread of decoys before a blind/stake shall not be considered legal occupation of a blind.
- ~~OP~~) Due to safety factors, persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by a parent, legal guardian, or person designated by the parent or guardian who is 18 years of age or older.
- ~~PQ~~) Claiming or attempting to claim any blind/stake that is legally occupied and/or harassing, in any manner, the occupants of a blind/stake that is legally occupied is unlawful.
- ~~QR~~) Boats without motors may be used within the walk-in areas.

~~3034~~) Newton Lake Fish and Wildlife Area

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- A) Blind sites shall be allocated by a daily drawing to be conducted at 4:30 a.m. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct drawing) shall be allocated on a first come-first served basis until one hour before shooting time; and then after 9:00 a.m. All hunters must register before entering the hunting area. Hunting hours end at 1:00 p.m.; all hunters must be off the water or out of the field by 2:30 p.m. daily.
- B) Upon vacating their blinds, all hunters must place their completed harvest cards in the collection box located at the boat ramp or site headquarters.
- C) There will be duly posted waterfowl refuges. These areas shall be closed to all boat traffic and boat fishing during the waterfowl season.
- D) No more than 4 persons shall occupy a blind at one time.
- E) The west arm of the lake shall be closed to all waterfowl hunting.
- F) Blind sites shall be determined by the Department of Natural Resources and marked with numbered stakes. When it is deemed necessary, the Department shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- G) Hunters wishing to move to another vacant blind location may do so on a first come-first served basis, providing they include the blind change on the harvest card and report their kill for each blind. If hunters do not occupy the stake they have drawn by legal shooting time, they forfeit the right to the staked hunting location.
- H) Access to water blind sites shall be by boat only and from the east side boat ramps. Access to land sites shall be by walk-in only and from nearby hunter parking lots. No parking is allowed along county roads.
- I) All water hunting must be from one portable blind or one anchored

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portable boat blind located between the assigned numbered stakes, no more than 10 yards from shore. All land hunting must be done from a position within 50 feet of the assigned numbered stake.

- J) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- K) Blind site water: A position between 2 like numbered stakes where a blind may be located. Blind site land: A position within 50 feet of numbered stakes where a hunter may set up or a temporary blind may be located.
- L) Fishing shall be prohibited in the east arm of the lake during the waterfowl season.
- M) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.
- N) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- O) This site is closed to all users except firearm deer hunters during the firearms deer seasons.

P) [During the last 3 days of Canada Goose season, hunting hours shall close at sunset daily.](#)

3132) Oakford Conservation Area (1)

3233) Pyramid State Park – Captain Unit

- A) All vehicles must have a site hunting permit displayed in windshield. Permits must be returned by February 15.
- B) Hunting hours are from legal opening to 1:00 p.m.; hunters must be out of the field by 2:00 p.m.

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- C) Each hunting party is required to hunt over a minimum of 12 decoys; all decoys must be picked up at the end of each day's hunt.
- D) All hunters must register as a group not to exceed 4 names per card. A hunter's name may only appear on one lottery card.
- E) Blind sites will be allocated by daily drawing at the Galum Unit Office beginning at 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January. All hunting must occur within 10 yards of an assigned, numbered stake, except for stakes identified at the check station where hunters may hunt from any place in the wetland in which the stake is located. There will be no moving to staked locations after initial drawing.
- F) Successful participants must have their lottery card stamped with the date and blind number. The card must be in the possession of the hunter or group while hunting. Waterfowl harvested must be reported on blind selection card and returned daily to a hunter check station box.
- G) Waterfowl hunters not participating in daily draw must report their harvest on site hunting permit by February 15.
- H) Entry time for hunters not participating in daily lottery is 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January.
- I) Waterfowl hunters may not hunt on main lakes other than staked locations. Hunters may hunt crop fields and wetlands that have not been staked; however, they must be a minimum of 200 yards from the nearest staked location or another hunter.
- J) No waterfowl hunting is allowed within 200 yards of the Captain Unit Waterfowl Rest Area or within 100 yards of any private property boundary.
- K) The land and water portion of the Captain Unit Waterfowl Rest Area is closed to all entry from October 28 through February 28. The location of the Captain Unit Waterfowl Rest Area is described

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as follows: All land and water west of Panda Bear Road north to Northern Haul Road, then south on Beltline Road to Western Haul Road, then east on Pyatt-Cutler Road.

- L) After duck season is closed and during the Canada goose hunting season, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag.
- M) The area is closed to waterfowl hunting on Mondays and December 25.

| [3334](#)) Pyramid State Park – Denmark Unit

- A) All vehicles must have a site hunting permit displayed in windshield. Permits must be returned by February 15.
- B) Hunting hours are from legal opening to 1:00 p.m.; hunters must be out of the field by 2:00 p.m.
- C) Each hunting party is required to hunt over a minimum of 12 decoys; all decoys must be picked up at the end of each day's hunt.
- D) All hunters must register as a group, but no more than 4 names shall be listed per card. A hunter's name may only appear on one lottery card.
- E) Blind sites will be allocated by daily drawing at the Galum Unit office beginning at 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January. All hunting must occur within 10 yards of an assigned, numbered stake, except for stakes identified at the check station where hunters may hunt from any place in the wetland in which the stake is located. There will be no moving to staked locations after initial drawing.
- F) Successful participants must have their lottery card stamped with the date and blind number. The card must be in the possession of the hunter or group while hunting. Waterfowl harvested must be reported on blind selection card and returned daily to a hunter check station box.

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- G) Waterfowl hunters not participating in daily draw must report their harvest on site hunting permit by February 15.
- H) Entry time for hunters not participating in daily lottery is 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January.
- I) Waterfowl hunters may not hunt on main lakes other than staked locations. Hunters may hunt crop fields and wetlands that have not been staked; however, they must be a minimum of 200 yards from the nearest staked location or another hunter.
- J) No waterfowl hunting within 200 yards of Denmark Unit Waterfowl Rest Area and 100 yards of any private property boundary.
- K) The land and water portion of the Denmark Unit Waterfowl Rest Area is closed to all entry from October 28 through February 28. The location of the Denmark Unit Waterfowl Rest Area is described as follows: All land and water east of field DM 72 following Pipestone Creek, north and then east along Seven Island Trust Property Boundary, then east to Eastern Haul Road, then north to Pyatt-Cutler Road.
- L) After duck season is closed and during the Canada goose hunting season, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag.
- M) The area is closed to waterfowl hunting on Mondays and December 25.

| [3435](#)) Pyramid State Park – East Conant Unit

- A) All vehicles must have a site hunting permit displayed in windshield. Permits must be returned by February 15.
- B) Hunting hours are from legal opening to 1:00 p.m.; hunters must be out of the field by 2:00 p.m.

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- C) Each hunting party is required to hunt over a minimum of 12 decoys; all decoys must be picked up at the end of each day's hunt.
- D) No more than 4 hunters to a party.
- E) No waterfowl hunting within 100 yards from any private property boundary.
- F) After duck season is closed and during the Canada goose hunting season, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag.
- G) Entry time for hunters not participating in daily lottery is 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January.
- H) Hunters may hunt crop fields and wetlands; however, they must be a minimum of 200 yards from the nearest staked location or another hunter.
- I) The area is closed to waterfowl hunting on Mondays and December 25.

| [3536](#)) Pyramid State Park – Galum Unit

- A) All vehicles must have a site hunting permit displayed in windshield. Permits must be returned by February 15.
- B) Hunting hours are from legal opening to 1:00 p.m.; hunters must be out of the field by 2:00 p.m.
- C) Each hunting party is required to hunt over a minimum of 12 decoys; all decoys must be picked up at the end of each day's hunt.
- D) All hunters must register as a group, but no more than 4 names shall be listed per card. A hunter's name may only appear on one lottery card.
- E) Blind sites will be allocated by daily drawing at the Galum Unit Office beginning at 4:30 a.m. in November, 5:00 a.m. in December

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and 5:30 a.m. in January. All hunting must occur within 10 yards of an assigned, numbered stake, except for stakes identified at the check station where hunters may hunt from any place in the wetland in which the stake is located. There will be no moving to staked locations after initial drawing.

- F) Successful participants must have their lottery card stamped with the date and blind number. The card must be in the possession of the hunter or group while hunting. Waterfowl harvested must be reported on blind selection card and returned daily to a hunter check station box.
- G) Waterfowl hunters not participating in daily draw must report their harvest on site hunting permit by February 15.
- H) Entry time for hunters not participating in daily lottery is 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January.
- I) Waterfowl hunters may not hunt on main lakes other than staked locations. Hunters may hunt crop fields and wetlands that have not been staked; however, they must be a minimum of 200 yards from the nearest staked location or another hunter.
- J) No waterfowl hunting within 100 yards of any private property boundary.
- K) After duck season is closed and during the Canada goose hunting season, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag.
- L) The area is closed to waterfowl hunting on Mondays and December 25.

| [3637](#)) Ray Norbut State Fish and Wildlife Area (1)

| [3738](#)) Rend Lake Project Lands and Waters

- A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the

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waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.

- B) No hunting permitted from the subimpoundment dams.
- C) While waterfowl hunting, no one may have in his/her possession any tool or device designed to cut brush or limbs, except common hunting knives and pocket knives.
- D) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.
- E) All boat traffic is prohibited from entering the subimpoundments from one week before waterfowl season until opening day of waterfowl season.
- F) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
- G) Air boats will not be allowed in the Casey Fork Subimpoundment, the Big Muddy Subimpoundment, and the impoundments on Corps of Engineers' managed areas such as Atchison Creek, Gun Creek and Rend City Wetland during the regular duck and Canada goose seasons. When ice conditions do not allow access at boat ramps by normal watercraft, then air boats can be used in the Casey Fork and Big Muddy Subimpoundments.
- H) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:
 - i) During goose season, a separate drawing will be held for the pits at Whistling Wings. This drawing will be held at the Cottonwood check station following the drawing for staked hunting sites. Hunters may not register for more than one drawing per day. Unsuccessful hunters in the drawing for Whistling Wings pits may select any unclaimed staked location after the drawings.

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- ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
 - iii) All hunters must have the registration card from the check station in their possession while hunting.
 - iv) Hunting parties can only hunt from the pit location that they chose in that day's drawing. No moving to or hunting from any other pit location is allowed.
 - v) No more than 6 dozen decoys may be used per pit.
 - vi) No more than 4 hunters will be allowed in a pit or hunting party.
- I) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- J) During the last 3 days of Canada goose season, hunting hours shall close at sunset daily.
- K) The land and water portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:
- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
 - ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
 - iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
 - iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.

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- v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
 - vi) Bounded on Nason Point by refuge boundary signs at project limits.
- L) After the close of regular duck season, goose hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.
- M) Staked Hunting Areas – Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:
- i) All hunting must occur within 10 yards of an assigned, numbered stake except for stakes identified at the check station where hunters may hunt from any place in the field in which the stake is located.
 - ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November, 4:30 a.m. in December and 5:00 a.m. in January.
 - iii) Check station at the Bonnie Dam Access Area will be operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood Hunting Areas. Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than 5 persons shall be in a hunting party.
 - iv) All hunters must register at the check station. Hunters arriving at the check station after the initial draw will have the opportunity to select any stakes that are still available

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up to one hour before legal shooting time. Hunters may enter the subimpoundment up to ½ hour before legal shooting time or between 9:00 a.m. and 9:30 a.m.

- v) Hunting parties can only hunt from the staked hunting location that they chose in that day's drawing. No moving to or hunting from any other staked hunting location is allowed. Once a staked hunting location is killed out, no other hunting party may hunt from that stake for the remainder of that day.
- vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
- vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.

| [3839](#)) Sahara Woods State Fish and Wildlife Area (1)

| [3940](#)) Saline County Conservation Area (1)

- A) Waterfowl hunting is allowed north of the township road only.
- B) Walk-in hunting only.
- C) Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.

| [4041](#)) Sand Ridge State Forest (Sparks Pond Land and Water Reserve) (1)

- A) Hunting is permitted on Tuesdays and Saturdays during the duck season. Permits are issued on a first come-first served basis.
- B) Two hunters are allowed per blind. At least one hunter must have a P-2 handicapped certification.
- C) Hunters must report harvest to site office.

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4142) Sanganois State Fish and Wildlife Area

- A) Hunters using the main walk-in hunting area from opening day of the Central Zone duck season through the first Sunday of the Central Zone duck season must have a permit issued from the site office. Procedures for issuance of permits will be publicly announced.
- B) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.
- C) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.
- D) All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.
- E) Topper's Hole is a walk-in area accessed by boat only, no check-in, check-out, no permanent blinds, hunting parties must stay at least 200 yards apart, hunting parties shall hunt over no less than 12 decoys, daily hunting hours are legal shooting hours through 1:00 p.m. CST.
- F) The Baker tract is a daily-draw walk-in area with 4 separate hunting compartments. One party of hunters (up to 4 hunters per party) will be permitted to hunt in each hunting compartment. The allocation of the 4 Baker tract hunting compartments will be by daily draw as part of the site's daily draw vacant blind allocation. Parties must register for the draw together on the same card.
- G) Upon the completion of hunting, hunters must report to the check station within one hour.
- H) Fishing is prohibited in the impoundment areas during the duck season, except that walk-in only access for fishing from the bank is

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permitted after 1:00 p.m.

- I) No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.
- J) No person shall trespass on the Marion-Pickerel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.
- K) When the Central Zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.
- L) No hunting permitted from the walk-in area subimpoundment levee.
- M) Hunters may use boats without motors in the walk-in area; the construction and/or use of permanent blinds in the walk-in area is prohibited.

| [4243](#)) Sangchris Lake State Park

- A) During the last 3 days of the regularly scheduled Canada goose season, hunting hours will close at statewide closing.
- B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first come-first served basis. (During that portion of the Canada goose season which follows the duck season, the west side goose pit area, the west arm blind sites and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)
- C) During that portion of the light goose season which follows the

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regular Canada goose season, the west-side goose pit area blinds, subimpoundment blinds, and designated fields west of the west boat ramp shall be available daily on a first come-first served basis. Hunters must sign in at the appropriate parking area no earlier than 5 a.m.

- D) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.
- E) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.
- F) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(42)(K)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.
- G) No more than 4 persons shall occupy a blind at one time.
- H) The center arm of the lake shall be closed to all waterfowl hunting.
- I) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- J) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.
- K) Access to water blind sites shall be by boat only and from designated boat launch sites. Blinds on the peninsula subimpoundment shall be accessed on foot once the hunter has reached the peninsula by boat. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when

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conditions warrant.

- L) All hunting must be from one portable blind or one anchored portable boat blind located within a numbered cove and between the assigned numbered stakes or from one Department designated blind or pit.
- M) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- N) No unauthorized pits or blinds shall be built on State managed land.
- O) Blind sites: A position between 2 like numbered stakes within a cove or other Department designated site where a blind may be located.
- P) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season, unless the youth waterfowl hunt is more than 10 days before the regular duck season, then the east and west arms will be closed to accommodate the youth waterfowl hunt. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season.
- Q) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.
- R) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- S) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be removed at the end of each day's hunt.

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- T) West-side goose pit area blinds will be available every day each week except Tuesday and Wednesday, through the regular Canada goose season, except for the Tuesday and Wednesday preceding the last day of the Canada goose season.
- U) Hunters in the west-side goose pit area may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit after the close of the Central Zone duck season.
- V) All blinds will be closed during the first day of the second firearm deer season; hunting hours will be from statewide hunting hours until 10:00 a.m. the remaining days of the second firearm deer season.

| [4344](#)) Shawnee National Forest, Upper and Lower Bluff Lakes
Goose hunting is prohibited at Lower Bluff Lake. Legal entry time is 4:30 a.m. and exit time is 2:00 p.m. for all hunters in flooded management compartments.

| [4445](#)) Shawnee National Forest, LaRue Scatters
All hunting must be by walking in or in boats without motors. Legal entry time is 4:30 a.m. and exit time is 2:00 p.m. for all hunters in flooded management compartments.

| [4546](#)) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)

- A) All hunting must be by walking into the area.
- B) Each hunting party must hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
- C) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the subimpoundment area.
- D) Legal entry time is 4:30 a.m. and exit time is 2:00 p.m. for all hunters in flooded management compartments.

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4647) Shelbyville State Fish and Wildlife Area

- A) Waterfowl hunting shall be permitted as described in this subsection (b)(47) except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook, North Dunn, McGee, and Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing for the first 24 days ~~offer~~ the regular waterfowl season. Parties must register for drawings between 3:00 a.m. and 4:00 a.m. Central Standard Time at the check station on those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply.
 - i) All parties must hunt within 10 yards of their assigned stake.
 - ii) All parties must be in place by ½ hour before hunting time.
 - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first come-first served basis except as noted in subsection (b)(47)(B). Hunting in the Fish Hook Area shall be restricted to designated, staked sites on a first come-first served basis for the first 14 days of the Illinois Central Zone duck season, except as noted in subsection (b)(47)(B). A hunting party must hunt within 10 yards of the stake.
- D) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas is required to hunt over a minimum of 12 decoys.
- E) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn and McGee Waterfowl Areas.

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- F) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.
- G) During the regular waterfowl season, only licensed waterfowl hunters with valid site waterfowl permits who are in the pursuit of waterfowl are permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from ½ hour before sunrise until 1:00 p.m.
- H) A free permit is required, which can be obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit hunting privileges at this site for the following year.

| [4748](#)) Sielbeck Forest Natural Area (1)

| [4849](#)) Stephen A. Forbes State Park

- A) On the main lake hunting is allowed from a boat blind only in the designated areas.
- B) Only walk-in hunting is allowed in the subimpoundment.
- C) Hunting shall be allowed on a first come-first served basis. All hunters must use 12 decoys, minimum.

| [4950](#)) Ten Mile Creek Fish and Wildlife Area (1)

- A) Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15.
- B) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

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C) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only. Rest Area designation has been given to that part of the Belle Rive unit that lies south of Auxier Creek and is posted as Rest Area, and the 250 acre tract at the Western edge of the Eads Mine unit.

~~D) After the close of the duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.~~

5051) Turkey Bluffs State Fish and Wildlife Area (1)
All hunters must sign in and out and report kill.

5152) Union County (Firing Line Waterfowl Management Area)

A) Blind sites shall be allocated on a daily draw basis at the site shop building 60 minutes prior to hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select a blind site in order drawn; only those hunters registered in a party shall be allowed to hunt with their party; no less than 2 hunters and no more than 4 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

B) Blinds not allocated during the drawing will not be hunted that day. Moving from blind to blind is not allowed.

C) Access to blind sites is from Clear Creek Levee only.

D) Each hunting party must hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

E) Hunting hours end at 1:00 p.m. and all hunters must be out of the area by 2:00 p.m. Daily entry into the area is restricted until after the drawing for hunting sites.

F) When duck season is closed, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.

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5253) Weinberg-King State Park – Spunky Bottoms Unit (1)
No access restrictions; sign in/sign out required.

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

Section 590.80 Early and Late Goose (all species) Hunting Regulations on Department Sites

- a) During goose hunting seasons that begin before or extend beyond the regular duck season, statewide regulations and site specific regulations for goose hunting, as indicated in Sections 590.40, 590.50 and 590.60, shall apply to all sites (except those closed in subsections (c), (d), (e) and (f)) with the following exceptions:
- 1) Check in and check out (or sign in and out) is required only at sites with an asterisk (*).
 - 2) No fees will be charged for hunting for seasons before duck season or for seasons after the regular Canada goose season.
 - 3) No sites are closed to fishing during seasons before the regular duck season or for seasons after the regular Canada goose season.
 - 4) Hunting from a completed blind or staked site is waived during seasons held before the regular duck season or for seasons held after the regular Canada goose season at sites marked with an @.
 - 5) Hunting from a staked site (blind need not be completed) is required during seasons held before the regular duck season at sites marked with a #.
 - 6) During goose seasons held prior to regular duck season, no hunting is allowed in designated dove management fields or within 100 yards of such fields.
 - 7) During goose seasons held after the Canada goose season all restrictions regarding the use of decoys or the number of shotgun shells that hunters can possess are no longer in force.

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- 8) During goose seasons held after Canada goose season, statewide hunting hours apply.
- b) The following sites will be open to all goose hunting seasons:
- Blanding Wildlife Area @
 - Cache River Natural Area *
 - Carlyle Lake Project Lands and Waters, including North Allen Branch Waterfowl Management Area (no early goose hunting east of Kaskaskia River from Cox's Bridge Access north to the Department's boundary line) *
 - Chain O'Lakes State Park #
 - Chauncey Marsh (permit required, available at Red Hills State Park)
 - Clinton Lake State Recreational Area – early season goose hunting in waterfowl hunting areas east of Parnell Bridge and North of Route 54 only. Any goose hunting seasons after the regular Canada goose seasons will close March 15.
 - Des Plaines Conservation Area #
 - Devil's Island State Fish and Wildlife Area
 - Dog Island Wildlife Management Area *
 - Fort de Chartres Historic Site
 - Horseshoe Lake State Park (Madison County) (blind builders or partners must occupy their blinds by ½ hour before opening hunting hour each day in order to claim their blind for the day; attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest; the insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind) # *
 - Kaskaskia River State Fish and Wildlife Area (Baldwin Lake Waterfowl Rest Area is closed to hunting) *

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Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville (except West Okaw and Kaskaskia Fish and Wildlife Area)

Marshall State Fish and Wildlife Area – Sparland and Duck Ranch Units @

Marshall State Fish and Wildlife Area – Spring Branch and Marshall Units * @

Meredosia Lake

Mississippi River State Fish and Waterfowl Management Area (Pools 25 and 26) (no hunting is allowed in the designated Batchtown Waterfowl Rest Area, Crull Hollow Rest Area and Godar Rest Area; blind builders or partners must occupy their blinds by ½ hour before opening hunting hour each day in order to claim their blind for the day; attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest; the insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind) @

Mississippi River Pools 16, 17, and 18 @

Mississippi River Pools 21, 22, and 24 @

Oakford Conservation Area

Rend Lake Project Lands and Waters @

Saline County Conservation Area *

Sanganois State Fish and Wildlife Area * @

Shawnee Forest, LaRue Scatters

Shawnee Forest, Oakwood Bottoms

Shawnee Forest, Upper Bluff Lake

Ten Mile Creek Fish and Wildlife Area (permit required; rest areas open to hunting during goose season before and after the regular goose season)

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Turkey Bluffs State Fish and Wildlife Area *

Weinberg-King State Park – Spunky Bottoms Unit (1)

Woodford Fish and Wildlife Area * @

- c) The following sites will be open to any goose hunting seasons that occur before the regular duck season through the end of the regular Canada goose season:

Anderson Lake (closed after regular duck season) * @

~~Clinton Lake State Recreation Area (hunting will be in designated walk-in areas only; boat blinds allowed where hunting will be within 50 yards of a staked site; free site permit required; no hunting within 200 yards of developed areas, construction zones and 300 yards of electrical power lines; no more than 4 persons per blind and a minimum of 12 decoys must be used)~~

Coffeen Lake State Fish and Wildlife Area (hunting north of County Road N6th only; no fishing north of County Road N6th during this season) * #

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area (must have site specific permit)

Ray Norbut State Fish and Wildlife Area *

Rice Lake (season opens with teal season; sunrise until 1:00 p.m.; closed after regular duck season) * @

Siloam Springs State Park (open prior to regular duck season only) * #

- d) The following sites will be open to all goose hunting during any Canada goose hunting seasons that occur after the regular duck season:

Banner Marsh * @

Braidwood State Fish and Wildlife Area *

Heidecke State Fish and Wildlife Area *

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Kankakee River State Park

Lake DePue Fish and Wildlife Area *

Lake Sinnissippi Fish and Wildlife Area

Newton Lake Fish and Wildlife Area *

Pekin Lake Fish and Wildlife Area

Spring Lake Fish and Wildlife Area (hunting from registered blinds or within 10 yards of staked blind sites is permitted after the close of the duck season) *

Starved Rock State Park *

[William W. Powers Conservation Area](#)

- e) The following sites will be open to any goose hunting seasons that occur after the regular Canada goose hunting season:

Double T State Fish and Wildlife Area (from pits or staked blind sites only)*

Horseshoe Lake Conservation Area (controlled hunting and public hunting areas)

* @

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Units (site permit and harvest report required)

Jim Edgar Panther Creek State Fish and Wildlife Area (Open Unit, West Open Unit, Quail Management Unit only)

Pyramid State Park – Captain Unit (no hunting in Captain Unit Waterfowl Rest Area) @

Pyramid State Park – Denmark Unit (no hunting in Denmark Unit Waterfowl Rest Area) @

Pyramid State Park – East Conant Unit

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Pyramid State Park – Galum Unit @

Sangchris Lake State Park *

Stephen A. Forbes State Park *

Snakeden Hollow State Fish and Wildlife Area (from pits only) *

Union County Conservation Area (firing line and controlled hunting area) * @

~~William W. Powers Conservation Area~~

- f) The following sites will be closed to all goose hunting seasons that occur outside the regular duck season dates:

Donnelley Fish and Wildlife Area

Mazonia State Fish and Wildlife Area *

Mermet Lake Fish and Wildlife Area

Powerton Reservoir

Redwing Slough/Deer Lake

- g) The following sites will be open to any goose hunting seasons that occur before the regular duck season and after the regular Canada goose season:

Kidd Lake State Natural Area

- h) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

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

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- 1) Heading of the Part: Squirrel Hunting
- 2) Code Citation: 17 Ill. Adm. Code 690
- 3) Section Number: 690.30 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to: change the name of Falling Down Prairie to Rall Woods State Natural Area, move Momence Wetlands from subsection (g) to subsection (f) and require check-in, check-out and reporting of harvest, and allow the use of rifles and air rifles at Mackinaw River State Fish and Wildlife Area.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

William K. Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

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217/782-1809

- 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: January 2009

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

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 690
SQUIRREL HUNTING

Section

690.10	Hunting Seasons
690.20	Statewide Regulations
690.30	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; emergency expired March 12, 1982; amended at 6 Ill. Reg. 9642, effective July 21, 1982; amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9690, effective August 1, 1983, for a maximum of 150 days; emergency expired December 29, 1983; amended at 8 Ill. Reg. 16789, effective August 30, 1984; amended at 9 Ill. Reg. 11614, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. 11087, effective June 30, 1992; amended at 17 Ill. Reg. 10842, effective July 1, 1993; amended at 18 Ill. Reg. 8624, effective May 31, 1994; amended at 19 Ill. Reg. 10664, effective July 1, 1995; amended at 20 Ill. Reg. 10882, effective August 5, 1996; amended at 21 Ill. Reg. 9095, effective June 26, 1997; amended at 22 Ill. Reg. 14844, effective August 3, 1998; amended at 23 Ill. Reg. 9074, effective July 28, 1999; amended at 24 Ill. Reg. 8947, effective June 19, 2000; amended at 25 Ill. Reg. 9903, effective July 17, 2001; amended at 26 Ill. Reg. 13845, effective September 5, 2002; amended at 27 Ill. Reg. 12640, effective July 21, 2003; amended at 28 Ill. Reg. 11893, effective July 27, 2004; amended at 29 Ill. Reg. 9786, effective June 27, 2005; amended at 30 Ill. Reg. 12229, effective June 28, 2006; amended at 31 Ill. Reg. 11700, effective July 27, 2007; amended at 32 Ill. Reg. 14819, effective August 27, 2008; amended at 33 Ill. Reg. _____, effective _____.

Section 690.30 Regulations at Various Department-Owned or -Managed Sites

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- a) All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive. Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.28).
- b) Hunting with .22 caliber or smaller rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1). Hunting with air rifles is allowed at those sites listed in the following subsections that are followed by a (3).
- c) Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2).
- d) Statewide regulations apply at the following sites:
 - Anderson Lake Conservation Area (2)
 - Apple River Canyon State Park – Salem and Thompson Units (2)
 - Argyle Lake State Park (2)
 - Big Bend State Fish and Wildlife Area (2)
 - Big River State Forest (2)
 - Cache River State Natural Area (1) (2)
 - Campbell Pond Wildlife Management Area
 - Cape Bend State Fish and Wildlife Area (1) (2)
 - Carlyle Lake Lands and Waters – Corps of Engineers managed lands (1)
 - Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1)
 - Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; daily quota filled on first come-first served basis; DNR issued back

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patch must be worn while hunting; only shot size of No. 3 steel, No. 4 bismuth, No. 5 tungsten-iron, tungsten-matrix, tungsten-polymer or smaller may be used) (2)

Crawford County Conservation Area (1) (2)

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (1) (2)

Eldon Hazlet State Park (north of Allen Branch (2); and west of Peppenhorst Branch only)

~~Falling Down Prairie (2)~~

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area (1) (2)

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (2)

Hanover Bluff State Natural Area (2)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; the defined Baldwin Lake Waterfowl Rest Area is closed) (1) (2) (3)

Kinkaid Lake Fish and Wildlife Area (1)

Lowden-Miller State Forest (hunting allowed from September 1 through September 30 only; hunting allowed only on the southern one-half of the site) (1) (2)

Marseilles State Fish and Wildlife Area (Monday through Thursday only)

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through October 31; during August, hunting allowed west of E. 2450 Road only; open daily November 1 through the end of the site archery deer season; closed during the site firearm and muzzleloading deer seasons; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (2)

Marshall State Fish and Wildlife Area (1) (2)

Mermet Lake Conservation Area (non-toxic shot only in waterfowl areas; squirrel hunting closes after September 30, except in upland game area) (1) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1)

Mississippi River Pools 16, 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Morrison Rockwood State Park (opens November 1 and closes the Thursday before the first statewide firearm deer season) (1) (2)

Nauvoo State Park (Max Rowe Unit only)

Oakford Conservation Area (1)

Peabody River King State Fish and Wildlife Area (east subunit closes November 1) (2)

[Rall Woods State Natural Area \(2\)](#)

Randolph County Conservation Area (2)

Ray Norbut State Fish and Wildlife Area (1) (2)

Red Hills State Park (2)

Rend Lake Project Lands and Waters (1)

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Sahara Woods State Fish and Wildlife Area (1) (2)

Saline County Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (2)

Sam Parr State Park (2)

Sangamon County Conservation Area

Shawnee National Forest – Oakwood Bottoms (non-toxic shot only) (1)

Sielbeck Forest Natural Area (1) (2)

Skinner Farm State Habitat Area (2)

Spoon River State Forest (1) (2) (3)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2) (3)

Walnut Point Fish and Wildlife Area (1) (2)

Washington County Conservation Area (2)

Weinberg-King State Park (1) (2)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park – Scripps Unit (1) (2)

Weinberg-King State Park – Spunky Bottoms Unit (1) (2)

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Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens after second firearm deer season)
(2)

- e) Season dates shall be the day following Labor Day through the end of the statewide season at the following sites:

Ferne Clyffe State Park – Ferne Clyffe Hunting Area (2)

Giant City State Park (rimfire cartridges allowed in Union County portion;
no rimfire cartridges allowed in Jackson County portion only) (1) (2)

Hamilton County Conservation Area (2)

Pyramid State Park (2)

Siloam Springs State Park (2)

- f) Season dates shall be the day after Labor Day through September 30 at the following sites:

Johnson-Sauk Trail State Park (season reopens the day after the archery deer season closes and remains open until the end of the statewide season)
(2)

Jubilee College State Park (2)

Kankakee River State Park (2)

[Momence Wetlands \(2\)](#)

Sangchris Lake State Park (2)

Silver Springs State Park (2)

Spring Lake Fish and Wildlife Area (2)

- g) Statewide regulations apply at the following sites, except that hunters must obtain

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a free permit from the Department and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by March 15 or the hunter will forfeit privileges at that site for the following year:

Beaver Dam State Park (statewide opening through September 30)

Chauncey Marsh (permit may be obtained at Red Hills State Park Headquarters) (1)

Clinton Lake State Recreation Area – North Fork Management Area, North of the County Road at the North Fork Boat Ramp and handicapped upland game area (1)

Coffeen Lake State Fish and Wildlife Area (statewide opening through September 30)

Copperhead Hollow State Fish and Wildlife Area (1)

Fox Ridge State Park (1)

Harry "Babe" Woodyard State Natural Area

Hidden Springs State Forest (1)

Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island Units (Madison County)

Hurricane Creek Habitat Area (season closes October 31)

Jim Edgar Panther Creek State Fish and Wildlife Area (the Quality Unit and Controlled Unit close October 31) (1)

Kickapoo State Park (season opens day after Labor Day)

Lake Shelbyville – Eagle Creek State Park (closes opening day of site's pheasant season)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management

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Areas (1)

Matthiessen State Park (season opens on statewide opening day and closes the day before the archery deer season opens; permits available at the Starved Rock State Park office; hunting in designated areas only)

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters) (1)

Middle Fork Fish and Wildlife Area (season opens day after Labor Day)

~~Momence Wetlands (season opens day after Labor Day; closes September 30; shotgun only, non-toxic shot only)~~

Moraine View State Park (closed during the controlled pheasant season)

Newton Lake Fish and Wildlife Area (closed during site deer seasons)

Pere Marquette State Park (season opens day after Labor Day)

Pyramid State Park – Captain Unit (1)

Pyramid State Park – Denmark Unit (1)

Pyramid State Park – East Conant Unit (1)

Pyramid State Park – Galum Unit (1)

Ramsey Lake State Park

Sand Ridge State Forest (closes October 31) (1)

Sanganois State Fish and Wildlife Area (1)

Siloam Springs State Park – Buckhorn Unit (1) (2)

Ten Mile Creek Fish and Wildlife Area (1)

- h) Season dates shall be statewide opening through September 30 at the following

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sites:

Castle Rock State Park (2)

French Bluff State Natural Area (1) (2)

Iroquois County Wildlife Management Area (1) (2)

Mackinaw State Fish and Wildlife Area [\(1\)](#) (2) [\(3\)](#)

Mt. Vernon Game Propagation Center (2)

Sandy Ford State Natural Area (2)

Weldon Springs – Piatt County Unit (2)

Woodford County Fish and Wildlife Area (2)

- i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (2)

Horseshoe Lake Conservation Area (season on the controlled goose hunting area shall close October 31, remainder of the public hunting area statewide season; non-toxic shot only) (1)

Union County Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit – statewide closing; non-toxic shot only) (1)

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: The Taking of Wild Turkeys – Fall Gun Season
- 2) Code Citation: 17 Ill. Adm. Code 715
- 3) Section Number: 715.40 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to change the site name of Falling Down Prairie to Rall Woods State Natural Area.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

William K. Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 13) Initial Regulatory Flexibility Analysis:

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- 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: January 2009

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 715
THE TAKING OF WILD TURKEYS – FALL GUN SEASON

Section

715.10	Hunting Season, Open Counties and Permit Quotas
715.20	Statewide Turkey Permit Requirements
715.21	Turkey Permit Requirements – Special Hunts
715.25	Turkey Permit Requirements – Landowner/Tenant Permits
715.30	Turkey Hunting Regulations
715.40	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 13 Ill. Reg. 14950, effective September 6, 1989; amended at 14 Ill. Reg. 12421, effective July 20, 1990; amended at 15 Ill. Reg. 11618, effective August 2, 1991; amended at 16 Ill. Reg. 11101, effective June 30, 1992; amended at 17 Ill. Reg. 10858, effective July 1, 1993; amended at 18 Ill. Reg. 10013, effective June 21, 1994; amended at 19 Ill. Reg. 11806, effective August 3, 1995; amended at 20 Ill. Reg. 10898, effective August 5, 1996; amended at 21 Ill. Reg. 9110, effective June 26, 1997; amended at 22 Ill. Reg. 14866, effective August 3, 1998; amended at 23 Ill. Reg. 9091, effective July 28, 1999; amended at 24 Ill. Reg. 8965, effective June 19, 2000; amended at 25 Ill. Reg. 11460, effective August 14, 2001; amended at 26 Ill. Reg. 13855, effective September 5, 2002; amended at 27 Ill. Reg. 12650, effective July 21, 2003; amended at 28 Ill. Reg. 11904, effective July 27, 2004; amended at 29 Ill. Reg. 15542, effective September 27, 2005; amended at 29 Ill. Reg. 18938, effective November 4, 2005; amended at 30 Ill. Reg. 14518, effective August 24, 2006; amended at 31 Ill. Reg. 11711, effective July 27, 2007; amended at 32 Ill. Reg. 14830, effective August 27, 2008; amended at 33 Ill. Reg. _____, effective _____.

Section 715.40 Regulations at Various Department-Owned or -Managed Sites

- a) Statewide regulations shall apply for the following sites:

Copperhead Hollow State Fish and Wildlife Area

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Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein and Chouteau Island Unit

Kaskaskia River State Fish and Wildlife Area (except that area north of Hwy. 154, east of the Kaskaskia River and south of Risdon School Road and Beck's Landing access road)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18

Mississippi River Pools 21, 22, 24

Nauvoo State Park (Max Rowe Unit only)

Pere Marquette State Park (south of Graham Hollow Road)

Rend Lake Project Lands (portion in Jefferson County only)

Weinberg-King State Park – Cecil White Unit

- b) Statewide regulations shall apply except that all hunters must check in, check out, and report harvest at those sites listed below. Quotas, where listed, shall be on a first come-first served basis. Hunters shall not be allowed to sign in prior to 4 a.m. each day of the season.

Argyle Lake State Park

Big River State Forest

Cache River State Natural Area (Johnson County portion only)

Cape Bend State Fish and Wildlife Area

Cypress Pond State Natural Area

Deer Pond State Natural Area

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NOTICE OF PROPOSED AMENDMENT

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area

~~Falling Down Prairie~~

Ferne Clyffe State Park

Fort de Chartres Historic Site (muzzleloading shotguns only)

Giant City State Park

Hanover Bluff State Natural Area

Horseshoe Lake Conservation Area (public hunting area except for controlled goose hunting area)

Kinkaid Lake Fish and Wildlife Area

~~Rall Woods State Natural Area~~

Ray Norbut State Fish and Wildlife Area

Sahara Woods State Fish and Wildlife Area

Saline County Conservation Area

Siloam Springs State Park

Siloam Springs State Park – Buckhorn Unit (resident hunters only)

Skinner Farm State Habitat Area

Spoon River State Forest

Tapley Woods State Natural Area

Trail of Tears State Forest

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Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area – Firing Line Management Unit Only

Weinberg-King State Park

Weinberg-King State Park – Scripps Unit

Weinberg-King State Park – Spunky Bottoms Unit

- c) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 715.20. This permit is only valid for the specific site indicated on the permit.

Apple River Canyon State Park – Salem and Thompson Units

Crawford County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area

Meeker State Habitat Area

Newton Lake Fish and Wildlife Area

Sam Parr State Park

Sand Ridge State Forest

Witkowsky State Wildlife Area

- d) Special program for hunters with disabilities. Statewide regulations shall apply unless designated otherwise by site regulations. Only disabled persons participating in the site's firearm deer hunt are eligible to participate. This hunt will run concurrent with the site's firearm deer hunt (refer to 17 Ill. Adm. Code 650.67 for hunt dates). Permits will be \$15 each; site specific for Rock Cut; issued at the site during check in for firearm deer hunting. Any additional availability will be publicly announced.

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NOTICE OF PROPOSED AMENDMENT

Rock Cut State Park

- e) Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.9).

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Taking of Wild Turkeys – Fall Archery Season
- 2) Code Citation: 17 Ill. Adm. Code 720
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
720.10	Amendment
720.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to: change the season ending date from "the first Thursday after January 10" to "the first Sunday after January 13"; open Frank Holten State Park to hunting and change the name of "Falling Down Prairie" to "Rall Woods State Natural Area".
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

William K. Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

217/782-1809

- 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: January 2009

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 720
THE TAKING OF WILD TURKEYS – FALL ARCHERY SEASON

Section

720.10	Hunting Seasons and Counties Open to Hunting
720.20	Statewide Turkey Permit Requirements
720.25	Turkey Permit Requirements – Landowner/Tenant Permits
720.30	Turkey Hunting Regulations
720.40	Regulations at Various Department-Owned or -Managed Sites
720.50	Releasing or Stocking of Turkeys (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

SOURCE: Adopted and codified at 8 Ill. Reg. 7825, effective May 22, 1984; emergency amendments at 8 Ill. Reg. 20086, effective October 12, 1985, for a maximum of 150 days; emergency expired March 2, 1985; amended at 9 Ill. Reg. 14311, effective September 5, 1985; amended at 11 Ill. Reg. 9556, effective May 5, 1987; amended at 12 Ill. Reg. 12254, effective July 15, 1988; amended at 13 Ill. Reg. 12831, effective July 21, 1989; amended at 14 Ill. Reg. 12413, effective July 20, 1990; amended at 15 Ill. Reg. 11611, effective August 2, 1991; amended at 16 Ill. Reg. 11093, effective June 30, 1992; amended at 16 Ill. Reg. 15442, effective September 28, 1992; amended at 17 Ill. Reg. 281, effective December 28, 1992; amended at 17 Ill. Reg. 10850, effective July 1, 1993; amended at 18 Ill. Reg. 10104, effective June 21, 1994; amended at 19 Ill. Reg. 11799, effective August 3, 1995; amended at 20 Ill. Reg. 10890, effective August 5, 1996; amended at 21 Ill. Reg. 9102, effective June 26, 1997; amended at 22 Ill. Reg. 14856, effective August 3, 1998; amended at 23 Ill. Reg. 9082, effective July 28, 1999; amended at 24 Ill. Reg. 8956, effective June 19, 2000; amended at 25 Ill. Reg. 11448, effective August 14, 2001; amended at 26 Ill. Reg. 13867, effective September 5, 2002; amended at 27 Ill. Reg. 12658, effective July 21, 2003; amended at 28 Ill. Reg. 13612, effective September 24, 2004; amended at 29 Ill. Reg. 18345, effective August 26, 2005; amended at 29 Ill. Reg. 18944, effective November 4, 2005; amended at 30 Ill. Reg. 12240, effective June 28, 2006; amended at 31 Ill. Reg. 11723, effective July 27, 2007; amended at 32 Ill. Reg. 14843, effective August 27, 2008; amended at 33 Ill. Reg. _____, effective _____.

Section 720.10 Hunting Seasons and Counties Open to Hunting

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a) Season: Statewide season October 1 through the first [Sunday after January 13](#) ~~Thursday after January 10~~, closed during firearm deer season, as set out in 17 Ill. Adm. Code 650. Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.9).

b) Open Counties:

Adams
Alexander
Bond
Boone
Brown
Bureau
Calhoun
Carroll
Cass
Champaign
Christian
Clark
Clay
Clinton
Coles
Crawford
Cumberland
DeKalb
DeWitt
Edgar
Edwards
Effingham
Fayette
Franklin
Fulton
Gallatin
Greene
Grundy
Hamilton
Hancock
Hardin

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Henderson
Henry
Iroquois
Jackson
Jasper
Jefferson
Jersey
Jo Daviess
Johnson
Kankakee
Kendall
Knox
LaSalle
Lawrence
Lee
Livingston
Logan
Macon
Macoupin
Madison
Marion
Marshall
Mason
Massac
McDonough
McHenry
McLean
Menard
Mercer
Monroe
Montgomery
Morgan
Moultrie
Ogle
Peoria
Perry
Piatt
Pike
Pope

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Pulaski
Putnam
Randolph
Richland
Rock Island
Saline
Sangamon
Schuyler
Scott
Shelby
St. Clair
Stark
Stephenson
Tazewell
Union
Vermilion
Wabash
Warren
Washington
Wayne
White
Whiteside
Will
Williamson
Winnebago
Woodford

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

Section 720.40 Regulations at Various Department-Owned or -Managed Sites

Statewide regulations shall apply for the following sites, except those sites designated below by asterisk (*) shall be open to archery turkey hunting without regard to firearm deer season. Those sites followed by (1) require hunters to check in and check out. Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.9). Those sites followed by a (2) require hunters to obtain a permit from the site before hunting:

- * Anderson Lake Conservation Area (1)

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NOTICE OF PROPOSED AMENDMENTS

- Apple River Canyon State Park – Salem and Thompson Units (1)
- Argyle Lake State Park (1)
- Beaver Dam State Park (2)
- Big Bend State Fish and Wildlife Area (1)
- Big River State Forest (1)
- Cache River State Natural Area (1)
- Campbell Pond Wildlife Management Area
- Cape Bend State Fish and Wildlife Area (1)
- Carlyle Lake Lands and Waters – Corps of Engineers Managed Lands
- Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)
- Castle Rock State Park (1)
- Chain O'Lakes State Park (closed Wednesday through Sunday of pheasant season; opens Monday prior to pheasant season and closes Tuesday following close of pheasant season; reopens December 26 through the close of regular season) (1)
- Chauncey Marsh (permit available at Red Hills State Park) (2)
- Clinton Lake State Recreation Area (2)
- Coffeen Lake State Fish and Wildlife Area (2)
- Copperhead Hollow State Fish and Wildlife Area (2)
- Crawford County Conservation Area (1)
- Cypress Pond State Natural Area (1)

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Deer Pond State Natural Area (1)

Devil's Island State Fish and Wildlife Area

Dixon Springs State Park (1)

Dog Island Wildlife Management Area (1)

Eagle Creek State Park (2)

~~Falling Down Prairie (1)~~

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site

* Fort Kaskaskia Historic Site (opens November 1) (1)

Fort Massac State Park (1)

Frank Holten State Park (opens November 1; crossing of Harding Ditch within confines of site allowed, no hunting from Harding Ditch right-of-way) (1)

Franklin Creek State Park (hunting in designated area only) (1)

Giant City State Park (1)

Green River State Wildlife Area (1)

Hamilton County Conservation Area (must possess valid site archery permit) (2)

Hanover Bluff State Natural Area (1)

Harry "Babe" Woodyard State Natural Area (2)

Horseshoe Lake Conservation Area (Alexander County) (controlled goose hunting area closed 7 days prior to Quota Zone goose season through the close of the Quota Zone goose season; remainder of the public hunting area open during the statewide season) (1)
(2)

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NOTICE OF PROPOSED AMENDMENTS

- * Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island Units (Madison County) (2)
 - Iroquois County State Wildlife Area
 - Jim Edgar Panther Creek State Fish and Wildlife Area (2)
 - Johnson-Sauk Trail State Park (closed Wednesday through Sunday during site's pheasant permit season) (1)
 - Jubilee College State Park (1)
 - Kaskaskia River State Fish and Wildlife Area (no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road; this defined waterfowl rest area is closed until the Columbus Day holiday) (1 – except south of Highway 154 and north of Highway 13)
 - Kickapoo State Park (2)
 - Kinkaid Lake Fish and Wildlife Area
 - Kishwaukee River State Fish and Wildlife Area (1)
 - Lowden-Miller State Forest (1)
 - Mackinaw River State Fish and Wildlife Area (1)
 - Marseilles State Fish and Wildlife Area (closed each Friday, Saturday, and Sunday in October; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (1)
 - Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (1)
 - Mautino State Fish and Wildlife Area (2)
 - Meeker State Habitat Area (obtain permit at Sam Parr State Park) (2)

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Mermet Lake State Fish and Wildlife Area (1)

Middle Fork State Fish and Wildlife Area (2)

Mississippi Palisades State Park (November 1 through December 31) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

Moraine View State Park (closed Wednesday through Sunday during site's controlled pheasant season) (2)

Nauvoo State Park (Max Rowe Unit only)

Newton Lake Fish and Wildlife Area (must possess valid site archery permit) (2)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (east subunit closed November 1) (1)

Pere Marquette State Park (2)

Pyramid State Park

Pyramid State Park – East Conant Unit (2)

[Rall Woods State Natural Area \(1\)](#)

* Ramsey Lake State Park (2)

* Randolph County Conservation Area

Rauchfuss Hill State Recreation Area (1)

Ray Norbut State Fish and Wildlife Area (1)

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- * Red Hills State Park (1)
- * Rend Lake Project Lands and Waters
 - Sahara Woods State Fish and Wildlife Area (1)
 - Saline County Conservation Area (1)
- * Sam Dale Lake Conservation Area (2)
- * Sam Parr State Park (1)
 - Sand Ridge State Forest (2)
 - Sandy Ford State Natural Area (1)
 - Sanganois State Fish and Wildlife Area (2)
- * Sangchris Lake State Park (site will be closed to archery deer and turkey hunting during the second firearm deer season) (1) (2)
- * Shabbona Lake State Park (1)
 - Shelbyville Lake – Corps of Engineers Managed Lands
 - Shelbyville Wildlife Management Area (2)
 - Sielbeck Forest Natural Area (1)
 - Siloam Springs State Park (1) (2)
- * Siloam Springs State Park – Buckhorn Unit (resident hunters only) (1) (2)
 - Skinner Farm State Habitat Area (1)
- * South Shore State Park (1)
 - Spoon River State Forest (1)

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- * Spring Lake State Fish and Wildlife Area (2)

Starved Rock State Park/Matthiessen State Park (no turkey hunting in the nature preserves; open only in areas where archery deer hunting is allowed other than nature preserves; must have valid archery deer permit in possession to hunt turkeys; open concurrent with site archery deer season) (1)
- * Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (1)

Ten Mile Creek Fish and Wildlife Area (2)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area (firing line unit – Statewide season, Public Hunting Area October 1 through October 31, reopens with the close of the Quota Zone goose season) (1)
- * Washington County Conservation Area (1)

Wayne Fitzgerald State Park (no hunting during controlled hunts as posted at the site) (1)

Weinberg-King State Park (1)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park – Scripps Unit (resident hunters only) (1)

Weinberg-King State Park – Spunky Bottoms Unit (resident hunters only) (1)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (1)

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Illinois List of Endangered and Threatened Fauna
- 2) Code Citation: 17 Ill. Adm. Code 1010
- 3) Section Number: 1010.30 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10/7]
- 5) A Complete Description of the Subjects and Issues Involved: The changes to this list were approved by the Illinois Endangered Species Protection Board, are supported by sufficient scientific evidence, and are compliant with criteria established in 520 ILCS 10/7 and in Section 5.1.1 of the Illinois Endangered Species Protection Board Policy and Operation Manual. Pursuant to 520 ILCS 10/6, the Board is required to review and revise the Illinois List of Endangered and Threatened Fauna at a minimum of every 5 years.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking:

Birds

Endangered Species Technical Advisory Committee members and their professional affiliations:

Marilyn Campbell (Board Vice Chairman)

Dr. James R. Herkert (ESTAC Chair and Board Member), The Nature Conservancy in Illinois

Dr. Jeff Hoover, Illinois Natural History Survey, University of Illinois

Vern Kleen, retired Illinois Department of Natural Resources

Brad Semel, Illinois Department of Natural Resources

Dr. Douglas Stotz, the Field Museum

Dr. Jeff Walk, The Nature Conservancy in Illinois

Dr. Mike Ward, Illinois Natural History Survey, University of Illinois

Dr. Dan Wenny, Illinois Natural History Survey, University of Illinois

Individual ESTAC member research data and field notes.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Illinois Natural Heritage Database, Illinois Department of Natural Resources, Springfield, IL.

Illinois Natural History Survey Bird Collection Database, Champaign, IL.

University of Illinois Natural History Museum Bird Collection Database, Urbana, IL.

Audubon Bulletin. Annual Spring Bird Count data for 1975-2008.

Bird Conservation Network data. Accessible online at: <http://www.bcnbirds.org/>

Bowles, M.L., V.E. Diersing, J.E. Ebinger, and H.C. Schultz, editors. 1981. Endangered and Threatened Vertebrate Animals and Vascular Plants of Illinois. Illinois Department of Conservation. 187 pp, + Appendices.

Meadowlark. Bird Annual Breeding Season Records.

Grier, J.W. et al. 1983. Northern states bald eagle recovery plan. USFWS, Denver, CO. 131pp.

Herkert, J.R. editor. 1992. Endangered and Threatened Species of Illinois: Status and Distribution, Volume 2 – Animals. Illinois Endangered Species Protection Board, Springfield, Illinois. 142 pp.

Nyboer, R.L., J.R. Herkert, and J.E. Ebinger, editors. 2006. Endangered and Threatened Species of Illinois: Status and Distribution, Volume 2 – Animals. Illinois Endangered Species Protection Board, Springfield, Illinois.

Sauer, J. R., J. E. Hines, and J. Fallon. 2008. The North American Breeding Bird Survey, Results and Analysis 1966 - 2007. Version 5.15.2008. USGS Patuxent Wildlife Research Center, Laurel, MD. Available on-line at: <http://www.mbr-pwrc.usgs.gov/bbs/> (Accessed 02/07, 03/08, 12/08.)

Shaw, Susan. Illinois Audubon Society, pers. comm., February 9, 2009.

Steenhof, K., L. Bond, and L. L. Dunn. 2008. The midwinter bald eagle survey results and analysis 1986-2005. U.S. Geological Survey, National Biological Information Infrastructure, and Northwest Alliance for Computational Science and Engineering. Available on-line at: <http://www.nacse.org/nbii/eagles> (Accessed 02/07, 03/08, 12/08).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

United States Fish and Wildlife Service. 2008. Bald eagle breeding pairs 1990 – 2006. Available on-line at: http://www.fws.gov/midwest/eagle/population/nos_state_tbl.html (Accessed 02/07, 03/08, 12/08).

Fish

Endangered Species Technical Advisory Committee members and their professional affiliations:

Dr. Brooks Burr, Southern Illinois University

Dr. Mike Retzer (ESTAC Chair and Board Member), Illinois Natural History Survey, University of Illinois

Bob Rung, Illinois Department of Natural Resources

Trent Thomas, Illinois Department of Natural Resources

Jeremy Tiemann, Illinois Natural History Survey, University of Illinois

Dan Sallee, Illinois Department of Natural Resources

Individual ESTAC member research data and field notes.

Illinois Natural History Survey Fish Collection (150 years of distribution data).

Southern Illinois University at Carbondale Fish Collection Data.

Thomas, T.D., J.M. Epifanio, J.S. Tiemann. 2007. Evaluation and genetic screening of Illinois populations of the State Threatened Redspotted Sunfish (*Lepomis miniatus*) to determine feasibility for reintroduction efforts. Submitted to Illinois Department of Natural Resources, FY 2004 to 2005 State Wildlife Grant Program, State of Illinois Grant No. T-14-P. 73 pp.

Tiemann, J. and T. Thomas. 2008. Population assessment of the redspotted sunfish *Lepomis miniatus*. Unpublished report prepared for the Fish ESTAC.

Tiemann, J. 2008. Population assessment of the bluebreast darter *Etheostoma camurum*. Unpublished report prepared for the Fish ESTAC.

Invertebrates

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Endangered Species Technical Advisory Committee members and their professional affiliations:

Dr. Everett (Tim) Cashatt, Illinois State Museum
Kevin Cummings, Illinois Natural History Survey, University of Illinois
Dr. Chris Dietrich, Illinois Natural History Survey, University of Illinois
Dr. Chris Taylor, Illinois Natural History Survey, University of Illinois
Dr. Steven J. Taylor (acting ESTAC Chair), Illinois Natural History Survey, University of Illinois
Jeremy Tiemann, Illinois Natural History Survey, University of Illinois
Dr. Paul Tinerella, Illinois Natural History Survey, University of Illinois
James Wiker

The Invertebrate Endangered Species Technical Advisory Committee (Invert ESTAC) queried forty-four invertebrate experts (Andy Anderson [Gastropoda], Tom Anton [Arachnida], Joseph A. Beatty [Araneae], Jason Bond [Araneae and kin, Myriopoda], Julieta Brambila [Heteroptera], Everett D. Cashatt [Lepidoptera, Odonata], Mike Craney [Araneae], Kevin Cummings [Mussels], Juergen Deckert [Heteroptera], Ed DeWalt [Ephemeroptera, Plecoptera, Trichoptera], Chris Dietrich [Homoptera], Katharina Dittmar de la Cruz [Siphonoptera], David Eades [Orthoptera & kin], Jochen Gerber [Gastropoda], Hank Guarisco [Araneae], Terry Harrison [Lepidoptera], Marshal Hedin [Araneae and kin, Opiliones], Mike Irwin [Diptera], Kevin Johnson [Mallophaga and Psocoptera], Julian Lewis [cave & groundwater invertebrates], Jerzy A. Lis [Heteroptera], J.E. McPherson [Heteroptera], Jane O'Donell [Heteroptera], Richard J. Packauskas [Heteroptera], Paquin, Pierre [Araneae and kin], Dan A. Polhemus [Heteroptera], David Rider [Heteroptera], Bill Shear [Diplopoda, Chilopoda, Pauropoda, and Symphyla], Rowland Shelley [Diplopoda, Chilopoda, Pauropoda, Symphyla, & Protura], Felipe Soto-Adames [Collembola], Chris Taylor [Crustacea], Steve Taylor [Heteroptera, Strepsiptera], Diane Tecic [Heteroptera], Jeremy Tiemann [Gastropoda, Bivalvia], Paul Tinerella [Heteroptera, Coleoptera], Laura T. Torres-Miller [Heteroptera], Darrell Ubick [Araneae and kin, Opiliones], Timothy E. Vogt [Odonata], Michael Wall [Heteroptera], Don Webb [Diptera, Mecoptera], Christiane Weirauch [Heteroptera], Al Wheeler [Heteroptera], Jim Wiker [Lepidoptera], Diane Wood [Heteroptera]), and some of those experts were able to reply with helpful data within the short timeline allowed. These queries resulted in a list of near 100 invertebrates -- less than 0.33% of the ~29,000 invertebrates in Illinois -- and these were evaluated by the committee for possible listing as endangered or threatened in the state of Illinois.

Individual ESTAC member research data and field notes.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Illinois Natural History Survey Mollusk Collection Database, Champaign, IL.

Illinois Natural History Survey Crustacean Collection Database, Champaign, IL.

Illinois Natural History Survey Ephemeroptera Collection Database, Champaign, IL.

Illinois Natural History Survey Plecoptera Collection Database, Champaign, IL.

Illinois Natural History Survey Trichoptera Collection Database, Champaign, IL.

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Mammals

Endangered Species Technical Advisory Committee members and their professional affiliations:

Chris Anchor, Forest Preserve District of DuPage County
Bob Bluett, Illinois Department of Natural Resources
Dean Corgiat, Illinois Department of Natural Resources
Dr. George Feldhamer, Southern Illinois University

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Dr. Ed Heske, Illinois Natural History Survey, University of Illinois
Dr. Joyce Hofmann, (retired) Illinois Natural History Survey, University of Illinois
Joe Kath (acting ESTAC Chair), Illinois Department of Natural Resources

Individual ESTAC member research data and field notes.

Reptiles and Amphibians

Endangered Species Technical Advisory Committee members and their professional affiliations:

Scott Ballard, Illinois Department of Natural Resources
Dr. Ron Brandon, Southern Illinois University
Dr. Mike Dreslik, Illinois Natural History Survey, University of Illinois
Dr. Meredith Mahoney, Illinois State Museum
Dr. Chris Phillips (ESTAC Chair and Board Secretary), Illinois Natural History Survey,
University of Illinois
Mike Redmer, U.S. Fish and Wildlife Service

Individual ESTAC member research data and field notes.

Illinois Natural History Survey Amphibian and Reptile Collection Database, Champaign, IL.

Illinois Natural History Survey Amphibian and Reptile Frozen Tissue Collection Database, Champaign, IL.

University of Illinois Museum of Natural History Amphibian and Reptile Collection Database, Urbana, IL.

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

associations, population structure and implications for conservation. Chelonian Conservation and Biology 5(2):225-231.

- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Stanley Yonkauski, Jr.
Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809
- 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: This rulemaking was not listed on either of the two most recent Regulatory Agendas because the Board's final recommendations were approved in February, which was after the deadline for January Regulatory Agenda listings.

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER c: ENDANGERED SPECIES

PART 1010
 ILLINOIS LIST OF ENDANGERED AND THREATENED FAUNA

Section

1010.10	Official List
1010.20	Definitions
1010.25	Criteria Used for Listing
1010.30	List
1010.40	Effective Date (Repealed)

AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10/7].

SOURCE: Filed December 21, 1977, effective December 31, 1977; codified at 5 Ill. Reg. 10653; amended at 8 Ill. Reg. 13705, effective July 25, 1984; amended at 13 Ill. Reg. 4179, effective March 17, 1989; amended at 16 Ill. Reg. 103, effective December 20, 1991; amended at 18 Ill. Reg. 1134, effective January 18, 1994; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 3118, effective March 3, 1997; amended at 23 Ill. Reg. 5556, effective April 26, 1999; amended at 28 Ill. Reg. 12895, effective September 1, 2004; amended at 33 Ill. Reg. _____, effective _____.

Section 1010.30 List

a) ENDANGERED FISHES OF ILLINOIS

Northern Brook Lamprey	Ichthyomyzon fossor
Lake Sturgeon	Acipenser fulvescens
Pallid Sturgeon**	Scaphirhynchus albus
River Chub	Nocomis micropogon
Sturgeon Chub	Macrhybopsis gelida
Bigeye Chub	Hybopsis amblops
Pallid Shiner	Hybopsis amnis
Pugnose Shiner	Notropis anogenus
Bigeye Shiner	Notropis boops

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Blacknose Shiner	Notropis heterolepis
Taillight shiner	Notropis maculatus
Weed Shiner	Notropis texanus
Cypress Minnow	Hybognathus hayi
Greater Redhorse	Moxostoma valenciennesi
Northern Madtom	Noturus stigmosus
Redspotted Sunfish	Lepomis miniatus
Bluebreast Darter	Etheostoma camurum
Western Sand Darter	Ammocrypta clarum
Harlequin Darter	Etheostoma histrio

b) THREATENED FISHES OF ILLINOIS

Least Brook Lamprey	Lampetra aepyptera
Cisco	Coregonus artedi
Gravel Chub	Erimystax x-punctatus
Ironcolor Shiner	Notropis chalybaeus
Blackchin Shiner	Notropis heterodon
River Redhorse	Moxostoma carinatum
Eastern Sand Darter	Ammocrypta pellucidum
Longnosed Sucker	Catostomus catostomus
Banded Killifish	Fundulus diaphanus
Starhead Topminnow	Fundulus dispar
Redspotted Sunfish	Lepomis miniatus
Bantam Sunfish	Lepomis symmetricus
Iowa Darter	Etheostoma exile

c) ENDANGERED AMPHIBIANS AND REPTILES OF ILLINOIS

Eastern Hellbender	Cryptobranchus alleganiensis
Silvery Salamander	Ambystoma platineum
Spotted Dusky Salamander	Desmognathus conanti
Mudpuppy	Necturus maculosus
Alligator Snapping Turtle	Macrochelys temminckii
Blanding's Turtle	Emydoidea blandingii
Yellow Illinois Mud Turtle	Kinosternon flavescens
Smooth Softshell	Apalone mutica
Spotted Turtle	Clemmys guttata
River Cooter	Pseudemys concinna

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Coachwhip	Masticophis flagellum
Broad-banded Watersnake	Nerodia fasciata
Great Plains Ratsnake	Pantherophis Elaphe emoryi
Eastern Massasauga	Sistrurus catenatus

d) THREATENED AMPHIBIANS AND REPTILES OF ILLINOIS

Jefferson Salamander	Ambystoma jeffersonianum
Four-toed Salamander	Hemidactylum scutatum
Bird-voiced Treefrog	Hyla avivoca
Illinois Chorus Frog	Pseudacris illinoensis streckeri
Eastern Narrowmouth Toad	Gastrophryne carolinensis
Blanding's Turtle	Emydoidea blandingii
Ornate Box Turtle	Terrapene ornata
Lined Snake	Tropidoclonion lineatum
Plains Hog-Nosed Western Hognose Snake	Heterodon nasicus
Mississippi Green Watersnake	Nerodia cyclopion
Flathead Snake	Tantilla gracilis
Kirtland's Snake	Clonophis kirtlandi
Eastern Ribbonsnake	Thamnophis sauritus
Timber Rattlesnake	Crotalus horridus

e) ENDANGERED BIRDS OF ILLINOIS

American Bittern	Botaurus lentiginosus
Snow Egret	Egretta thula
Little Blue Heron	Egretta caerulea
Black-crowned Night Heron	Nycticorax nycticorax
Yellow-crowned Night Heron	Nyctanassa violacea
Osprey	Pandion haliaetus
Mississippi Kite	Ictinia mississippiensis
Northern Harrier	Circus cyaneus
Swainson's Hawk	Buteo swainsoni
Greater Prairie Chicken	Tympanuchus cupido
Black Rail	Laterallus jamaicensis
King Rail	Rallus elegans
Piping Plover**	Charadrius melodus
Upland Sandpiper	Bartramia longicauda

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Wilson's Phalarope	Phalaropus tricolor
Common Moorhen	Gallinula chloropus
Loggerhead Shrike	Lanius ludovicianus
Common Tern	Sterna hirundo
Forster's Tern	Sterna forsteri
Least Tern**	Sternula Sternula antillarum
Black Tern	Chlidonias niger
Barn Owl	Tyto alba
Short-eared Owl	Asio flammeus
Bewick's Wren	Thryomanes bewickii
Swainson's Warbler	Limnithlypis swainsonii
Yellow-headed Blackbird	Xanthocephalus xanthocephalus
Black-billed Cuckoo	Coccyzus erythrophthalmus

f) THREATENED BIRDS OF ILLINOIS

Least Bittern	Ixobrychus exilis
Bald Eagle	Haliaeetus leucocephalus
Peregrine Falcon	Falco peregrinus
Common Moorhen	Gallinula chloropus
Sandhill Crane	Grus canadensis
Loggerhead Shrike	Lanius ludovicianus
Cerulean Warbler	Dendroica carulea
Henslow's Sparrow	Ammodramus henslowii
Mississippi Kite	Ictinia mississippiensis

g) ENDANGERED MAMMALS OF ILLINOIS

Southeastern Myotis	Myotis austroriparius
Gray Bat**	Myotis grisescens
Indiana Bat**	Myotis sodalis
Rafinesque's Big-eared Bat	Corynorhinus rafinesquii
Eastern Wood Rat	Neotoma floridana

h) THREATENED MAMMALS OF ILLINOIS

Gray/Timber Wolf	Canis lupus
Franklin's Ground Squirrel	Spermophilus franklinii
Golden Mouse	Ochrotomys nuttalli

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Rice Rat

Oryzomys palustris

i) ENDANGERED INVERTEBRATE ANIMALS OF ILLINOIS

Snails

Iowa Pleistocene Snail**

Discus macclintocki

Hydrobiid Cave Snail

Fontigens antroecetes[Shawnee Rocksnail](#)[Lithasia obovata](#)

Mussels

Spectaclecase

Cumberlandia monodonta

Salamander Mussel

Simpsonaias ambigua

Rabbitsfoot

**Quadrula cylindrica*

Orange-foot Pimpleback**

Plethobasus cooperianus

Sheepnose

Plethobasus cyphus

Clubshell**

Pleurobema clava

Ohio Pigtoe

Pleurobema cordatum

Kidneyshell

Ptychobranthus fasciolaris

Fanshell**

Cyprogenia stegria

Fat Pocketbook**

Potamilus capax

Purple Lilliput

Toxolasma lividus

Rainbow

Villosa iris

Pink Mucket

Lampsilis abrupta

Wavy-rayed Lampmussle

Lampsilis fasciola

Higgins Eye**

Lampsilis higginsii

Snuffbox

Epioblasma triquetra

Crustaceans

Anomalous Spring Amphipod

Crangonyx anomalus

Pacard's Cave Amphipod

Crangonyx packardi

Illinois Cave Amphipod

Gammarus acherondytes

Iowa Amphipod

Stygobromus iowae

Indiana Crayfish

Orconectes indianensis

Kentucky Crayfish

Orconectes kentuckiensis

Oxbow Crayfish

Orconectes lancifer

Crayfish

Orconectes placidus

Isopod

Caecidotea lesliei

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Isopod

*Caecidotea spatulata*ScorpionsCommon Striped Scorpion*Centruroides vittatus*

Dragonflies

Hine's Emerald's Dragonfly**

*Somatochlora hineana*SpringtailsMadonna Cave Springtail*Arrhopalites madonnensis*StonefliesRobust SpringflyCentral Forestfly*Diplopera robusta**Prostoia completa*

Leafhoppers

Leafhopper

Leafhopper

*Anthysanella incongrua**Paraphlepsius lupalus*

Butterflies and Moths

Eryngium Stem Borer

Arogos Skipper

Ottoe Skipper

Hoary Elfin

Karner Blue Butterfly**

Swamp Metalmark

*Papaipema eryngii**Atrytone arogos**Hesperia ottoe**Incisalia polios**Lycaeides melissa samuelis**Calephelis muticum*

j) THREATENED INVERTEBRATE ANIMALS OF ILLINOIS

Mussels

Ebonyshell

Purple Wartyback

Elephant-ear

*Fusconaia ebena**Cyclonaias tuberculata**Elliptio crassidens*

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Spike	<i>Elliptio dilatata</i>
Slippershell	<i>Alasmidonta viridis</i>
Butterfly	<i>Ellipsaria lineolata</i>
Black Sandshell	<i>Ligumia recta</i>
Little Spectaclecase	<i>Villosa lienosa</i>

Dragonflies

Elfin Skimmer	<i>Nannothemis bella</i>
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Leafhoppers

Redveined Prairie Leafhopper	<i>Aflexia rubranura</i>
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Butterflies

Cobweb Skipper	<i>Hesperia metea</i>
Ottoe Skipper	<i>Hesperia ottoe</i>
Regal Fritillary	<i>Speyeria idalia</i>

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

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- 1) Heading of the Part: Illinois List of Endangered and Threatened Flora
- 2) Code Citation: 17 Ill. Adm. Code 1050
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1050.30	Amendment
1050.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10/7]
- 5) A Complete Description of the Subjects and Issues Involved: The changes to this list were approved by the Illinois Endangered Species Protection Board, are supported by sufficient scientific evidence, and are compliant with criteria established in 520 ILCS 10/7 and in Section 5.1.1 of the Illinois Endangered Species Protection Board Policy and Operation Manual. Pursuant to 520 ILCS 10/6, the Board is required to review and revise the Illinois List of Endangered and Threatened Flora at a minimum of every 5 years.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking:

Endangered Species Technical Advisory Committee members and their professional affiliations:

Dr. John E. Ebinger (ESTAC Chair and retired Board Member), (retired) Eastern Illinois University

Susanne Masi (Board Member), Chicago Botanic Garden

William McClain, (retired) Illinois Department of Natural Resources

Randy Nyboer, Illinois Natural History Survey

Dr. Loy R. Phillippe, Illinois Natural History Survey, University of Illinois

Dr. Ken Robertson, Illinois Natural History Survey, University of Illinois

John Schwegman, (retired) Illinois Department of Natural Resources

Beth Shimp, U.S. Forest Service

Dr. John Taft (Board Member), Illinois Natural History Survey, University of Illinois

Individual ESTAC member research data and field notes.

Eastern Illinois University Herbarium Database, Charleston, IL.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Illinois Natural Heritage Database, Illinois Department of Natural Resources, Springfield, IL.

Illinois Natural History Survey Vascular Plant Collection Database, Champaign, IL.

Illinois State Museum Herbarium Database, Springfield, IL.

Illinois State University Herbarium Database, Normal, IL.

Southern Illinois University Herbarium Database, Carbondale, IL.

University of Illinois Herbarium Database, Urbana, IL.

Allen, C.M. and D.W. Hall. 2003. *Paspalum*. in Flora of North America 25:566-599.

Allred, K.W. 2003. *Aristida*. in Flora of North America 25:315-342.

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Boufford, D. 2008. email dated 10 October 2008.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Bowles, M.L., J.B. Taft, E.F. Ulaszek, M.K. Solecki, D.M. Ketzner, L.R. Phillippe, A. Dennis, P.J. Burton, and K.R. Robertson. 1991. Rarely seen endangered plants, rediscoveries, and species new to Illinois. *Erigenia* 11:27-51.

Bowles, M.L., R. Flakne, K. McEachern, and N. Pavlovic. 1993. Recovery planning and reintroduction of the federally threatened Pitcher's thistle (*Cirsium pitcheri*) in Illinois. *Natural Areas Journal* 13:164-176.

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Bryson, C.T. and R.F.C. Naczi. 2002. *Carex* Linnaeus sect. *Laxiflorae*. in *Flora of North America* 23:431- 440.

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7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local

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government.

- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Stanley Yonkausk, Jr.
Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: This rulemaking was not listed on either of the two most recent Regulatory Agendas because the Board's final recommendations were approved in February, which was after the deadline for January Regulatory Agenda.

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

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NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER c: ENDANGERED SPECIES

PART 1050

ILLINOIS LIST OF ENDANGERED AND THREATENED FLORA

Section

1050.10	Official List
1050.20	Definitions
1050.25	Criteria Used For Listing
1050.30	Endangered Flora of Illinois
1050.40	Threatened Flora of Illinois

AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10/7].

SOURCE: Adopted at 4 Ill. Reg. 22, p. 209, effective May 20, 1980 unless otherwise noted; amended at 5 Ill. Reg. 10293, effective September 30, 1981; codified at 6 Ill. Reg. 2593; amended at 8 Ill. Reg. 13713, effective July 25, 1984; amended at 13 Ill. Reg. 3755, effective March 13, 1989; amended at 14 Ill. Reg. 6123, effective April 17, 1990; amended at 17 Ill. Reg. 10781, effective July 1, 1993; amended at 18 Ill. Reg. 1142, effective January 18, 1994; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 21902, effective December 3, 1998; amended at 28 Ill. Reg. 12904, effective September 1, 2004; amended at 33 Ill. Reg. _____, effective _____.

Section 1050.30 Endangered Flora of Illinois

SCIENTIFIC NAME	COMMON NAME
EQUISETACEAE	
Equisetum scirpoides	Dwarf Scouring Rush
Equisetum sylvaticum	Woodland Horsetail
HYMENOPHYLLACEAE	
Trichomanes boschianum	Filmy fern
ISOETACEAE	
Isoetes butleri	Butler's Qwillwort
LYCOPODIACEAE	
Lycopodium clavatum	Running Pine

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Lycopodium dendroideum	Ground Pine
Lycopodiella inundata	Bog Clubmoss
OPHIOGLOSSACEAE	
Botrychium campestre	Prairie Moonwort
Botrychium matricariifolium	Daisyleaf Grape Fern
Botrychium multifidum	Northern Grape Fern
Botrychium simplex	Dwarf Grape Fern
POLYPODIACEAE	
Asplenium bradleyi	Bradley's Spleenwort
Asplenium resiliens	Black Spleenwort
Cystopteris laurentiana	Laurentian Fragile Fern
Dennstaedtia punctilobula	Hay-scented Fern
Dryopteris celsa	Log Fern
Gymnocarpium dryopteris	Oak Fern
Gymnocarpium robertianum	Scented Oak Fern
Phegopteris connectilis	Long Beech Fern
Thelypteris noveboracensis	New York Fern
Woodsia ilvensis	Rusty Woodsia
CUPRESSACEAE	
Juniperus horizontalis	Trailing Juniper
PINACEAE	
Pinus banksiana	Jack Pine
Pinus echinata	Shortleaf Pine
Pinus resinosa	Red Pine
ALISMATACEAE	
Echinodorus tenellus	Small Burhead
Sagittaria australis	Arrowhead
ARACEAE	
Calla palustris	Water Arum
CYPERACEAE	
Bolboschoenus maritimus	Alkali Bulrush
Carex alata	Winged Sedge
Carex arkansana	Arkansas Sedge
Carex brunnescens	Brownish Sedge
Carex canescens var. disjuncta	Silvery Sedge
Carex chordorrhiza	Cordroot Sedge
Carex crawfordii	Crawford's Sedge
Carex cryptolepis	Yellow Sedge
Carex cumulata	Sedge

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Carex decomposita	Cypress-knee Sedge
Carex diandra	Sedge
Carex disperma	Shortleaf Sedge
Carex echinata	Sedge
Carex formosa	Sedge
Carex garberi	Elk Sedge
Carex gigantea	Large Sedge
Carex inops subsp. heliophila	Plains Sedge
Carex laeorum	Sedge
Carex nigromarginata	Black-edged Sedge
Carex oligosperma	Few-seeded Sedge
Carex physorhyncha	Bellow's Beak Sedge
Carex plantaginea	Plantain-leaved Sedge
Carex reniformis	Reniform Sedge
Carex striatula	Lined Sedge
Carex trisperma	Three-seeded Sedge
Carex tuckermanii	Tuckerman's Sedge
Cyperus lancestriensis	Galingale
Eleocharis olivacea (Eleocharis flavescens var. olivacea)	Capitate Spikerush
Eleocharis pauciflora (Eleocharis quinqueflora)	Few-flowered Spikerush
Eriophorum virginicum	Rusty Cotton Grass
Fimbristylis vahlii	Vahl's Fimbristylis
Rhynchospora glomerata	Clustered Beak Rush
Schoenoplectus purshianus	Weak Bulrush
Schoenoplectus smithii	Smith's Bulrush
Scirpus hattorianus	Bulrush
Scirpus microcarpus	Bulrush
Scleria muhlenbergii	Muhlenberg's Nut Rush
Scleria pauciflora	Carolina Whipgrass
Trichophorum cespitosum	Tufted Bulrush
IRIDACEAE	
Sisyrinchium montanum	Mountain Blue-eyed Grass
JUNCACEAE	
Juncus alpinoarticulatus	Richardson's Rush
Juncus vaseyi	Vasey's Rush
Luzula acuminata	Hairy Woodrush
LILIACEAE	

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Camassia angusta	Wild Hyacinth
Chamaelirium luteum	Fairy Wand
Medeola virginiana	Indian Cucumber Root
Polygonatum pubescens	Downy Solomon's Seal
Stenanthium gramineum	Grass-leaved Lily
Trillium cernuum	Nodding Trillium
Trillium erectum	Ill-scented Trillium
Trillium viride	Green Trillium
Zigadenus elegans (Zigadenus venenosus var. gramineus)	White Camass
ORCHIDACEAE	
Calopogon oklahomensis	Oklahoma Grass Pink Orchid
Calopogon tuberosus	Grass Pink Orchid
Cypripedium acaule	Moccasin Flower
Cypripedium parviflorum var. makasin	Small Yellow Lady's Slipper
Cypripedium reginae	Showy Lady's Slipper
Hexalectris spicata	Crested Coralroot Orchid
Isotria medeoloides*	Small Whorled Pogonia
Isotria verticillata	Whorled Pogonia
Platanthera ciliaris	Orange Fringed Orchid
Platanthera clavellata	Wood Orchid
Platanthera flava var. flava	Tuberled Orchid
Platanthera leucophaea*	Eastern Prairie Fringed Orchid
Platanthera psycodes	Purple Fringed Orchid
Pogonia ophioglossoides	Snake-mouth
Spiranthes lucida	Yellow-lipped Ladies' Tresses
Spiranthes vernalis	Spring Ladies' Tresses
POACEAE	
Ammophila breviligulata	Marram Grass
Beckmannia syzigachne	American Slough Grass
Bouteloua gracilis	Blue Grama
Calamagrostis insperata	Bluejoint Grass
Deschampsia flexuosa	Hairgrass
Dichanthelium boreale	Northern Panic Grass
Dichanthelium portoricense	Hemlock Panic Grass
Dichanthelium joorii	Panic Grass
Dichanthelium ravenelii	Ravenel's Panic Grass
Dichanthelium yadkinense	Panic Grass
Glyceria arkansana	Arkansas Manna Grass

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Melica mutica	Two-Flowered Melic Grass
Milium effusum	Millet Grass
Paspalum dissectum	Bead Grass
Poa alsodes	Grove Bluegrass
Poa languida	Weak Bluegrass
Poa wolfii	Wolf's Bluegrass
Torreyochloa pallida	Pole Manna-Grass
Schizachne purpurascens	False Melic Grass
PONTERDERIACEAE	
Heteranthera reniformis	Mud Plantain
POTAMOGETONACEAE	
Potamogeton praelongus	White-stemmed Pondweed
Potamogeton pulcher	Spotted Pondweed
Potamogeton robbinsii	Fern Pondweed
Potamogeton strictifolius	Stiff Pondweed
SPARGANIACEAE	
Sparganium americanum	American Burreed
Sparganium emersum	Green-fruited Burreed
ACANTHACEAE	
Justicia ovata	Water Willow
ADOXACEAE	
Adoxa moschatellina	Moschatel
AMARANTHACEAE	
Iresine rhizomatosa	Bloodleaf
APIACEAE	
Conioselinum chinense	Hemlock Parsley
Cynosciadium digitatum	Cynosciadium
Eryngium prostratum	Eryngo
Hydrocotyle ranunculoides	Water pennywort
Ptilimnium nuttallii	Mock Bishop's Weed
Sanicula smallii	Southern Sanicula
ASCLEPIADACEAE	
Asclepias lanuginosa	Wooly Milkweed
Asclepias meadii*	Mead's Milkweed
Asclepias ovalifolia	Oval Milkweed
Asclepias stenophylla	Narrow-leaved Green Milkweed
Matelea decipiens	Climbing Milkweed
ASTERACEAE	
Artemisia dracunculus	Dragon Wormwood

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<i>Eupatorium hyssopifolium</i>	Hyssop-leaved Thoroughwort
<i>Helianthus giganteus</i>	Tall Sunflower
<i>Megalodonta beckii</i>	Water Marigold
<i>Melanthera nivea</i>	White Melanthera
<i>Nothocalais cuspidata</i>	Prairie Dandelion
<i>Tetranuris herbacea</i>	Lakeside Daisy
BERBERIDACEAE	
<i>Berberis canadensis</i>	Allegheny Barberry
BETULACEAE	
<i>Alnus incana</i> subsp. <i>rugosa</i>	Speckled Alder
<i>Betula alleghaniensis</i>	Yellow Birch
BORAGINACEAE	
<i>Hackelia deflexa</i> var. <i>americana</i>	Stickseed
<i>Heliotropium tenellum</i>	Slender Heliotrope
BRASSICACEAE	
<i>Cardamine pratensis</i> var. <i>palustris</i>	Cuckoo Flower
<i>Draba cuneifolia</i>	Whitlow Grass
<i>Lesquerella ludoviciana</i>	Silvery Bladderpod
CACTACEAE	
<i>Opuntia fragilis</i>	Fragile Prickly Pear
CAPPARIDACEAE	
<i>Polanisia jamesii</i>	James' Clammyweed
CAPRIFOLIACEAE	
<i>Lonicera dioica</i> var. <i>glaucescens</i>	Red Honeysuckle
<i>Lonicera flava</i>	Yellow Honeysuckle
<i>Sambucus racemosa</i> subsp. <i>pubens</i>	Red-berried Elder
<i>Symphoricarpos albus</i> var. <i>albus</i>	Snowberry
CARYOPHYLLACEAE	
<i>Silene ovata</i>	Ovate Catchfly
<i>Silene regia</i>	Royal Catchfly
<i>Stellaria pubera</i>	Great Chickweed
CELASTRACEAE	
<i>Euonymus americanus</i>	American Strawberry Bush
CISTACEAE	
<i>Hudsonia tomentosa</i>	False Heather
CLUSIACEAE	
<i>Hypericum adpressum</i>	Shore St. John's Wort
<i>Hypericum kalmianum</i>	Kalm's St. John's Wort
<i>Triadenum virginicum</i>	Marsh St. John's Wort

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CONVOLVUACEAE

Stylisama pickeringii	Patterson's Bindweed
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CORNACEAE

Cornus canadensis	Bunchberry
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CORYLACEAE

Corylus cornuta	Beaked Hazelnut
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DROSERACEAE

Drosera rotundifolia	Round-leaved Sundew
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ELAEAGNACEAE

Shepherdia canadensis	Buffaloberry
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ERICACEAE

Arctostaphylos uva-ursi	Bearberry
Vaccinium corymbosum	Highbush Blueberry
Vaccinium macrocarpon	Large Cranberry
Vaccinium oxycoccos	Small Cranberry
Vaccinium stamineum	Deerberry

EUPHORBIACEAE

Chamaesyce polygonifolia	Seaside Spurge
Euphorbia spathulata	Spurge

FABACEAE

Amorpha nitens	Smooth False Indigo
Astragalus crassicaulus var. trichocalyx	Large Ground Plum
Astragalus distortus	Bent Milk Vetch
Astragalus tennesseensis	Tennessee Milk Vetch
Baptisia tinctoria	Yellow Wild Indigo
Cladrastis lutea (Cladrastis kentuckea)	Yellowwood
Dalea foliosa **	Leafy Prairie Clover
Galactia mohlenbrockii	Boykin's Dioclea
Lathyrus maritimus	Beach Pea
Lespedeza leptostachya*	Prairie Bush Clover

FAGACEAE

Quercus texana	Nuttall's Oak
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GENTIANACEAE

Bartonia paniculata	Screwstem
Sabatia campestris	Prairie Rose Gentian

GERANIACEAE

Geranium bicknellii	Northern Cranesbill
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HYDROPHYLLACEAE

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Hydrolea uniflora	One-flowered Hydrolea
Nemophila triloba	Baby Blue-Eyes
Phacelia gilioides	Ozark Phacelia
JUGLANDACEAE	
Carya pallida	Pale Hickory
LAMIACEAE	
Pycnanthemum albescens	White Mountain Mint
Synandra hispidula	Hairy Synandra
LENTIBULARIACEAE	
Utricularia cornuta	Horned Bladderwort
Utricularia minor	Small Bladderwort
MALVACEAE	
Iliamna remota	Kankakee Mallow
Malvastrum hispidum	False Mallow
MELASTOMACEAE	
Rhexia mariana	Dull Meadow Beauty
MYRICACEAE	
Comptonia peregrina	Sweetfern
NYCTAGINACEAE	
Mirabilis hirsuta	Hairy Umbrella-wort
ONAGRACEAE	
Circaea alpina	Small Enchanter's Nightshade
OROBANCHACEAE	
Orobanche fasciculata	Clustered Broomrape
OXALIDACEAE	
Oxalis illinoensis	Illinois Wood Sorrel
PAPAVERACEAE	
Corydalis aurea	Golden Corydalis
Corydalis halei	Hale's Corydalis
Corydalis sempervirens	Pink Corydalis
PLANTAGINACEAE	
Plantago cordata	Heart-leaved Plantain
POLEMONIACEAE	
Phlox pilosa subsp. sangamonensis	Sangamon Phlox
POLYGALACEAE	
Polygala incarnata	Pink Milkwort
POLYGONACEAE	
Polygonum arifolium	Halberd Halbred -leaved Tearthumb
Polygonum careyi	Carey's Heartsease

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PORTULACACEAE

Talinum calycinum

Fameflower

PRIMULACEAE

Lysimachia radicans

Creeping Loosestrife

Primula mistassinica

Bird's-eye Primrose

Trientalis borealis

Star-flower

PYROLACEAE

Chimaphila maculata

Spotted Wintergreen

Chimaphila umbellata

Pipsissewa

RANUNCULACEAE

Cimicifuga americana

American Bugbane

Cimicifuga racemosa

False Bugbane

Clematis crispa

Blue Jasmine

Clematis occidentalis

Mountain Clematis

Clematis viorna

Leatherflower

~~Ranunculus cymbalaria~~~~Seaside Crowfoot~~

RHAMNACEAE

~~Berchemia scandens~~~~Supple-jack~~

Ceanothus herbaceus

Redroot

Rhamnus alnifolia

Alder Buckthorn

ROSACEAE

Amelachier sanguinea

Shadbush

Filipendula rubra

Queen-of-the-Prairie

Malus angustifolia

Narrow-leaved Crabapple

~~Potentilla millegrana~~~~Cinquefoil~~

Rosa acicularis

Bristly Rose

Rubus odoratus

Purple-flowering Raspberry

Sanguisorba canadensis

American Burnet

Sorbus americana

American Mountain Ash

RUBIACEAE

Galium lanceolatum

Wild Licorice

Galium virgatum

Dwarf Bedstraw

SALICACEAE

Populus balsamifera

Balsam Poplar

Salix serissima

Autumn Willow

Salix syrticola

Dune Willow

SAPOTACEAE

Bumelia lanuginosa

Wooly Buckthorn

SARRACENIACEAE

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Sarracenia purpurea	Pitcher Plant
SAXIFRAGACEAE	
Ribes hirtellum	Northern Gooseberry
Saxifraga virginensis	Early Saxifrage
SCROPHULARIACEAE	
Castilleja sessiliflora	Downy Yellow Painted Cup
Collinsia violacea	Violet Collinsia
Gratiola quartermaniae	Hedge Hyssop
Mimulus glabratus	Yellow Monkey Flower
Penstemon brevisepalus	Short-sepaled Beard Tongue
Penstemon tubaeflorus	Tube Beards Tongue
Penstemon grandiflorus	Large-flowered Beard Tongue
Veronica americana	American Brooklime
STYRACACEAE	
Halesia carolina	Silverbell Tree
Styrax grandifolius	Bigleaf Snowbell Bush
TILLIACEAE	
Tilia heterophylla	White Basswood
ULMACEAE	
Ulmus thomasii	Rock Elm
VALERIANACEAE	
Valeriana uliginosa	Marsh Valerian
Valerianella chenopodifolia	Corn Salad
Valerianella umbilicata	Corn Salad
VIOLACEAE	
Viola blanda	Hairy White Violet
Viola canadensis	Canada Violet
Viola primulifolia	Primrose Violet

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

Section 1050.40 Threatened Flora of Illinois

SCIENTIFIC NAME	COMMON NAME
PHYSICIACEAE	
Phaeophyscia leana	Lea's Bog Lichen
EQUISETACEAE	
Equisetum pratense	Meadow Horsetail
LYCOPODIACEAE	

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<i>Huperzia porophila</i>	Cliff Clubmoss
OPHIOGLOSSACEAE	
<i>Botrychium biternatum</i>	Southern Grape Fern
CUPRESSACEAE	
<i>Juniperus communis</i>	Ground Juniper
PINACEAE	
<i>Larix laricina</i>	Tamarack
COMMELINACEAE	
<i>Tradescantia bracteata</i>	Prairie Spiderwort
CYPERACEAE	
<i>Carex atlantica</i>	Sedge
<i>Carex aurea</i>	Golden Sedge
<i>Carex bromoides</i>	Sedge
<i>Carex communis</i>	Fibrous-rooted Sedge
<i>Carex intumescens</i>	Swollen Sedge
<i>Carex oxylepis</i>	Sharp-scaled Sedge
<i>Carex prasina</i>	Drooping Sedge
<i>Carex viridula</i>	Little Green Sedge
<i>Carex willdenowii</i>	Willdenow's Sedge
<i>Carex woodii</i>	Pretty Sedii
<i>Cyperus grayioides</i>	Umbrella Sedge
Cyperus lancastriensis	Galingale
<i>Eleocharis rostellata</i>	Beaked Spike Rush
<i>Rhynchospora alba</i>	Beaked Rush
<i>Schoenoplectus hallii</i>	Hall's Bulrush
<i>Scirpus polyphyllus</i>	Bulrush
IRIDACEAE	
<i>Sisyrinchium atlanticum</i>	Eastern Blue-Eyed Grass
JUNCAGINACEAE	
<i>Triglochin maritima</i>	Common Bog Arrowgrass
<i>Triglochin palustris</i>	Slender Bog Arrowgrass
LILIACEAE	
<i>Melanthium virginicum</i>	Bunchflower
<i>Tofieldia glutinosa</i>	False Asphodel
ORCHIDACEAE	
<i>Corallorhiza maculata</i>	Spotted Coral-root Orchid
<i>Cypripedium candidum</i>	White Lady's Slipper
<i>Platanthera flava</i> var. <i>herbiola</i>	Tuberled Orchid
POACEAE	

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<i>Elymus trachycaulis</i>	Bearded Wheat Grass
POTAMOGETONACEAE	
<i>Potamogeton gramineus</i>	Grass-leaved Pondweed
ASCLEPIADACEAE	
<i>Matelea obliqua</i>	Climbing Milkweed
ASTERACEAE	
<i>Aster furcatus</i>	Forked Aster
<i>Boltonia decurrens*</i>	Decurrent False Aster
<i>Cirsium pitcheri*</i>	Pitcher's (Dune) Thistle
<i>Helianthus angustifolius</i>	Narrow-leaved Sunflower
<i>Hymenopappus scabiosaeus</i>	Old Plainsman
<i>Liatris scariosa</i> var. <i>nieuwlandii</i>	Blazing Star
<i>Rudbeckia missouriensis</i>	Missouri Orange Coneflower
<i>Solidago sciaphila</i>	Cliff Goldenrod
BRASSICAEAE	
<i>Cakile edentula</i>	Sea Rocket
CAPRIFOLIACEAE	
<i>Virburnum molle</i>	Arrowwood
CARYOPHYLLACEAE	
<i>Minuartia patula</i>	Slender Sandwort
CISTACEAE	
<i>Lechea intermedia</i>	Pinweed
CRASSULACEAE	
<i>Sedum telephioides</i>	American Orpine
CUCURBITACEAE	
<i>Melothria pendula</i>	Squirting Cucumber
DROSERACEAE	
<i>Drosera intermedia</i>	Narrow-leaved Sundew
ERICACEAE	
<i>Chamaedaphne calyculata</i>	Leatherleaf
FABACEAE	
<i>Lathyrus ochroleucus</i>	Pale Vetchling
<i>Tribolium reflexum</i>	Buffalo Clover
FAGACEAE	
<i>Quercus phellos</i>	Willow Oak
<i>Quercus montana</i>	Rock Chestnut Oak
JUGLANDACEAE	
<i>Carya aquatica</i>	Water Hickory

| [JUNCACEAE](#)

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Juncus alpinus	Richardson's Rush
LAMIACEAE	
Salvia azurea subsp. pitcheri	Blue Sage
LENTIBULARIACEAE	
Utricularia intermedia	Flat- leaved Leaved Bladderwort
MENYANTHACEAE	
Menyanthes trifoliata	Buckbean
ONAGRACEAE	
Epilobium strictum	Downy Willow Herb
Oenothera perennis	Small Sundrops
OROBANCHACEAE	
Orobanche ludoviciana	Broomrape
PORTULACACEAE	
Talinum parviflorum	Small Flower-Of-An-Hour
PRIMULACEAE	
Dodecatheon frenchii	French's Shooting Star
RANUNCULACEAE	
Cimicifuga rubifolia	Black Cohosh
Delphinium carolinianum	Wild Blue Larkspur
Ranunculus rhomboideus	Prairie Buttercup
RHAMNACEAE	
Berchemia scandens	Supple-Jack
ROSACEAE	
Amelanchier interior	Shadbush
Rubus pubescens	Dwarf Raspberry
Rubus schneideri	Bristly Blackberry
SAXIFRAGACEAE	
Sullivantia sullivanii	Sullivantia
SCROPHULARIACEAE	
Agalinus skinneriana	Pale False Foxglove
Besseyia bullii	Kitten Tails
Buchnera americana	Blue Hearts
Tomanthera auriculata	Ear-leaved Foxglove
Veronica scutellata	Marsh Speedwell
STYRACACEAE	
Styrax americana	Storax
ULMACEAE	
Planera aquatica	Water Elm
URTICACEAE	

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Urtica chamaedryoides
VIOLACEAE

Nettle

Viola conspersa

Dog Violet

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

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- 1) Heading of the Part: Consignment of Licenses, Stamps and Permits
- 2) Code Citation: 17 Ill. Adm. Code 2520
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2520.10	Amendment
2520.20	Amendment
2520.30	Amendment
2520.40	Amendment
2520.50	Amendment
2520.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code [520 ILCS 5/1.4, 3.1, 3.2, 3.37, 3.38 and 3.39] and Sections 1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to: update the rulemaking to better reflect current procedures and clearly define the difference between "agents" (those that have the authority to sell licenses, stamps and permits on behalf of DNR as well as receive consignments of physical licenses, stamps and permits) and "vendors" (those authorized to issue licenses, stamps or permits by telephone or electronic transmission); update procedures for obtaining replacement licenses, stamps or permits; remove outdated information; and make grammatical changes.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

William K. Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: This Part was not included on either of the two most recent Regulatory Agendas. However, Department staff recently conducted a review of the rulemaking and identified changes that were necessary to incorporate current procedures.

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

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TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER f: ADMINISTRATIVE SERVICES

PART 2520

SELLING AND CONSIGNMENT OF LICENSES, STAMPS AND PERMITS

Section

- 2520.10 Agents – Sale and Consignment Requirements
 2520.20 Issuing Licenses, Stamps and Permits
 2520.30 Terms
 2520.40 Credit to Agent-Vendor Accounts
 2520.50 Issuance of Replacement Hunting, Fishing and Trapping Licenses, Stamps and Permits
 2520.60 Vendor – Sale of Licenses by Telephone or Electronic Transmission

AUTHORITY: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code [520 ILCS 5/1.4, 3.1, 3.2, 3.37, 3.38 and 3.39] and Sections 1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120].

SOURCE: Adopted and codified at 7 Ill. Reg. 8760, effective July 15, 1983; amended at 8 Ill. Reg. 5660, effective April 16, 1984; amended at 9 Ill. Reg. 14626, effective September 17, 1985; amended at 11 Ill. Reg. 4633, effective March 10, 1987; amended at 15 Ill. Reg. 7653, effective May 7, 1991; amended at 16 Ill. Reg. 8479, effective May 26, 1992; amended at 18 Ill. Reg. 9991, effective June 21, 1994; amended at 19 Ill. Reg. 7541, effective May 26, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 14417, effective October 25, 1996; amended at 21 Ill. Reg. 6483, effective May 19, 1997; amended at 22 Ill. Reg. 10466, effective June 1, 1998; amended at 23 Ill. Reg. 6818, effective May 20, 1999; amended at 24 Ill. Reg. 1641, effective January 13, 2000; amended at 25 Ill. Reg. 9024, effective July 3, 2001; amended at 25 Ill. Reg. 11360, effective August 14, 2001; amended at 33 Ill. Reg. _____, effective _____.

Section 2520.10 Agents – Sale and Consignment Requirements

- a) The Department of Natural Resources (DNR) has the authority to designate agents to sell licenses, stamps and permits on behalf of ~~DNR~~the Department. DNR ~~also has the authority to consign~~consigns hunting, fishing, trapping and

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~~ginseng harvester licenses, migratory waterfowl, salmon and wildlife conservation stamps, and archery permits, hereinafter referred to as~~ licenses, stamps and permits, for sale by county, city, village, township and incorporated town clerks, upon receipt of their completed application and elected official license ~~agent~~ vendor contract, and fulfillment of requirements set forth in this Part. ~~DNR~~The Department also consigns ~~the~~ licenses, stamps and permits to other ~~persons, hereinafter referred to as "direct agents"~~, upon receipt of their completed application, license ~~agent~~ vendor contract, evidence of financial responsibility, and fulfillment of the requirements set forth in this Part. The term "~~direct agent~~" means all persons authorized by ~~DNR~~the Department to sell licenses, stamps and permits, other than elected or appointed officials and ~~DNR~~department employees. License ~~agents~~ vendors, including employees of ~~DNR~~the Department selling licenses, stamps and permits, shall collect an issuing fee in addition to the license, stamp and permit fee as provided in 515 ILCS 5/20-120 and 520 ILCS 5/3.37 as follows: 75 cents for each Sportsmen's Combination license and non-resident hunting license, and 50 cents for all other licenses, stamps and permits authorized by the above statutes. All licenses, stamps and permits consigned and fees collected from the sale of licenses, stamps and permits (except the authorized issuing fee) remain the property of the State of Illinois. Funds received from the sale of licenses, stamps and permits (except the authorized issuing fee) shall not be directed to any purpose other than remittance to ~~DNR~~the Department.

- b) County, city, village, township and incorporated town clerks may appoint sub-agents within the territorial area for which they are elected or appointed. Elected or appointed officials and ~~DNR~~Department employees selling licenses, stamps and permits are liable to the State for all licenses, stamps and permits consigned to their account, including any licenses, stamps and permits furnished by a clerk to any sub-agent. Any clerk appointing sub-agents must notify ~~DNR~~the Department, within 10 days following the appointment, the names and mailing addresses of such sub-agents. No part of the issuing fees collected may be retained as personal compensation by the clerk. Issuing fees may be divided between the clerk and appointed sub-agents other than employees of the ~~clerk's~~Clerk's office, but in no case may any clerk and/or sub-agent charge an issuing fee or fees totaling more than the amounts set out in subsection (a) of this Section. DNR assumes no liability for any license, stamp or permit furnished by any elected or appointed clerk to any sub-agent.
- c) Financial Responsibility of Agents
All ~~direct~~ agents, including concessionaires holding contracts with ~~DNR~~the

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~~Department~~ shall be required to furnish DNR with evidence of financial responsibility.

1) Agents Without Preferred Status

Except as provided in subsection (c)(2), the~~Such~~ evidence of financial responsibility shall be in the form of a surety bond, letter of credit or certificate of deposit, in an amount equal to the value of licenses, stamps and permits consigned ~~with the exception of direct agents with a preferred status~~.

2) Agents with Preferred Status

A) Agents~~Direct agents~~ must meet the following qualifications to receive a preferred status:

i) The ~~direct~~ agent must sell licenses, stamps and permits for one complete license year.

ii) ~~DNR~~The Department must have received a minimum of 9 monthly current license year remittances or no sales reports between April and December (inclusive).

B) If ~~these~~ qualifications listed in subsection (c)(2)(A) are met, the ~~direct~~ agent's consignments may total 50% over the amount of his or her~~their~~ financial evidence. All ~~direct~~ agents with a preferred status will be reviewed annually. If qualifications have been met, the preferred status will continue for the following license year. If the qualifications have not been met, the preferred status is removed and the ~~direct~~ agent will be consigned licenses, stamps and permits equal to the amount of financial evidence.

3) Evidence of Financial Responsibility

Surety bonds and letters of credit shall be on a form furnished by and approved by DNR, with surety or sureties satisfactory to DNR, conditioned upon the agents~~such agents~~ paying to the State of Illinois all monies becoming due by reason of the sale of licenses, stamps and permits.

4) Sub-Agents

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No ~~direct~~ agent may appoint sub-agents.

- d) Agents, other than ~~DNR Department~~ staff, issuing gun permits for deer and turkey hunting during special hunts on non-~~DNR Department~~ property, as defined in 17 Ill. Adm. Code 650.22(a) and 17 Ill. Adm. Code 660.22(a), ~~shall will~~ complete a written financial guarantee and fulfill the requirements set forth in this Part. All permits consigned and fees collected remain the property of the State of Illinois. Funds received from the sale of permits shall not be directed to any purpose other than remittance to ~~DNR the Department~~. Agents will not be consigned more than 100 permits of a specific type.

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

Section 2520.20 Issuing Licenses, Stamps and Permits

- a) License, stamp and permit forms shall be filled out accurately and legibly at the time of issuance, and the full amount shall be collected as shown on the license face. In the case of stamps, the license fee plus the authorized issuing fee shall be collected, if the issuing fee is not shown on the face of the stamp. ~~Agents Vendors~~ shall not back-date or issue an undated license.
- b) The application portion of each license shall be retained by the issuing clerk or agent until the license issued expires, except in the case of trapping licenses, goose permit stubs, habitat stamps, ginseng harvester licenses, archery permits, resident hunting licenses and habitat stamps, non-resident hunting licenses and habitat stamps, and resident sportsmen's licenses and habitat stamps for which the completed application must accompany the remittance.

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

Section 2520.30 Terms

- a) When funds received in payment for licenses, stamps and permits are deposited in an interest bearing account and ~~when where~~ fees collected by ~~an agent a vendor~~ are determined to be late to ~~DNR the Department~~ according to subsection (c) of this Section, interest that has accrued through an interest bearing license account on the overdue funds ~~shall will~~ be remitted to ~~DNR the Department~~ by separate check, along with fees collected from the sale of ~~thesueh~~ licenses, stamps and permits.

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- b) All license ~~agents~~~~vendors~~ shall be required to remit to ~~DNR~~~~the Department~~, as provided in subsection (c) ~~below~~, all funds received from the sale of licenses, stamps and permits during the preceding remittance period, except the authorized issuing fee. ~~Agents~~~~Vendors~~ having licenses, stamps and permits on hand for sale, but who have sold none during the remittance period, shall report this fact to ~~DNR~~~~the Department~~, as provided by subsection (c), by the use of a "no sales" report, furnished by ~~DNR~~~~the Department~~.
- c) Remittance shall be made to ~~DNR~~~~the Department~~ no later than the 10th of each month for all licenses, stamps and permits sold during the previous month.
- d) Accounts more than one month past due shall have additional license consignments withheld until the account is current. Accounts two months or more past due will cause ~~DNR~~~~the Department~~ to cancel or withdraw the issuance of licenses through ~~the clerk or agents~~~~such clerks or agents~~. In the case of secured agents, payment will be demanded from the security company. In the case of secured agents with a preferred status, payment up to the amount of financial evidence will be demanded from the security company and the balance over the financial evidence will be referred to other agencies for assistance. No installment payment agreements will be accepted by DNR except pursuant to judgment decrees.
- e) Within 30 days after the expiration of the time in which any class of license, stamp or permit is usable, the final payment for licenses, stamps and permits sold shall be made in full to ~~DNR~~~~the Department~~, and all unsold or void licenses, stamps and permits shall be returned to ~~DNR~~~~the Department~~. Accounts not closed out within the 30 days specified shall be suspended or terminated, and referred to the security company for action or referral to other agencies for assistance.

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

Section 2520.40 Credit to ~~Agent~~~~Vendor~~ Accounts

- a) Void or unsold licenses, stamps and permits shall be returned to ~~DNR~~~~the Department~~ for credit to the ~~agent~~~~vendor~~ account. Credit for void or unsold licenses, stamps and permits will be allowed only when the original license, stamp or permit is returned. The application portion of the license, stamp or permit will not be accepted for credit.

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- b) Credit to ~~agent~~vendor accounts for void licenses, stamps and permits shall be denied if the license, stamp or permit shows signs of use, such as encasement in plastic or other signs of use. The license and permit supervisor is responsible for this determination, and if credit is denied, the Supervisor, License Section, shall cause the ~~agent~~vendor to be notified of this action.
- c) No person selling licenses, stamps and permits is required to remit for any licenses, stamps or permits stolen by forcible entry or destroyed by a fire in the premises where ~~the~~such licenses, stamps and permits are kept, if ~~the agent~~the submits an affidavit to ~~DNR~~the Department describing the circumstances of ~~the~~such theft or cause of ~~such destruction and listing the type and numbers of licenses, stamps and permits ~~so~~ destroyed. An official report of the ~~fire or theft~~completed by the appropriated agency (such as the fire department responding to the call or police if a robbery) must also be submitted.~~

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

Section 2520.50 Issuance of Replacement Hunting, Fishing and Trapping Licenses, Stamps and Permits

- a) ~~DNR~~The Department will issue replacements for lost licenses, stamps and hunting, fishing, Sportsman's Combination, Ginseng harvester, commercial licenses and permits, trapping licenses, Illinois stamps and archery permits. A fee of \$3.00 per license, stamp or permit will be charged to defray the cost of handling.
- b) ~~DNR~~The Department will issue replacements at no cost when ~~DNR~~the Department loses the sportsman's~~sportsman's~~ hunting, fishing, Sportsman's Combination, ginseng harvester~~Ginseng Harvester~~, or trapping licenses, stamps or archery permits.
- c) The procedure for obtaining a replacement license, stamp or permit is as follows:
- 1) Individual loss of a license, stamp or permit issued by an agent – An~~The~~ individual may request a~~requesting the~~ replacement license, stamp or permit from any agent location. The individual may obtain a replacement license, stamp or permit from any agent for a \$3.00 fee per license, stamp or permit.~~should obtain from the vendor from which the original license,~~

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~~stamp or permit was purchased, a copy (or the original) of the license, stamp or permit application. If the application is unavailable, the individual may obtain "a Replacement License/Stamp/Permit Application" from any license vendor or the Department. "A Replacement License/Stamp/Permit Application" must be notarized to ensure that the application is accurate and non-fraudulent. The copy of the original application, or properly completed and notarized "A Replacement License/Stamp/Permit Application" should then be forwarded with the \$3.00 fee per license, stamp or permit to any of the following offices:~~

- 2) Individual loss of a license, stamp or permit consigned from DNR – The individual requesting the replacement license, stamp or permit should return a copy of the original application or a properly completed and notarized Replacement License, Stamp or Permit Application and forward it with a \$3.00 fee per license, stamp or permit to:

- A) Illinois Department of Natural Resources
P.O. Box 19459
Springfield, IL 62794-9459
- B) ~~Illinois Department of Natural Resources
2317 E. Lincolnway – Suite A
Sterling, IL 61081~~
- C) ~~Illinois Department of Natural Resources
110 James Road
Spring Grove, IL 60081~~
- D) ~~Illinois Department of Natural Resources
2005 Round Barn Road
Champaign, IL 61821~~
- E) ~~Illinois Department of Natural Resources
4521 Alton Commerce Parkway
Alton, IL 62002~~
- F) ~~Illinois Department of Natural Resources
11731 State Highway 37
Benton, IL 62812~~

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~~G)~~ ~~Illinois Department of Natural Resources~~
~~100 West Randolph~~
~~Suite 4 - Room 300~~
~~Chicago, IL 60601~~

~~3)2)~~ ~~DNR~~Department loss – The ~~DNR~~Department location requesting the replacement should complete on agency letterhead a request for a replacement and forward the request to: Department of Natural Resources, Replacements, ~~One Natural Resources Way~~524 S. Second Street, Springfield, IL ~~62702~~62701. The request should be completed in triplicate with one copy retained at the location and one copy given to the person whose license, stamp or permit was lost. This copy of the request will allow the person to hunt or fish in the interim prior to receipt of the~~between receiving a~~ replacement. Information contained in the replacement request letter must include:

- A) date of the letter;
- B) indication that the letter may be used by the person in lieu of a license, stamp or permit for up to 30 days from the date on the letter;
- C) ~~DNR~~Department location requesting the replacement (including address and contact phone number);
- D) the name, complete mailing address, county of residence, date of birth, height, weight, hair color, eye color and daytime phone number of the person receiving the replacement;
- E) indication of what licenses, stamps or permits need to be replaced; and
- F) the printed or typed names and signatures and the date of signature of the authorized persons at the ~~DNR~~Department location issuing the replacement letter and the location supervisor.

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

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Section 2520.60 Vendor – Sale of Licenses by Telephone or Electronic Transmission

- a) A "vendor" is any person authorized by DNR to issue licenses, stamps or permits by telephone or electronic transmission (such as the Internet). To become a vendor, a person or business~~Persons or businesses authorized to issue licenses, stamps or permits and wishing to perform this service by telephone or electronic transmission (such as the Internet) while passing on to the customer a transaction cost above the 50-75-cent issues fee~~ must:
- 1) make~~Make~~ a request to DNR~~the Department~~ in writing detailing the proposed process and indicating the types of licenses, stamps or permits that would be sold from the service;
 - 2) comply~~Comply~~ with all existing license vendor regulations;
 - 3) if~~if~~ a telephone service is offered, insure that the service is a toll-free phone service;
 - 4) package~~Package~~ and ship the license, stamp or permit to the customer within 24 hours after receipt of the customer's request;
 - 5) retain~~Retain~~ sales information for at least 24 months; and~~;~~
 - 6) allow DNR~~Allow Department~~ staff to audit the process and vendor books.
- b) The vendor~~issuing agent~~ may collect an additional convenience ~~charge-a convenience fee to the customer~~, set pursuant to the competitive bidding procedures of the Illinois Procurement Code [30 ILCS 500] to cover the cost of the transaction, including shipping~~mailing~~ and handling fees. Any convenience charge paid by an individual buyer shall ~~fee passed on to the customer must~~ be clearly identified as a convenience charge on the license receipt~~to minimize confusion by clarifying that the fee is not a license fee increase and not a fee passed on to the Department~~.
- c) The vendor must~~If a confirmation number is assigned to the customer for the transaction, the issuing agent will~~:
- 1) assign a confirmation number to all individual buyers of licenses, stamps or permits~~Seek and obtain permission from the license buyer to put the~~

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~~buyer's signature or initials on the signature area of the license.~~

- 2) ~~record~~Record the individual buyer's driver's license number and state of issue or some other means of identification, approved by DNR, to identify place of legal residency when the individual buyer is purchasing a resident license;
- 3) ~~issue~~Issue a unique confirmation number to the individual buyer based on an approved formula from DNR; ~~the Department~~.
- 4) ~~instruct~~Instruct the individual buyer purchasing a license, stamp or permit by telephone that ~~he or she~~they must record the assigned confirmation number on a piece of paper, along with the individual buyer's~~person's~~ name, and date of birth, date of the transaction, and mailing address. The individual buyer shall also~~Buyer will~~ be instructed that this piece of paper must contain the buyer's signature and be kept on the buyer's person while fishing or hunting, until the buyer receives the license in the mail;
- 5) ~~instruct~~Instruct the individual buyer that use of the assigned confirmation number as a temporary hunting or fishing license is only valid ~~for up to~~ 30 days from the date of sale; and.
- 6) ~~immediately~~Immediately update a license verification database with ~~all~~the transaction information.

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

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- 1) Heading of the Part: Newborn Metabolic Screening and Treatment Code
- 2) Code Citation: 77 Ill. Adm. Code 661
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
661.10	Amendment
661.15	Amendment
661.30	Amendment
661.35	Amendment
661.40	Amendment
661.50	Amendment
661.70	Amendment
- 4) Statutory Authority: Newborn Metabolic Screening Act [410 ILCS 240]
- 5) A Complete Description of the Subjects and Issues Involved: These amendments include provisions to describe the mandate for testing of all infants born in Illinois for five lysosomal storage disorders (LSDs), which are inherited metabolic disorders caused by lysosomal dysfunction. This testing is required by Public Act 95-0695, which was signed November 5, 2007. The legislation provided a phase-in period of three years to allow the Department to acquire and install the equipment necessary to implement the expanded screening tests. The rulemaking defines qualifications for the physician specialists who will be providing follow-up for these infants. The fee collected for newborn screening will increase to cover the laboratory and follow-up costs for LSD testing. In addition, the rules are being amended to reflect the change in the name of the Phenylketonuria Testing Act to the Newborn Metabolic Screening Act.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: A report has been prepared by the Advisory Committee on Heritable Disorders in Newborns and Children regarding establishment of criteria for selecting disorders, including LSDs, for inclusion in newborn screening.

U.S. Department of Health and Human Services, Health Resources and Services Administration, Advisory Committee on Heritable Disorders in Newborns and Children (ADHDNC), Committee Report, "Evidence-based Evaluation and Decision Process for the ADHDNC: A Workgroup Meeting Summary", October 23, 2006.

A report has been prepared by the Advisory Committee on Heritable Disorders in

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Newborns and Children to recommend criteria for testing for one LSD, Pompe Disease.

U. S. Department of Health and Human Services, Health Resources and Services Administration, Advisory Committee on Heritable Disorders in Newborns and Children, Committee Report, "Evidence Review: Pompe Disease", October 1-2, 2008.

- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking may create a State Mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:

Susan Meister
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th floor
Springfield, Illinois 62761

217/782-2043
e-mail: dph.rules@illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: Birthing hospitals in Illinois
 - B) Reporting, bookkeeping or other procedures required for compliance: The same as now exist for other disorders covered by newborn screening.
 - C) Types of professional skills necessary for compliance: The same as now exist for

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other disorders covered by newborn screening.

- 14) Regulatory Agenda on which this rulemaking was summarized: January 2009

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

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER i: MATERNAL AND CHILD HEALTHPART 661
NEWBORN METABOLIC SCREENING AND TREATMENT CODE

Section

661.10	Responsibility
661.15	Definitions
661.20	Collection of Blood and Submission of Specimens
661.30	Interpretation of Results
661.35	Designation of Medical Specialists Consultants
661.40	Reports
661.50	Diagnosis and Treatment
661.60	Exemption
661.70	Fee Assessment and Payment

AUTHORITY: Implementing and authorized by the Newborn Metabolic Screening Act [410 ILCS 240].

SOURCE: Adopted December 14, 1973; emergency rules at 3 Ill. Reg. 28, p. 224, effective June 28, 1979, for a maximum of 150 days; rules repealed and new rules adopted at 3 Ill. Reg. 48, p. 42, effective November 20, 1979; amended at 5 Ill. Reg. 4593, effective April 15, 1981; amended and codified at 8 Ill. Reg. 19041, effective September 26, 1984; amended at 11 Ill. Reg. 12921, effective August 1, 1987; amended at 13 Ill. Reg. 15079, effective October 1, 1989; amended at 14 Ill. Reg. 13292, effective August 15, 1990; amended at 17 Ill. Reg. 13609, effective August 1, 1993; amended at 19 Ill. Reg. 15720, effective November 1, 1995; expedited correction at 20 Ill. Reg. 3590, effective November 1, 1995; amended at 22 Ill. Reg. 20639, effective November 10, 1998; amended at 26 Ill. Reg. 10676, effective July 1, 2002; amended at 26 Ill. Reg. 18412, effective January 1, 2003; amended at 31 Ill. Reg. 13203, effective August 28, 2007; amended at 33 Ill. Reg. _____, effective _____.

Section 661.10 Responsibility

- a) The physician in attendance at or immediately after the birth of the newborn infant shall have primary responsibility for seeing that a specimen of the infant's blood is screened in accordance with this Part. Newborn screening includes tests for the following disorders: classical phenylketonuria (PKU) and certain other

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amino acid, organic acid, and fatty acid oxidation disorders; primary hypothyroidism; classical galactosemia; congenital adrenal hyperplasia due to 21-hydroxylase deficiency; biotinidase deficiency; sickle cell disease/trait; ~~and~~ cystic fibrosis; and lysosomal storage disorders. Specific diseases in the categories of amino acid, organic acid, and fatty acid oxidation and lysosomal storage disorders will be determined by the Director. For a current list of disorders, refer to the Illinois Department of Public Health Newborn Screening Practitioner's Manual. A blood specimen meeting the requirements for testing shall suffice for all tests (see Section 661.20). The physician may delegate this responsibility to the hospital administrator or to the administrator's designated representative, such as a member of the pediatrics staff, the laboratory director, the obstetrical supervisor, or other hospital official.

- b) If the infant is not born in or admitted to a hospital or when there is no physician in attendance at or immediately after the birth, the physician caring for the infant during the first month of life shall be the individual responsible for seeing that a blood specimen for newborn screening is submitted. When there is no physician caring for such an infant during this period, the parents or guardian is responsible. Local health authorities or the Department shall assist the parents or guardian in having a blood specimen submitted for testing.
- c) All specimens collected pursuant to this Part shall be submitted for testing to the Newborn Screening Section, Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612 (see Section 661.20).
- d) When a retest is determined to be necessary pursuant to Section 661.30 of this Part, the Illinois Department of Public Health shall notify the physician or his or her designee who is responsible for obtaining another specimen and having the specimen tested.

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

Section 661.15 Definitions

"Act" means the Newborn Metabolic Screening~~Phenylketonuria Testing~~ Act [410 ILCS 240].

"Advisory Committee" means the Genetic and Metabolic Diseases Advisory

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Committee appointed by the Director.

"CF" means cystic fibrosis.

"CLSI" means Clinical and Laboratory Standards Institute.

"Department" or "DPH" means the Department of Public Health.

"Director" means the Director of the Department of Public Health.

"Formula" means a medically prescribed treatment substance that has been designed to treat a specific metabolic disorder.

"LSD" means lysosomal storage disorders, including the following: Krabbe, Pompe, Gaucher, Fabry, and Niemann-Pick, which are inherited metabolic disorders caused by lysosomal dysfunction, usually as a consequence of deficiency of a single enzyme required for the metabolism of lipids, glycoproteins or mucopolysaccharides.

"Newborn screening" or "testing" means the testing of a blood sample for classical phenylketonuria (PKU) and certain other amino acid, organic acid, and fatty acid oxidation disorders, primary hypothyroidism, classical galactosemia, congenital adrenal hyperplasia due to 21-hydroxylase deficiency, biotinidase deficiency, sickle cell disease/trait, ~~and~~ cystic fibrosis and lysosomal storage disorders. At times, variant forms of some disorders, or related conditions, may also be identified.

"PKU" means classical phenylketonuria.

"Tandem mass spectrometry" means use of a tandem mass spectrometer and associated software to test a newborn screening sample.

"MS/MS" means Tandem Mass Spectrometry.

"Using accepted statistical techniques" means using techniques that have been published in peer reviewed scientific literature.

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

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Section 661.30 Interpretation of Results

Although the majority of infants affected by disorders included in the newborn screening panel will be identified by this screening, due to genetic variabilities and variations in health status, specimen quality, and timing of specimen collection, not all infants affected by such a disorder may be identified. As with any laboratory test, false positive and [false](#) negative results are possible. Newborn screening test results are insufficient information on which to base diagnosis or treatment.

- a) Phenylketonuria
 - 1) Normal phenylalanine levels shall be established using accepted statistical techniques.
 - 2) When the blood phenylalanine level is deemed to be abnormal, the Department shall recommend a repeat newborn screening test or referral of the infant to a designated [medical specialisteonsultant](#) for a quantitative phenylalanine determination and other diagnostic studies as determined by the [medical specialisteonsultant](#).
- b) Primary Hypothyroidism
 - 1) Neonatal levels for thyroid stimulating hormone (TSH) vary with gestational age, birthweight, time of collection and in response to concurrent medical problems. Normal TSH and normal thyroxine (T4) levels shall be established using accepted statistical techniques.
 - 2) When the TSH level or the T4 level is deemed to be abnormal, the Department shall recommend a repeat newborn screening test or referral of the infant to a designated pediatric endocrinologist for further evaluation for primary hypothyroidism and additional serum testing for thyroid function.
- c) Galactosemia
 - 1) Laboratory tests for galactosemia may be performed by testing for total galactose (galactose and galactose-1-phosphate) or a deficiency of the galactose-1-phosphate uridyl transferase enzyme. Normal test results indicate a normal level of total galactose or the presence of the enzyme.

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Test results are abnormal when the level of total galactose is above the normal range or the presence of the enzyme is not detected. Normal ranges shall be established using accepted statistical techniques.

- 2) When the galactose or enzyme levels are deemed abnormal, recommendations may be given to change the diet of the infant to a galactose free diet. The Department shall recommend a repeat newborn screening test or referral of the infant to a designated [medical specialisteonsultant](#) for further diagnostic studies.
- d) Congenital Adrenal Hyperplasia (secondary to 21-hydroxylase deficiency)
- 1) Neonatal levels for 17-hydroxyprogesterone vary with gestational age, birthweight, time of collection and in response to concurrent medical problems. Normal 17-hydroxyprogesterone levels shall be established using accepted statistical techniques.
 - 2) When the 17-hydroxyprogesterone level is deemed to be abnormal, the Department shall recommend a repeat newborn screening test or referral of the infant to a designated pediatric endocrinologist for further evaluation for congenital adrenal hyperplasia.
- e) Biotinidase Deficiency
- 1) Laboratory tests for biotinidase deficiency are designed to detect a deficiency of the biotinidase enzyme. Normal test results indicate the presence of the enzyme. Test results are abnormal when the presence of the enzyme is not detected.
 - 2) When the determination of the enzyme is deemed abnormal, the Department shall recommend a repeat newborn screening test or referral of the infant to a designated [medical specialisteonsultant](#) for a quantitative determination of the biotinidase enzyme and further diagnostic studies.
- f) Sickle Cell Disease/Trait and Other Hemoglobinopathies
Qualitative testing will determine the presence of A, F, S, C and other hemoglobins.
- 1) When F and S hemoglobins, but no A hemoglobin, are detected on the

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same specimen, the Department shall recommend referral to a designated [medical specialisteonsultant](#) for follow-up and genetic counseling.

- 2) When F, S and C hemoglobins, but no A hemoglobin, are detected on the same specimen, the Department shall recommend referral to a designated [medical specialisteonsultant](#) for follow-up and genetic counseling.
- 3) When F, A and C hemoglobins or F, A and S hemoglobins are detected on the same specimen, the Department shall recommend parental testing and genetic counseling by the attending physician or another qualified counselor.
- 4) When A hemoglobin is detected as the predominant hemoglobin, and the specimen was collected at less than 2 months of age, it will be assumed that the infant received a blood transfusion, and a report indicating such will be made. A repeat newborn screening specimen should be drawn from all such infants 3 months post-transfusion.

g) Phenylketonuria (PKU) and other amino acid, organic acid, and fatty acid oxidation disorders
(Note: PKU testing is described in Section 661.30(a)).

- 1) Analysis shall be performed by MS/MS. The patient metabolite distribution patterns shall be compared to normal populations. Pattern analysis, and internal metabolite ratios relative to normal populations, shall be calculated using accepted statistical techniques.
- 2) When blood levels or ratios are found to be abnormal, indicating the possibility of a metabolic condition harmful to the infant, the Department shall recommend a repeat newborn screening test or referral of the infant to a designated [medical specialisteonsultant](#) for appropriate definitive testing and diagnostic studies.

h) Cystic Fibrosis (CF)

- 1) CF is indicated by elevated neonatal levels of immunoreactive trypsinogen (IRT) that can be detected in dried blood spots by immunoassay or other techniques. The normal IRT range shall be established using accepted statistical techniques.

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- 2) When elevated levels of IRT are detected, testing by genetic mutation analysis shall be performed in order to decrease false positive results. Because there are over 1,000 mutations in the CF transmembrane conductance regulator (CFTR) gene, testing will yield only 90 to 95 percent sensitivity.
 - 3) When IRT levels and/or mutation analysis are found to be abnormal, thus indicating the possibility of CF, the Department shall recommend referral of the infant to a designated ~~medical specialisteonsultant~~ for appropriate definitive testing and diagnostic studies.
 - 4) ~~To establish normal IRT range and validate the mutation analysis, the Department shall conduct, through February 2008, a phase-in project requiring CF screening of all babies born at the following Illinois birthing hospitals: Advocate Lutheran General Children's Hospital, Advocate Hope Children's Hospital, Prentice Women's Hospital, Carle Hospital Foundation, Evanston Hospital, St. Alexius Hospital, Loyola University Medical Center/Foster McGaw Hospital, Rush University Medical Center, University of Chicago Hospitals, St. Francis Medical Center (Peoria), Methodist Medical Center, Proctor Hospital, St. John's Hospital, and Memorial Medical Center (Springfield). At the conclusion of the phase-in project, all specimens submitted to the DPH Newborn Screening Laboratory will be tested for CF.~~
- i) Lysosomal Storage Disorders (LSDs)
- 1) An LSD can be detected in dried blood spots by using tandem mass spectrometry or other methods. Normal testing parameters shall be established using accepted statistical techniques.
 - 2) When testing parameters are found to be abnormal, thus indicating the possibility of an LSD, the Department will recommend referral of the infant to a designated medical specialist for appropriate definitive testing and diagnostic studies.
 - 3) To establish normal testing parameters and validate the screening technique, a phase-in project will be conducted from November 1, 2010 through May 31, 2011 requiring LSD screening of all babies born at the

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University of Chicago Hospitals and Northwestern Memorial Hospital. At the conclusion of the phase-in project, all specimens submitted to the Illinois Department of Public Health Newborn Screening Laboratory will be tested for LSDs.

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

Section 661.35 Designation of Medical Specialists~~Consultants~~

- a) The Newborn Screening Program Manager~~Chief of the Division of Health Assessment and Screening~~, with the advice of the Director of the University of Illinois at Chicago, Division of Specialized Care for Children, and the Advisory Committee, shall designate qualified professionals to serve as medical specialists~~in Consultants to~~ specified disease categories~~subprograms~~ within the Newborn Screening Program. These medical specialists should provide care to children identified through newborn screening in collaboration with the primary care provider.
- b) Equivalency in all qualifications specified in this Section shall be determined by the Newborn Screening Program Manager~~Chief of the Division of Health Assessment and Screening~~, with the advice of the Director of the University of Illinois at Chicago, Division of Specialized Care for Children, and the Chairman of the Advisory Committee.
- c) The minimum qualifications required for designation as a medical~~specialist~~~~consultant~~ are a license to practice medicine in all its branches in Illinois, or licensure in the state of practice, certification by the American Board of Pediatrics or equivalent board from another country. In addition, to be designated to serve in specified disease categories~~subprograms~~, medical~~specialists~~~~Consultants~~ shall also have the following qualifications:
 - 1) Phenylketonuria (PKU) and all other disorders of amino acid and organic acid metabolism: certification by the American Board of Medical Genetics in Clinical Biochemical Genetics ~~with at least one year experience post-training in diagnosis and treatment of amino acid and organic acid disorders;~~ or certification by the American Board of Medical Genetics in Clinical Genetics; with at least one year~~extensive~~ post-training experience in the diagnosis and treatment of amino acid and organic acid disorders. The medical~~specialist~~~~consultant~~ shall have the capacity to

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provide a multidisciplinary approach to care, including the availability on-site of specially trained metabolic dieticians and a biochemical genetics laboratory; for citrullinemia and argininosuccinic aciduria, should have on-site availability of required medical therapies, such as hemodialysis, that are necessary for the treatment of patients with these disorders.

- 2) Primary Hypothyroidism: training in Pediatric Endocrinology with membership in the Lawson Wilkins Pediatric Endocrinology Society or certification of special competence in Pediatric Endocrinology by the American Board of Pediatrics ~~with at least one year experience post-training in diagnosis and treatment of endocrine disorders.~~
- 3) Galactosemia: certification by the American Board of Medical Genetics in Clinical Biochemical Genetics ~~with at least one year of experience post-training in diagnosis and treatment of children with galactosemia and inborn errors of metabolism~~ or certification by the American Board of Medical Genetics in Clinical Genetics with ~~at least one year~~ extensive experience ~~post-training~~ in the diagnosis and treatment of galactosemia and inborn errors of metabolism. ~~Medical specialists~~ Consultants should have the capacity to provide a multidisciplinary approach to care, including the availability on-site of specially trained metabolic dieticians.
- 4) Congenital Adrenal Hyperplasia: training in Pediatric Endocrinology with membership in the Lawson Wilkins Pediatric Endocrinology Society or certification of special competence in Pediatric Endocrinology by the American Board of Pediatrics ~~with at least one year experience post-training, in diagnosis and treatment of endocrine disorders.~~
- 5) Biotinidase Deficiency: certification by the American Board of Medical Genetics in Clinical Biochemical Genetics ~~with at least one year of experience post-training in the diagnosis and treatment of children with biotinidase deficiency and inborn errors of metabolism~~ or certification by the American Board of Medical Genetics in Clinical Genetics with ~~at least one year~~ extensive experience ~~post-training~~ in the diagnosis and treatment of biotinidase deficiency and inborn errors of metabolism. ~~Medical specialists~~ Consultants should have the capacity to provide a multidisciplinary approach to care, including the availability on-site of specially trained metabolic dieticians.

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- 6) Sickle Cell Disease: training in Pediatric Hematology and certification of special competence in Pediatric Hematology-Oncology by the American Board of Pediatrics ~~with at least one year experience post-training in diagnosis and treatment of hematological disorders.~~
- 7) Fatty Acid Oxidation Disorders: certification by the American Board of Medical Genetics in Clinical Biochemical Genetics ~~with at least one year of experience post-training in the diagnosis and treatment of fatty acid oxidation disorders~~ or certification by the American Board of Medical Genetics in Clinical Genetics with ~~at least one year~~ extensive experience post-training in the diagnosis and treatment of fatty acid oxidation disorders. Medical specialists ~~Consultants~~ should have the capacity to provide a multidisciplinary approach to care, including the availability on-site of specially trained metabolic dieticians.
- 8) Cystic Fibrosis: certification by the American Board of Pediatrics in Pediatric Pulmonology or Pediatric Gastroenterology ~~with at least one year post-training experience in diagnosis and treatment of children with CF.~~ Medical specialists ~~Consultants~~ should provide prompt access to quantitative pilocarpine iontophoresis sweat chloride testing in a laboratory that meets all CLSI standards. Medical specialists ~~Consultants~~ should provide a multidisciplinary approach to care, including the availability of on-site genetic counselors, dieticians, respiratory therapists and social workers. Medical specialists ~~Consultants~~ should provide access to microbiology laboratories that use CF-specific protocols for detection of respiratory tract infection.
- 9) Lysosomal Storage Disorders: certification by the American Board of Medical Genetics in Clinical Biochemical Genetics or certification by the American Board of Medical Genetics in Clinical Genetics with at least one year experience post-training in the diagnosis and treatment of LSDs. Medical specialists should have the capacity to provide enzyme replacement infusion therapies and to provide a multidisciplinary approach to care, including the availability of pediatric specialists in neurology, cardiology and pulmonology. In addition to the above requirements, for Krabbe disease, medical specialists should be affiliated with a facility that has experience in performing stem cell transplantation.

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

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Section 661.40 Reports

- a) Only collection forms with attached filter paper blood collectors supplied by the Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612 are to be used in submitting blood specimens for newborn screening.
- b) Any hospital performing the required newborn screening tests in addition to submitting specimens to the Illinois Department of Public Health Laboratory shall comply with all requirements of this Part, and shall notify the Department immediately by telephone whenever testing on an infant indicates that:
 - 1) phenylalanine levels are abnormal;
 - 2) T4 determinations are abnormal or TSH determinations are abnormal;
 - 3) total galactose or galactose-1-phosphate uridyl transferase determinations are abnormal;
 - 4) 17-hydroxyprogesterone determinations are abnormal;
 - 5) biotinidase enzyme determinations are abnormal;
 - 6) abnormal hemoglobin patterns are detected;
 - 7) abnormal amino acid or acylcarnitine patterns have been identified;
 - 8) abnormal determinations that may indicate cystic fibrosis have been identified;
 - 9) [abnormal determinations that may indicate a lysosomal storage disorder have been identified.](#)

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

Section 661.50 Diagnosis and Treatment

The Department shall also maintain a registry to record the results of diagnosis and treatment for

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all diagnosed cases identified. It is imperative to perform ongoing evaluation of the newborn screening program. This process includes outcome evaluation of children diagnosed through newborn screening. The Department shall request, from the [medical specialisteonsultant](#) or primary care provider, updated information annually, concerning developmental milestones, for each child diagnosed with a disorder for which the Department screens. The Department at all times shall maintain confidentiality with regard to patient information.

- a) Phenylketonuria and Hyperphenylalaninemia. The necessary medically prescribed treatment formulas will be supplied by the Department for diagnosed cases as long as medically indicated. Long-term follow-up of children with phenylketonuria or hyperphenylalaninemia is necessary to adjust diet and to assess growth and development. Medical management by a designated [medical specialisteonsultant](#) is required in order for a patient to receive treatment formulas from [DPHDPH](#). The administration of treatment formulas shall not be instituted until a complete amino acid analysis to corroborate the positive screening test has been performed, under the direction of a designated [medical specialisteonsultant](#), to establish the diagnosis of phenylketonuria.
- b) Primary Hypothyroidism. Medical management by a designated pediatric endocrinologist is highly recommended. Replacement therapy with thyroid hormone is currently the standard treatment. Long-term follow-up of children with primary hypothyroidism is necessary in order to adjust medication and to assess growth and development.
- c) Galactosemia. Medical management by a designated [medical specialisteonsultant](#) is highly recommended. Therapy with a galactose free diet is currently the standard treatment. Long-term follow-up of children with galactosemia is necessary in order to ensure proper growth and development.
- d) Congenital Adrenal Hyperplasia. Medical management by a designated pediatric endocrinologist is highly recommended. Replacement therapy with glucocorticoids and, in some cases, mineralocorticoids is currently the standard treatment. Long-term follow-up of children with congenital adrenal hyperplasia is necessary in order to adjust medications and to assess growth and development.
- e) Biotinidase Deficiency. Medical management by a designated [medical specialisteonsultant](#) is highly recommended. Therapy with pharmacological doses of biotin is required. Long-term follow-up of children with biotinidase deficiency is necessary in order to ensure proper growth and development.

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- f) Sickle Cell Disease/~~Trait~~. Medical management by a designated pediatric hematologist-oncologist is highly recommended. Antibiotic prophylaxis and immunization to prevent pneumococcal infections are currently the standard treatment after a definitive diagnosis has been made of a sickling disease by a designated medical specialisteonsultant. Long-term follow-up of children with sickle cell disease is necessary in order to assess growth and development. ~~For families of infants with sickle cell trait every effort shall be made to assure referral for parental testing and genetic counseling is available.~~
- g) Other Amino Acid, Organic Acid and Fatty Acid Oxidation Disorders. The necessary medically prescribed treatment formulas will be supplied by the Department for diagnosed cases as long as medically indicated. Long-term follow-up of children with these metabolic disorders is necessary to adjust diet and to assess growth and development. Medical management by a designated medical specialisteonsultant is required in order for a patient to receive treatment formulas from ~~DPH~~DPH. Many of these disorders can be properly and supportively managed by dietary therapy. Ongoing care of these children will require long-term follow-up by the medical specialisteonsultant to ensure proper development.
- h) Cystic Fibrosis. Medical management by a designated medical specialisteonsultant is highly recommended. Prompt evaluation of exocrine pancreatic status coupled with nutritional counseling is recommended after diagnostic confirmation. Close follow-up by a medical specialisteonsultant is recommended to monitor and treat changes in nutrition and respiratory infection status.
- i) Lysosomal storage disorders. Medical management by a designated medical specialist is highly recommended. Enzyme replacement therapy or stem cell transplant are the standard treatments. Long-term follow-up of children with lysosomal storage disorders is necessary to monitor treatment and to assess growth and development.

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

Section 661.70 Fee Assessment and Payment

- a) Each institution or person submitting to the Department any sample for newborn

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screening shall be assessed a fee of ~~\$78-\$47 through August 31, 2007, after which time this fee shall be increased to \$59.~~ When the Director makes a determination to add screening for any additional disorders in the LSD category, pursuant to Section 661.10, this fee shall be increased by \$2 for each disorder added.

- b) Statements of fee assessment shall be mailed on a monthly basis to facilities submitting specimens for analysis.
- c) Payment shall be rendered to the Department upon receipt of the monthly statement of fee assessment.

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

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- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.7300 Proposed Action: Amendment
- 4) Statutory Authority: 35 ILCS 5/704A(b) and 5/1401
- 5) A Complete Description of the Subjects and Issues Involved: IITA Section 704A(b) provides that an employer shall file withholding returns "in the form and manner required by the Department." Under this authority, this rulemaking amends Section 100.7300(a) to require payroll service providers, who are required to file their clients' federal withholding returns electronically, to also file their clients' Illinois withholding returns electronically.
- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>IL Register Citation:</u>
100.3374	New Section	32 Ill. Reg. 19894; December 26, 2008
- 11) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.
- 12) Time, Place and Manner in which interested persons may comment on this rulemaking: Persons who wish to submit comments on this rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

Paul Caselton
Deputy General Counsel – Income Tax

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Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794

217/524-3951

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking applies only to payroll service providers who are large enough (over 250 returns per year filed federally) to be required to file their federal withholding returns electronically.
 - 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: January 2009

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 100
INCOME TAX

SUBPART A: TAX IMPOSED

Section

- 100.2000 Introduction
100.2050 Net Income (IITA Section 202)

SUBPART B: CREDITS

Section

- 100.2100 Replacement Tax Investment Credit Prior to January 1, 1994 (IITA 201(e))
100.2101 Replacement Tax Investment Credit (IITA 201(e))
100.2110 Investment Credit; Enterprise Zone and River Edge Redevelopment Zone (IITA 201(f))
100.2120 Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone (IITA 201(g))
100.2130 Investment Credit; High Impact Business (IITA 201(h))
100.2140 Credit Against Income Tax for Replacement Tax (IITA 201(i))
100.2150 Training Expense Credit (IITA 201(j))
100.2160 Research and Development Credit (IITA 201(k))
100.2163 Environmental Remediation Credit (IITA 201(l))
100.2165 Education Expense Credit (IITA 201(m))
100.2170 Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
100.2180 Credit for Residential Real Property Taxes (IITA 208)
100.2185 Film Production Services Credit (IITA 213)
100.2190 Tax Credit for Affordable Housing Donations (IITA Section 214)
100.2195 Dependent Care Assistance Program Tax Credit (IITA 210)
100.2196 Employee Child Care Assistance Program Tax Credit (IITA Section 210.5)
100.2197 Foreign Tax Credit (IITA Section 601(b)(3))
100.2198 Economic Development for a Growing Economy Credit (IITA 211)
100.2199 Illinois Earned Income Tax Credit (IITA Section 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS
OCCURRING PRIOR TO DECEMBER 31, 1986

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Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope
- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES
OCCURRING ON OR AFTER DECEMBER 31, 1986

Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or After December 31, 1986
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring On or After December 31, 1986
- 100.2340 Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
- 100.2350 Illinois Net Losses and Illinois Net Loss Deductions, for Losses Occurring On or

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After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

Section	
100.2405	Gross Income, Adjusted Gross Income, Taxable Income and Base Income Defined; Double Deductions Prohibited; Legislative Intention (IITA Section 203(e), (g) and (h))
100.2410	Net Operating Loss Carryovers for Individuals, and Capital Loss and Other Carryovers for All Taxpayers (IITA Section 203)
100.2430	Addition and Subtraction Modifications for Transactions with 80-20 and Noncombination Rule Companies
100.2450	IIT Refunds (IITA Section 203(a)(2)(H), (b)(2)(F), (c)(2)(J) and (d)(2)(F))
100.2455	Subtraction Modification: Federally Disallowed Deductions (IITA Sections 203(a)(2)(M), 203(b)(2)(I), 203(c)(2)(L) and 203(d)(2)(J))
100.2470	Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
100.2480	Enterprise Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))
100.2490	Foreign Trade Zone/High Impact Business Dividend Subtraction (IITA Sections 203(a)(2)(K), 203(b)(2)(L), 203(c)(2)(O), 203(d)(2)(M))

SUBPART F: BASE INCOME OF INDIVIDUALS

Section	
100.2580	Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))
100.2590	Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

SUBPART G: BASE INCOME OF TRUSTS AND ESTATES

Section	
100.2655	Subtraction Modification for Enterprise Zone and River Edge Redevelopment Zone Interest (IITA Section 203(b)(2)(M))
100.2680	Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for

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Charity (Repealed)

SUBPART I: GENERAL RULES OF ALLOCATION AND
APPORTIONMENT OF BASE INCOME

Section

100.3000	Terms Used in Article 3 (IITA Section 301)
100.3010	Business and Nonbusiness Income (IITA Section 301)
100.3015	Business Income Election (IITA Section 1501)
100.3020	Resident (IITA Section 301)

SUBPART J: COMPENSATION

Section

100.3100	Compensation (IITA Section 302)
100.3110	State (IITA Section 302)
100.3120	Allocation of Compensation Paid to Nonresidents (IITA Section 302)

SUBPART K: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

100.3200	Taxability in Other State (IITA Section 303)
100.3210	Commercial Domicile (IITA Section 303)
100.3220	Allocation of Certain Items of Nonbusiness Income by Persons Other Than Residents (IITA Section 303)

SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

100.3300	Allocation and Apportionment of Base Income (IITA Section 304)
100.3310	Business Income of Persons Other Than Residents (IITA Section 304) – In General
100.3320	Business Income of Persons Other Than Residents (IITA Section 304) – Apportionment (Repealed)
100.3330	Business Income of Persons Other Than Residents (IITA Section 304) – Allocation
100.3340	Business Income of Persons Other Than Residents (IITA Section 304)
100.3350	Property Factor (IITA Section 304)
100.3360	Payroll Factor (IITA Section 304)

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100.3370	Sales Factor (IITA Section 304)
100.3371	Sales Factor for Telecommunications Services
100.3380	Special Rules (IITA Section 304)
100.3390	Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))
100.3400	Apportionment of Business Income of Financial Organizations (IITA Section 304(c))
100.3420	Apportionment of Business Income of Insurance Companies (IITA Section 304(b))
100.3500	Allocation and Apportionment of Base Income by Nonresident Partners

SUBPART M: ACCOUNTING

Section	
100.4500	Carryovers of Tax Attributes (IITA Section 405)

SUBPART N: TIME AND PLACE FOR FILING RETURNS

Section	
100.5000	Time for Filing Returns: Individuals (IITA Section 505)
100.5010	Place for Filing Returns: All Taxpayers (IITA Section 505)
100.5020	Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)
100.5030	Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (IITA Section 506)
100.5040	Innocent Spouses
100.5050	Frivolous Returns
100.5060	Reportable Transactions
100.5070	List of Investors in Potentially Abusive Tax Shelters and Reportable Transactions
100.5080	Registration of Tax Shelters (IITA Section 1405.5)

SUBPART O: COMPOSITE RETURNS

Section	
100.5100	Composite Returns: Eligibility
100.5110	Composite Returns: Responsibilities of Authorized Agent
100.5120	Composite Returns: Individual Liability
100.5130	Composite Returns: Required forms and computation of Income
100.5140	Composite Returns: Estimated Payments
100.5150	Composite Returns: Tax, Penalties and Interest

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- 100.5160 Composite Returns: Credits on Separate Returns
- 100.5170 Composite Returns: Definition of a "Lloyd's Plan of Operation"
- 100.5180 Composite Returns: Overpayments and Underpayments

SUBPART P: COMBINED RETURNS

Section

- 100.5200 Filing of Combined Returns
- 100.5201 Definitions and Miscellaneous Provisions Relating to Combined Returns
- 100.5205 Election to File a Combined Return
- 100.5210 Procedures for Elective and Mandatory Filing of Combined Returns
- 100.5215 Filing of Separate Unitary Returns
- 100.5220 Designated Agent for the Members
- 100.5230 Combined Estimated Tax Payments
- 100.5240 Claims for Credit of Overpayments
- 100.5250 Liability for Combined Tax, Penalty and Interest
- 100.5260 Combined Amended Returns
- 100.5265 Common Taxable Year
- 100.5270 Computation of Combined Net Income and Tax
- 100.5280 Combined Return Issues Related to Audits

SUBPART Q: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section

- 100.7000 Requirement of Withholding (IITA Section 701)
- 100.7010 Compensation Paid in this State (IITA Section 701)
- 100.7020 Transacting Business Within this State (IITA Section 701)
- 100.7030 Payments to Residents (IITA Section 701)
- 100.7035 Nonresident Partners, Subchapter S Corporation Shareholders, and Trust Beneficiaries (IITA Section 709.5)
- 100.7040 Employer Registration (IITA Section 701)
- 100.7050 Computation of Amount Withheld (IITA Section 702)
- 100.7060 Additional Withholding (IITA Section 701)
- 100.7070 Voluntary Withholding (IITA Section 701)
- 100.7080 Correction of Underwithholding or Overwithholding (IITA Section 701)
- 100.7090 Reciprocal Agreement (IITA Section 701)
- 100.7095 Cross References

SUBPART R: AMOUNT EXEMPT FROM WITHHOLDING

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Section

- 100.7100 Withholding Exemption (IITA Section 702)
- 100.7110 Withholding Exemption Certificate (IITA Section 702)
- 100.7120 Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

SUBPART S: INFORMATION STATEMENT

Section

- 100.7200 Reports for Employee (IITA Section 703)

SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section

- 100.7300 Returns and Payments of Income Tax Withheld from Wages (IITA Sections 704 and 704A)
- 100.7310 Returns Filed and Payments Made on Annual Basis (IITA Section 704)
- 100.7320 Time for Filing Returns and Making Payments for Taxes Required to Be Withheld Prior to January 1, 2008 (IITA Section 704)
- 100.7325 Time for Filing Returns and Making Payments for Taxes Required to Be Withheld On or After January 1, 2008 (IITA Section 704A)
- 100.7330 Payment of Tax Required to be Shown Due on a Return (IITA Sections 704 and 704A)
- 100.7340 Correction of Underwithholding or Overwithholding (IITA Section 704)
- 100.7350 Domestic Service Employment (IITA Sections 704 and 704A)
- 100.7360 Definitions and Special Provisions Relating to Reporting and Payment of Income Tax Withheld (IITA Sections 704 and 704A)
- 100.7370 Penalty and Interest Provisions Relating to Reporting and Payment of Income Tax Withheld (IITA Sections 704 and 704A)

SUBPART U: COLLECTION AUTHORITY

Section

- 100.9000 General Income Tax Procedures (IITA Section 901)
- 100.9010 Collection Authority (IITA Section 901)
- 100.9020 Child Support Collection (IITA Section 901)

SUBPART V: NOTICE AND DEMAND

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Section
100.9100 Notice and Demand (IITA Section 902)

SUBPART W: ASSESSMENT

Section
100.9200 Assessment (IITA Section 903)
100.9210 Waiver of Restrictions on Assessment (IITA Section 907)

SUBPART X: DEFICIENCIES AND OVERPAYMENTS

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100.9300 Deficiencies and Overpayments (IITA Section 904)
100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)
100.9320 Limitations on Notices of Deficiency (IITA Section 905)
100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

SUBPART Y: CREDITS AND REFUNDS

Section
100.9400 Credits and Refunds (IITA Section 909)
100.9410 Limitations on Claims for Refund (IITA Section 911)
100.9420 Recovery of Erroneous Refund (IITA Section 912)

SUBPART Z: INVESTIGATIONS AND HEARINGS

Section
100.9500 Access to Books and Records (IITA Section 913)
100.9505 Access to Books and Records – 60-Day Letters (IITA Section 913) (Repealed)
100.9510 Taxpayer Representation and Practice Requirements
100.9520 Conduct of Investigations and Hearings (IITA Section 914)
100.9530 Books and Records

SUBPART AA: JUDICIAL REVIEW

Section
100.9600 Administrative Review Law (IITA Section 1201)

SUBPART BB: DEFINITIONS

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Section

100.9700	Unitary Business Group Defined (IITA Section 1501)
100.9710	Financial Organizations (IITA Section 1501)
100.9720	Nexus
100.9730	Investment Partnerships (IITA Section 1501(a)(11.5))
100.9750	Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA Section 1501)

SUBPART CC: LETTER RULING PROCEDURES

Section

100.9800	Letter Ruling Procedures
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SUBPART DD: MISCELLANEOUS

Section

100.9900	Tax Shelter Voluntary Compliance Program
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100.APPENDIX A Business Income Of Persons Other Than Residents

100.TABLE A	Example of Unitary Business Apportionment
100.TABLE B	Example of Unitary Business Apportionment for Groups Which Include Members Using Three-Factor and Single-Factor Formulas

AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49, p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941,

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effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 26 Ill. Reg. 192, effective December 20, 2001; amended at 26 Ill. Reg. 1274, effective January 15, 2002; amended at 26 Ill. Reg. 9854, effective June 20, 2002; amended at 26 Ill. Reg. 13237, effective August 23, 2002; amended at 26 Ill. Reg. 15304, effective October 9, 2002; amended at 26 Ill. Reg. 17250, effective November 18, 2002; amended at 27 Ill. Reg. 13536, effective July 28, 2003; amended at 27 Ill. Reg. 18225, effective November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; emergency expired April 17, 2004; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. 8881, effective June 11,

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2004; emergency amendment at 28 Ill. Reg. 14271, effective October 18, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14868, effective October 26, 2004; emergency amendment at 28 Ill. Reg. 15858, effective November 29, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2420, effective January 28, 2005; amended at 29 Ill. Reg. 6986, effective April 26, 2005; amended at 29 Ill. Reg. 13211, effective August 15, 2005; amended at 29 Ill. Reg. 20516, effective December 2, 2005; amended at 30 Ill. Reg. 6389, effective March 30, 2006; amended at 30 Ill. Reg. 10473, effective May 23, 2006; amended by 30 Ill. Reg. 13890, effective August 1, 2006; amended at 30 Ill. Reg. 18739, effective November 20, 2006; amended at 31 Ill. Reg. 16240, effective November 26, 2007; amended at 32 Ill. Reg. 872, effective January 7, 2008; amended at 32 Ill. Reg. 1407, effective January 17, 2008; amended at 32 Ill. Reg. 3400, effective February 25, 2008; amended at 32 Ill. Reg. 6055, effective March 25, 2008; amended at 32 Ill. Reg. 10170, effective June 30, 2008; amended at 32 Ill. Reg. 13223, effective July 24, 2008; amended at 32 Ill. Reg. 17492, effective October 24, 2008; amended at 33 Ill. Reg. 1195, effective December 31, 2008; amended at 33 Ill. Reg. 2306, effective January 23, 2009; amended at 33 Ill. Reg. _____, effective _____.

SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section 100.7300 Returns and Payments of Income Tax Withheld from Wages (IITA Sections 704 and 704A)

- a) Quarterly returns. Except as otherwise provided in Section 100.7310 or 100.7350, every employer required to deduct and withhold tax on compensation paid in Illinois shall make a return for the first calendar quarter in which the tax is deducted and withheld and for each subsequent calendar quarter (whether or not compensation is paid in that quarter) until a final return is filed. (See IITA Sections 704(c) and 704A(b).) Each return required under this subsection must be made in the form and manner required by the Department (see IITA Sections 704(b) and (c) and 704A(b)).
- 1) For calendar years after 2009, payroll providers who withhold Illinois income tax for employers during the year and who are required to file federal withholding returns on magnetic media under 26 CFR 301.6011-2 shall file returns due under this subsection (a) with the Department using the same magnetic media used for their federal filing.
 - 2) All other returns required under this subsection (a) may be filed with the Department at the address provided on the Form IL-941, Illinois Quarterly Withholding Income Tax Return, or its instructions.

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- b) Retention of copies of combined W-2.
- 1) For calendar years prior to 2008.
 - A) Every employer required under this Section or Section 100.7310 or 100.7350 to make a return of tax withheld from compensation for a period ending December 31, or for any period for which a return is made as a final return, shall retain a copy of each wage and tax statement on the combined W-2 required under Section 100.7200 to be furnished by the employer with respect to compensation paid during the calendar year. For calendar years prior to 2008, every employer shall maintain copies of the combined W-2 forms for three years from the due date of the IL-W-3 for that period. For each calendar year after 2007, every employer shall maintain copies of the combined W-2 forms until January 31 of the fourth year following that calendar year. If the Department makes a written request for copies of the combined W-2 forms, the copies shall be forwarded to the Department within 30 days after the written request.
 - B) If an employer issues a corrected copy of a combined W-2 to an employee for a prior calendar year (see Section 100.7200(d) above), a copy shall be retained for a period of four years from the date fixed for filing the employer's return of tax withheld for the period ending December 31 of the year in which the correction is made, or for any period in the year for which the return is made as a final return. A statement explaining the corrections shall also be retained and, if the Department requests, a copy of the corrected W-2 shall be submitted within 30 days after the written request.
 - C) Each year, the Department will contact a sample of Illinois employers and require those employers to provide copies of their employee W-2s. Employers chosen by the Department will be required to file W-2s in the same manner they are required to file W-2s federally.
 - i) Employers with more than 250 employees in the State of Illinois will be required to provide the W-2s on magnetic

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tape, diskette, or cartridge meeting the specifications required by the Social Security Administration (see 26 CFR 301.6011-2).

- ii) All other employers may provide the W-2s on magnetic media or paper.
- D) An extension of time for providing statements requested by the Department shall be granted upon a showing of good cause.
- 2) For calendar years after 2007, payroll providers who withhold Illinois income tax for employers during the year and who are required to file copies of the W-2s on magnetic media under 26 CFR 301.6011-2 shall file copies of the W-2s with the Department using the same magnetic media used for their federal filing no later than March 31 of the year following the year of the withholding, unless a later due date is prescribed under federal law for filing the copies of the W-2, in which case filing of copies with the Department shall be due on the same date. (See IITA Sections 704(f) and 704A(f).)
- 3) For calendar years after 2007, with respect to copies of W-2s other than those required to be filed on magnetic media under subsection (b)(2):
- A) Every employer required under this Section or Section 100.7310 or 100.7350 to make a return of tax withheld from compensation for a period ending December 31, or for any period for which a return is made as a final return, shall retain a copy of each wage and tax statement on the combined W-2 required under Section 100.7200 to be furnished by the employer with respect to compensation paid during the calendar year. Every employer shall maintain copies of the combined W-2 forms until January 31 of the fourth year following that calendar year. If the Department makes a written request for copies of the combined W-2 forms, the copies shall be forwarded to the Department within 30 days after the written request.
 - B) If an employer issues a corrected copy of a combined W-2 to an employee for a prior calendar year (see Section 100.7200(d)), a copy shall be retained for a period of four years from the date fixed

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for filing the employer's return of tax withheld for the period ending December 31 of the year in which the correction is made, or for any period in the year for which the return is made as a final return. A statement explaining the corrections shall also be retained and, if the Department requests, a copy of the corrected W-2 shall be submitted within 30 days after the written request.

- C) Each year, the Department will contact a sample of Illinois employers and require those employers to provide copies of their employee W-2s.
 - D) An extension of time for providing statements requested by the Department shall be granted upon a showing of good cause.
- c) Payments of amounts withheld prior to January 1, 2008. Except as otherwise provided in Section 100.7310 or 100.7350, with respect to amounts withheld or required to be withheld prior to January 1, 2008:
- 1) Quarter-monthly tax payments. Every employer required to file a quarterly return under subsection (a) shall also file a quarter-monthly tax payment form if the amount of tax deducted and withheld during any quarter-monthly period plus the amount previously withheld and not remitted to the Department exceeds \$1,000. An employer need not file a quarter-monthly form if no quarter-monthly payment is due. Certain taxpayers with tax liabilities exceeding statutory thresholds are required to pay their tax liabilities by electronic funds transfer. 86 Ill. Adm. Code 750 sets forth the rules of the Department concerning payment of taxes by electronic funds transfer, as well as the statutory payment thresholds.
 - 2) Monthly tax payments. Every employer required to file a quarterly return under subsection (a) shall also file a monthly tax payment form if the amount of tax deducted and withheld during any calendar month plus the amount previously withheld and not remitted to this Department exceeds \$500 including amounts previously withheld and not remitted to the Department, but does not exceed \$1,000. An employer need not file a monthly form if no monthly payment is due. No monthly form is required for the third month in any calendar quarter. The information otherwise required to be reported on the monthly form for the third month in a calendar quarter shall be reported on the quarterly return filed for that

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quarter and no monthly form need be filed for that month.

- d) Payments of amounts withheld on or after January 1, 2008. Except as provided in Section 100.7310 or 100.7350, with respect to amounts withheld or required to be withheld on or after January 1, 2008:
- 1) Semi-weekly tax payments.
 - A) An employer who withheld or was required to withhold more than \$12,000 during the look-back period for a calendar year must make semi-weekly payments for the entire calendar year.
 - B) An employer who withholds or is required to withhold more than \$12,000 in any quarter of a calendar year is required to make semi-weekly payments of amounts withheld or required to be withheld during each remaining quarter of that calendar year and for the subsequent calendar year. (See IITA Section 704A(c)(1).)
 - 2) Monthly tax payments. An employer who is not required to make semi-weekly payments shall make monthly payments of taxes withheld or required to be withheld. (See IITA Section 704A(c)(3).)

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

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- 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 Action</u> :
1.20	Amendment
1.30	Amendment
1.88	Amendment
1.100	Amendment
1.240	Amendment
1.420	Amendment
1.450	Repeal
1.465	Amendment
1.480	Amendment
1.510	Amendment
1.530	Amendment
1.630	Amendment
1.720	Amendment
1.737	Amendment
1.770	Amendment
1.Appendix A	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: These amendments encompass numerous aspects of these rules. An overview of these is presented below, organized according to the order in which the rules appear.

Subpart A: Recognition Requirements

Section 1.20 is being revised to distinguish among the appropriate levels of authority over the plan a district must submit depending upon whether a school or the district itself has been placed on probation and to include a provision for changing the district's or school's status to "nonrecognized" if a required plan is not implemented or if areas of noncompliance are not resolved.

Updates are being made in **Section 1.30** for the sake of technical correctness in referring to accommodations in the State assessment that are afforded to students of limited English proficiency, and Section 1.30(c) will now specify when extensions of time will

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be made available to those students. This provision responds to P.A. 94-642, which amended Section 2-3.64 of the School Code to authorize ISBE to allow additional time "by rule". In addition, the labels used in describing students' scores on the Illinois Alternate Assessment are being revised. Finally, the rule on review and verification of assessment information has been updated to reflect the process and timelines now available with the Student Information System.

The changes in **Section 1.88** reflect approval by the U.S. Department of Education of an addendum we recently submitted to the portion of our Consolidated State Plan that relates to implementation of Title III under NCLB. We are also taking this opportunity to reverse the order in which "progress" and "proficiency" are discussed because federal documents discuss "progress" as "AMAO 1".

Several details are being added to **Section 1.100** so that staff of school districts and other eligible applicants will have more specific guidance as to what is expected as part of the process for receiving waivers and modifications of requirements stated in the School Code or ISBE's rules. These additions reflect current practice and will facilitate the work involved in processing applications for inclusion in the reports that ISBE is required to send to the General Assembly.

Subpart B: Governance

Section 1.240 is being amplified to include a reference to gender identity among the prohibited bases for discrimination because it may otherwise not be clear that gender identity is encompassed in the definition of sexual orientation.

Subpart D: The Instructional Program

Section 1.420 is being revised to provide added clarity to the agency's treatment of situations in which districts find they must use multiple sessions and situations when students are not in attendance for a full school day; to replace a detailed list of the topics to be covered in certain areas with cross-references to the statutory requirements; and to emphasize the meaning of the portion of the rule on library media programs that distinguishes between the services that may be performed only by certified library information specialists and the other tasks that may be inherent in districts' operation of their programs. Other updates in this Section respond to P.A. 95-863 and P.A. 95-869.

Section 1.450 is being repealed because its provisions are covered elsewhere in our rules, in law, or both.

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Sections 1.465 and 1.480 are being generally updated, including the insertion of current statutory citations.

Subpart E: Support Services

The main revision to **Section 1.510** will convey ISBE's interpretation that districts may not pick and choose among students in the same situation once they voluntarily elect to transport some students.

The principal changes in **Section 1.530** are being introduced in response to P.A. 95-496. That piece of legislation replaced a requirement for regional superintendents to withhold portions of general state aid payments from districts failing to comply with Section 27-8.1 of the School Code (Health Examinations and Immunizations) with language stating that ISBE "may" do so. This change requires the agency to identify in rule the circumstances under which these payments will be withheld.

Subpart F: Staff Certification Requirements

The material that is being added to **Section 1.630** as subsections (f) and (g) is being moved from Part 25 (Certification) because it deals with how districts may assign certain individuals rather than with how individuals receive particular credentials, the appropriate focus of Part 25. This is an organizational change rather than a substantive one.

Subpart G: Staff Qualifications

The amendment to **Section 1.720** is the same as a change being introduced in Part 25 for all other teachers. In both cases, only courses passed with grades no lower than "C" will count toward eligibility to teach in the affected grades. (Requirements for teachers in the middle grades are not currently addressed in Part 25 but rather in Section 1.720.)

Section 1.737 is being updated to complement new requirements for endorsements in safety and driver education that will take effect in 2012.

The language of **Section 1.770** is simply being updated; no substantive change is being made.

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Many of the certificates listed in **Appendix A** are no longer issued. None of these will be properly registered any more, since most have already been exchanged for more current types of certificates and any that might be presented in the future will also be exchanged. All these can now be deleted. Several minor technical corrections are also being made.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Is there any other proposed rulemaking 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 after the publication of this Notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (S-493)
Springfield, Illinois 62777

217/782-5270

Comments may also be submitted via e-mail, addressed to:

rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

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- 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: January 2008 and January 2009.

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 a: PUBLIC SCHOOL RECOGNITION

PART 1

PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: RECOGNITION REQUIREMENTS

Section

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

SUBPART B: SCHOOL GOVERNANCE

Section

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

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- 1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)
- 1.270 Book and Material Selection (Repealed)
- 1.280 Discipline
- 1.285 Requirements for the Use of Isolated Time Out and Physical Restraint
- 1.290 Absenteeism and Truancy Policies

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section

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

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section

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

SUBPART E: SUPPORT SERVICES

Section

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

SUBPART F: STAFF CERTIFICATION REQUIREMENTS

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Section

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

SUBPART G: STAFF QUALIFICATIONS

Section

- 1.705 Requirements for Supervisory and Administrative Staff
 - 1.710 Requirements for Elementary Teachers
 - 1.720 Requirements for Teachers of Middle Grades
 - 1.730 Minimum Requirements for Secondary Teachers and Specified Subject Area Teachers in Grades Six (6) and Above through June 30, 2004
 - 1.735 Requirements to Take Effect from July 1, 1991, through June 30, 2004
 - 1.736 Requirements to Take Effect from July 1, 1994, through June 30, 2004
 - 1.737 Minimum Requirements for the Assignment of Teachers in Grades 9 through 12 Beginning July 1, 2004
 - 1.740 Standards for Reading through June 30, 2004
 - 1.745 Requirements for Reading Teachers and Reading Specialists at all Levels as of July 1, 2004
 - 1.750 Standards for Media Services through June 30, 2004
 - 1.755 Requirements for Library Information Specialists Beginning July 1, 2004
 - 1.760 Standards for Pupil Personnel Services
 - 1.762 Supervision of Speech-Language Pathology Assistants
 - 1.770 Standards for Special Education Personnel
 - 1.780 Standards for Teachers in Bilingual Education Programs
 - 1.781 Requirements for Bilingual Education Teachers in Grades K-12
 - 1.782 Requirements for Teachers of English as a Second Language in Grades K-12
 - 1.790 Substitute Teacher
-
- 1.APPENDIX A Professional Staff Certification
 - 1.APPENDIX B Certification Quick Reference Chart (Repealed)
 - 1.APPENDIX C Glossary of Terms (Repealed)
 - 1.APPENDIX D State Goals for Learning
 - 1.APPENDIX E Evaluation Criteria – Student Performance and School Improvement Determination (Repealed)

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- 1.APPENDIX F Criteria for Determination – Student Performance and School Improvement (Repealed)
- 1.APPENDIX G Criteria for Determination – State Assessment (Repealed)

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

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

SUBPART A: RECOGNITION REQUIREMENTS

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Section 1.20 Operational Requirements

- a) Districts' and schools' recognition status is based upon compliance with the requirements imposed by law, including but not limited to the recognition standards established by the State Board of Education pursuant to Section 2-3.25 of the School Code and this Part, as modified or waived, if applicable, pursuant to Section 2-3.25g of the School Code and Section 1.100 of this Part.
- 1) No later than September 30 of each year, each school district shall apply for recognition of each school operated by the district. This application shall be submitted to the respective regional superintendent of schools through an electronic submission process established by the State [SuperintendentBoard](#) of Education, except that a district operated pursuant to Article 34 of the School Code [105 ILCS 5/Art. 34] shall submit its application directly to the State [SuperintendentBoard](#).
 - 2) No later than October 15 of each year, each regional superintendent of schools shall summarize, through an electronic process established by the State [SuperintendentBoard](#) of Education, the degree to which the schools in the districts for which he or she is responsible adhere to operational compliance requirements. The regional superintendent shall recommend the assignment of recognition status as applicable considering the compliance-related information supplied.
 - 3) As part of this process, the regional superintendent of schools shall periodically visit the region's school districts as he or she may deem necessary to ascertain the degree to which the districts' schools comply with operational requirements.
- b) Based upon the information provided by the district and the regional superintendent, the State [SuperintendentBoard](#) shall prepare a certificate of recognition status for each school and for each district as a whole and shall transmit these certificates to all districts. In each case, the recognition status assigned shall be either "Fully Recognized", "On Probation", "Recognized Pending Further Review", or "Nonrecognized".
- 1) Each school or district that meets the requirements imposed by law, including the requirements established by the State Board pursuant to Section 2-3.25 of the School Code and this Part, shall be fully recognized.

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- 2) A school or district shall be placed on probation if it:
 - A) exhibits deficiencies that present a health hazard or a danger to students or staff;
 - B) fails to offer required coursework;
 - C) employs personnel who lack the required qualifications and who are not in the process of attaining such qualifications;
 - D) fails or refuses to serve students according to relevant legal and/or regulatory requirements; and/or
 - E) prolongs or repeats instances of noncompliance to a degree that indicates an intention not to comply with relevant requirements.
 - 3) A school or district shall be recognized pending further review if it exhibits areas of noncompliance that:
 - A) are not serious enough to warrant probation as delineated in subsection (b)(2) of this Section; and
 - B) may be corrected prior to the end of the school year following the school year in which they were identified.
 - 4) A district shall be recognized pending further review whenever one or more of the district's schools are first removed from full recognition, whether recognized pending further review or placed on probation. The district shall subsequently be placed on probation if the instances of noncompliance cited for one or more schools have not been corrected within the time allowed under subsection (b)(3)(B) of this Section.
- c) The recognition status of a district or a school may be changed by the State Board of Education at any time to reflect information confirmed during compliance monitoring or by any other means.
 - d) The superintendent of a district that is recognized pending further review or in which one or more schools are recognized pending further review may, within 30

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days after receipt of notification to this effect, request a conference at which representatives of the district will have an opportunity to discuss compliance issues with representatives of the State Board of Education.

- e) The State Superintendent shall schedule a conference with the superintendent of a district that is placed on probation, or in which one or more schools are placed on probation, at which representatives of the district will discuss compliance issues with representatives of the State Board of Education. Within 60 days following this conference, the school district shall submit to the regional superintendent of schools and the State Superintendent of Education a corrective plan that conforms to the requirements of subsection (f) of this Section ~~and is signed by the secretary of the local board of education as evidence that the board adopted a resolution authorizing its submission.~~
- 1) If the plan is required to relate to areas of noncompliance at the district level, the plan shall be signed by the secretary of the local board of education as evidence that the board adopted a resolution authorizing its submission.
 - 2) If the plan is required to relate to areas of noncompliance at one or more schools, the plan shall be signed by the district superintendent and each affected principal.
- f) The State Superintendent of Education shall respond to the submission of a plan within 15 days after receiving it and may consult with the regional superintendent of schools to determine the appropriateness of the actions proposed by the district to correct the cited deficiencies. The State Superintendent shall approve a plan if it:
- 1) specifies steps to be taken by the district that are directly related to the area or areas of noncompliance cited;
 - 2) provides evidence that the district has the resources and the ability to take the steps described without giving rise to other issues of compliance that would lead to probationary status; and
 - 3) specifies a timeline for correction of the cited deficiencies that is demonstrably linked to the factors leading to noncompliance and is no longer than needed to correct the identified problems.

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- g) If a district's plan is not approvable under subsection (f) of this Section, the State Superintendent shall notify the district to this effect. If no plan is submitted, or if no approvable plan is received within 60 days after the district's conference with the State Board, the status of the district, or of the affected school or schools, as applicable, shall be changed to "nonrecognized".
- h) If, at any time while a plan for corrective action is in effect, the State Superintendent determines that the agreed-upon actions are not being implemented in accordance with the plan or the underlying areas of noncompliance are not being remedied, the status of the district, or of the affected school or schools, as applicable, shall be changed to "nonrecognized".
- i) The superintendent of a district that is nonrecognized pursuant to this Section, or in which one or more schools are nonrecognized pursuant to this Section, may request a conference with representatives of the State Board of Education within 15 days after receipt of notification to this effect. (See Section 1.95 of this Part for procedures related to nonrecognition pursuant to Section 2-3.25f of the School Code [105 ILCS 5/2-3.25f].)
- 1) If a conference is requested by a superintendent on behalf of a nonrecognized school or district and the areas of concern are not resolved, the State Superintendent shall furnish the school board with a Notice of Opportunity for Hearing. The school board may submit an appeal by adopted board resolution within 15 days after receipt of the notice. The appeal must identify the specific findings with which the district disagrees. The district will be given a hearing in accordance with the State Board's rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). A final decision shall be rendered by the State Board of Education.
- 2) If no conference is requested, the district shall be deemed not to intend to appeal the nonrecognition.
- ji) Neither a district nor a school shall be nonrecognized under this Section without first having been placed on probation. A district that is nonrecognized, or in which one or more schools are nonrecognized, shall be subject to the provisions of Section 18-8.05(A)(3)(a) of the School Code [105 ILCS 5/18-8.05(A)(3)(a)].

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

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Section 1.30 State Assessment

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

- a) Development and Participation
 - 1) Assessment instruments and procedures shall meet generally accepted standards of validity and reliability as stated in "Standards for Educational and Psychological Testing" (1999), published by the American Educational Research Association, 1230 17th St., N.W., Washington, D.C. 20036. (No later amendments to or editions of these standards are incorporated.)
 - 2) Districts shall participate in special studies, tryouts, and/or pilot testing, field testing, and/or norm testing of these assessment procedures and instruments when one or more schools in the district are selected to do so by the State Superintendent.
 - 3) A school shall generally be selected for participation in these special studies, tryouts, and/or pilot testing, and/or field testing no more than once every four years, except that participation may be required twice every four years in the case of the Illinois Alternate Assessment.
 - 4) *All pupils enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with the Charter Schools Law [105 ILCS 5/Art. 27A], a school operated by a regional office of education under Section 13A-3 of the School Code [105 ILCS 5/13A-3], or a public school administered by a local public agency or the Department of Human Services shall be required to participate in the State assessment, whether by taking the regular assessment, with or without accommodations, or by participating in an accommodated or alternate form of the assessment (Sections 2-3.25a and 2-3.64 of the School Code).*

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- A) Students who are served in any locked facility that has a State-assigned RCDTS (region/county/district/type/school) code, students who attend public university laboratory schools under Section 18-8.05(K) of the School Code, and students beyond the age of compulsory attendance (other than students with IEPs) whose programs do not culminate in the issuance of regular high school diplomas are not required to participate in the State assessment.
- B) It is the responsibility of each district or other affected entity to ensure that all students required to participate in the State assessment do so. See also Section 1.50 of this Part.
- 5) Each district or other affected entity shall ensure the availability of reasonable accommodations for participation in the State assessment by students with disabilities, [as reflected in those students' IEPs or plans developed under Section 504 of the Rehabilitation Act of 1973 \(29 USC 794\)](#), or limited English proficiency.
- b) Assessment Procedures
- 1) All assessment procedures and practices shall be based on fair testing practice, as described in "Code of Fair Testing Practices in Education" (2004), published by the Joint Committee on Testing Practices of the American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, 750 First Avenue, N.E., Washington, D.C. 20002-4242. (No later amendments to or editions of this code are incorporated.)
- 2) Districts and other affected entities shall protect the security and confidentiality of all assessment questions and other materials that are considered part of the approved State assessment, including but not necessarily limited to test items, reading passages, charts, graphs, and tables.
- 3) Districts shall promptly report to the State Superintendent all complaints received by the district of testing irregularities. A district shall fully investigate the validity of any such complaint and shall report to the State Superintendent the results of its investigation.

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- c) **Accommodated Assessment**
Students who have been identified at the local level as having limited proficiency in English as provided in 23 Ill. Adm. Code 228.15, including students not enrolled in programs of bilingual education, may participate in an accommodated ~~form of the~~ State assessment, subject to the limitations set forth in Section 2-3.64 of the School Code. A student with limited proficiency in English shall be afforded extra time for completion of the State assessment when, in the judgment of the student's teacher, extra time is necessary in order for the student's performance to reflect his or her level of achievement more accurately, provided that each test must be completed in one session. ~~A student of limited proficiency in English may, however, participate in the regular assessment for his or her grade if, in the judgment of the district or the student's parent, the regular State assessment is more appropriate for that student.~~ See also Section 1.60(b) of this Part.
- d) **Alternate Assessment**
Students with significant cognitive disabilities whose Individualized Education Programs identify the regular State assessment as inappropriate for them even with accommodations shall participate in the Illinois Alternate Assessment (IAA) for all subjects tested. See also Section 1.60(c) of this Part.
- e) **Review and Verification of Information**
Each school district and each charter school shall have an opportunity to review and, if necessary, correct the preliminary data generated from the administration of the State assessment, including information about the participating students as well as the scores achieved.
- 1) Within ~~1030~~ days after the preliminary data for a particular assessment are made available, each district or charter school shall make any necessary corrections to its demographic and score data and then use a means prescribed by the State Board to indicate either:
- A) that both its demographic and preliminary data are correct; or
- B) that it is requesting rescoring of some or all portions of the assessment for specific students ~~unresolved problems still exist within its data.~~

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- 2) ~~When in cases where districts request rescoring unresolved problems still exist~~, staff of the State Board and/or its contractor shall have an additional period of ~~21~~15 days within which to work with the affected district or charter school to make ~~any resulting~~the necessary corrections.
 - 3) At the end of the ~~21-day~~15-day period discussed in subsection (e)(2) of this Section, all districts' and charter schools' data shall stand as the basis for the applicable school report cards and determination of status. Any inaccuracies that are believed to persist at that time shall be subject to the appeal procedure set forth in Section 1.95 of this Part.
- f) Reports of State Assessment Results
- 1) Following verification of the data under subsection (e) of this Section, the State Board shall send each school and district a report containing final information from the results of each administration of the State assessment.
 - A) The scores of students who are served by cooperatives or joint agreements, in Alternative Learning Opportunities Programs established under Article 13B of the School Code, by regional offices of education under Section 13A-3 of the School Code, by local agencies, or in schools operated by the Department of Human Services, scores of students who are served in any other program or school not operated by a school district and who are scheduled to receive regular high school diplomas, all scores of students who are wards of the State, and all scores of students who have IEPs, shall be reported to the students' respective districts of residence and to the schools within those districts that they would otherwise attend.
 - B) The scores of students enrolled in charter schools shall be reported to the chief administrator of the charter school and to any school district serving as a chartering entity for the charter school.
 - 2) Each report shall include, as applicable to the receiving entity:

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- A) results for each student to whom the State assessment was administered (excluding any scores deemed by the State Board to be invalid due to testing irregularities); and
- B) summary data for the school and/or district and the State, including but not limited to raw scores, scale scores, comparison scores, including national comparisons when available, and distributions of students' scores among the applicable proficiency classifications (see subsection (h) of this Section).
- g) Each school district and each charter school shall receive notification from the State Board of Education as to the status of each affected school and the district based on the attainment or non-attainment of adequate yearly progress as reflected in the final data. These determinations shall be subject to the appeal process set forth in Section 1.95 of this Part.
- h) **Classification of Scores**
Each score achieved by a student on a regular, ~~accommodated~~, or alternate State assessment shall be classified among a set of performance levels, as reflected in score ranges that the State Board shall disseminate at the time of testing, for the purpose of identifying scores that "demonstrate proficiency".
- 1) Each score achieved by a student on a regular State assessment (i.e., the Illinois Standards Achievement Test (ISAT) or the Prairie State Achievement Exam (PSAE)), ~~as well as each score achieved on the accommodated State assessment~~, shall be classified as "academic warning", "below standards", "meets standards", or "exceeds standards". Among these scores, those identified as either meeting or exceeding standards shall be considered as demonstrating proficiency.
- 2) Each score achieved by a student on the Illinois Alternate Assessment shall be classified as "entry"~~"attempting"~~, "foundational"~~"emerging"~~, "satisfactory"~~"progressing"~~, or "mastery"~~"attaining"~~. Among these scores, those identified as "satisfactory"~~"progressing"~~ or "mastery"~~"attaining"~~ shall be considered as demonstrating proficiency.
- i) **Scores Relevant to Adequate Yearly Progress**
For purposes of determining whether a district or a school has made adequate yearly progress, scores achieved on a State assessment in reading or mathematics

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

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

Section 1.88 Additional Accountability Requirements for Districts Serving Students of Limited English Proficiency Under Title III

This Section implements section 3122 of the No Child Left Behind Act of 2001 (NCLB) (20 USC 6842), which requires that states establish "Annual Measurable Achievement Objectives" (AMAOs) for educational agencies that use funds provided under Title III of the Act to serve students of limited proficiency in English and hold those entities accountable for meeting those objectives. Further, this Section implements section 3113(b)(5) of NCLB (20 USC 6823), which requires states to hold local educational agencies and schools accountable for meeting all the objectives described in NCLB section 3122.

- a) The three distinct AMAOs address ~~proficiency~~, progress, proficiency, and adequate yearly progress (AYP), respectively, in connection with students taking the annual English language proficiency examination prescribed by the State Board of Education in 23 Ill. Adm. Code 228 (Transitional Bilingual Education). These objectives shall apply at the district or cooperative level, as applicable, i.e., based on the test scores achieved by all the students served by each entity that receives Title III funding. In order to "meet AMAOs" for any given year, a district or cooperative must achieve all of the applicable objectives described in this subsection (a).
 - 1) "Progress" relates to the percentage of students whose scores on a given administration of the English language proficiency examination increased in comparison to their previous scores by at least .5 of a level of attainment on any one of the four domains (listening, speaking, reading, and writing) or reflect the maximum attainable level in any one of the four domains. The Illinois annual progress objective shall be 85 percent and shall apply, provided that the number of students tested is no fewer than

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45. A student's score shall be counted for this purpose only if he or she has participated in at least two administrations of the State-prescribed English language proficiency examination. The scores of students tested but not being served in bilingual education programs shall not be counted for this purpose.

- 2) "Proficiency" relates to the percentage of students who attained the score identified by the State Board of Education (ISBE) as demonstrating English language proficiency and eligibility to exit bilingual education. The Illinois annual proficiency objective shall be 10 percent. This objective shall apply provided that the number of students tested is no fewer than 4530. The scores of students tested but not being served in bilingual education programs shall not be counted for this purpose.
 - 2) ~~"Progress" relates to the percentage of students whose scores on a given administration of the English language proficiency examination increased in comparison to their previous scores by at least .5 of a level of attainment on any one of the four domains (listening, speaking, reading, and writing). The Illinois annual progress objective shall be 85 percent and shall apply provided that the number of students tested is no fewer than 30. A student's score shall be counted for this purpose only if he or she has received two consecutive scores while being served by the same district or cooperative. The scores of students tested but not being served in bilingual education programs shall not be counted for this purpose.~~
 - 3) "Adequate yearly progress" or "AYP" has the meaning given to that term in Section 1.40 of this Part, except that, for purposes of this Section, AYP is specific to the scores earned on the reading and mathematics portions of the State assessment by students with limited proficiency in English, to their participation in the State assessment, and to their attendance or graduation rate, as applicable. The AYP objective shall apply only when the number of students served is treated as a subgroup under Section 1.60(a) of this Part.
- b) In order to avoid penalizing districts and cooperatives for the decision bias that is associated with drawing inferences from a small distribution, a 95 percent "confidence interval" shall be applied to the data involved in each calculation discussed in subsection (a) of this Section. (A confidence interval is a

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

- c) The scores of all students served by a cooperative shall be analyzed as one group for purposes of determining whether the cooperative has met AMAOs in a given year. The determination for a cooperative shall also apply to each of its member districts.
- d) Section 3122(b) of NCLB requires entities funded under Title III that fail to reach AMAOs for two consecutive years to prepare improvement plans designed to ensure that the entities will meet those objectives in the future. Each entity that is subject to this requirement shall submit its plan no later than six months after it receives notification from ISBE of its failure to meet AMAOs for the second consecutive year. Should a district or cooperative elect not to apply for Title III funding in the subsequent year, it shall be required to submit an improvement plan before it next applies, unless data on the performance of its students demonstrate that the entity met AMAOs in the most recent year preceding its new application for funding. ISBE shall not approve an application for Title III funds from an entity that is subject to this requirement until its plan has been submitted.
- e) When an entity funded under Title III has failed to reach AMAOs for four consecutive years, ISBE shall, as required by section 3122(b)(4) of NCLB:
 - 1) require the entity to modify its curriculum, program, and method of instruction; or
 - 2) make a determination regarding the entity's continued receipt of funds under Title III and require the entity to replace educational personnel relevant to the entity's failure to meet the achievement objectives.
- f) The sanctions chosen pursuant to subsection (e) of this Section shall be identified based upon ISBE's analysis of the factors that prevented the entity from attaining the AMAOs, including those factors presented in the improvement plan submitted in accordance with subsection (d) of this Section. In particular, ISBE shall deny continued Title III funding to an entity that:
 - 1) fails or refuses to serve students according to relevant legal and/or regulatory requirements; or

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- 2) prolongs or repeats instances of noncompliance to a degree that indicates an intention not to comply with relevant requirements.

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

Section 1.100 Waiver and Modification of State Board Rules and School Code Mandates

- a) As authorized in Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g], a school district or independent authority established pursuant to Section 2-3.25f of the School Code [105 ILCS 5/2-3.25f], *a joint agreement made up of school districts, or a Regional Superintendent of Schools applying on behalf of a school or program operated by the regional office of education*, or, as authorized under Sections 13A-5 and 13A-10 of the School Code [105 ILCS 5/13A-5 and 13A-10] with respect to regional safe schools programs, the governing board of an Intermediate Service Center operating such a program may petition for:
 - 1) State Board approval of waivers or modifications of State Board of Education rules and of modifications of School Code mandates to allow a district to meet the intent of the rule or mandate in a more effective, efficient or economical manner or when necessary to stimulate innovation or to improve student performance; and/or
 - 2) General Assembly approval of waivers of School Code mandates as necessary to stimulate innovation or improve student performance.
- b) "The School Code" comprises only those statutes compiled at 105 ILCS 5. Waivers from State Board rules or School Code mandates pertaining to special education, teacher certification, or teacher tenure and seniority are not permitted (Section 2-3.25g of the School Code). Waivers of mandates contained in Section 5-1 of the School Code [105 ILCS 5/5-1] or in Section 5-2.1 of the School Code [105 ILCS 5/5-2.1] also shall not be requested. Further, pursuant to Section 2-3.25g of the School Code, *wavers may not be requested from compliance with any provision of the School Code or the rules of the State Board of Education that reflects or implements the No Child Left Behind Act of 2001 (Public Law 107-110)*, which shall include all requirements for:
 - 1) the entities to be held accountable for the achievement of their students;
 - 2) the participation of students in the various forms of the State assessment;

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- 3) the timing of administration of the State assessment;
 - 4) the use of students' scores on the State assessment in describing the status of schools, districts, and other accountable entities;
 - 5) the use of indicators other than test scores in determining the progress of students;
 - 6) the required qualifications of paraprofessionals;
 - 7) the placement of schools not making adequate yearly progress on academic early warning status or academic watch status, and the results to schools and districts that follow from such placement;
 - 8) the district's responsibility to prepare revised school and/or district improvement plans in response to placement on academic warning or watch status;
 - 9) the appointment of school or district improvement panels for schools or school districts on academic watch status;
 - 10) the use of State interventions according to the timeline set forth in Section 2-3.25f of the School Code; and
 - 11) the appeals process set forth in Section 1.95 of this Part, and the authority of the State Board of Education to make final determinations on such appeals.
- c) Each application for a waiver or modification shall provide the following, on a form supplied by the State Board of Education.
- 1) Identification of the rules or mandates involved, either by quoting the exact language of or by providing a citation to the rules or mandates at issue. Applicants unable to determine the exact language or citation may obtain a copy of, or citation to, the rules or mandates involved by contacting the State Board of Education Legal Department by mail at 100 North First Street, Springfield, Illinois, 62777-0001, or by telephone at 217-782-5270.

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- 2) Identification as to the specific waivers and/or modifications sought. For modifications, the specific modified wording of the rules or mandates must be stated.
- 3) Identification as to whether the request is for an initial waiver or modification or for the renewal of a previously approved request. Renewals of waivers and modifications of Section 27-6 of the School Code [105 ILCS 5/27-6] shall be subject to the requirements of subsection (l) of this Section.
- 4) For requests based upon meeting the intent of the rule or mandate in a more effective, efficient, or economical manner, a narrative description that sets forth:
 - A) the intent of the rule or mandate to be achieved,
 - B) the manner in which the applicant will meet that intent,
 - C) how the manner proposed by the applicant will be more effective, efficient or economical, and
 - D) if the applicant proposes a more economical manner, a fiscal analysis showing current expenditures related to the request and the projected savings that would result from approval of the request.
- 5) If the request is necessary for stimulating innovation or improving student performance, the request must include the specific plan for improved student performance and school improvement upon which the request is based. This plan must include a description of how the applicant will determine success in the stimulation of innovation or the improvement of student performance.
- 6) If the request is for a waiver of the [administrativeadministration](#) expenditure limitation established by Section 17-1.5 of the School Code [105 ILCS 5/17-1.5], the request must include the amount, nature, and reason for the requested relief and all remedies that have been exhausted to comply with the [administrativeadministration](#) expenditure limitation

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and shall otherwise comply with Section 17-1.5(d) of the School Code.

- 7) The time period for which the waiver or modification is sought. Pursuant to Section 2-3.25g of the School Code, this time period may not exceed five years, except for requests made pursuant to subsection (c)(6) of this Section, which may not exceed one year (see Section 17-1.5(d) of the School Code), and except for requests for relief from the mandate set forth in Section 27-6 of the School Code, which may not exceed two years.
 - 8) A description of the public hearing held to take testimony about the request from educators, parents and students, which shall include the information required by Section 2-3.25g of the School Code.
 - 9) An assurance stating the date of the public hearing conducted to consider the application and, if applicable, the specific plan for improved student performance and school improvement; affirming that the hearing was held before a quorum of the board or before the regional superintendent, as applicable, and that it was conducted held as prescribed in Section 2-3.25g of the School Code; and stating the date the application (and, if applicable, the plan) was approved by the local governing board or regional superintendent.
- d) Each applicant must attach to the application a copy of the notice published in a newspaper of general circulation and a copy of the written notifications provided to the applicant's collective bargaining agent and to those State legislators representing the applicant, each of which must comply with the requirements of Section 2-3.25g of the School Code.
 - e) Applications must be sent by certified mail, return receipt requested, and addressed as specified on the application form.
 - f) Applications must be postmarked not later than 15 calendar days following the local governing board's approval. Applications addressed other than as specified on the application form shall not be processed.
 - g) Applications for the waiver or modification of State Board rules or for the modification of School Code mandates shall be deemed approved and effective 46 calendar days after the date of receipt by the State Board of Education unless disapproved in writing. Receipt by the State Board shall be determined by the

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date of receipt shown on the return receipt form, except in the case of an incomplete application.

- 1) An applicant submitting an incomplete application shall be contacted by staff of the State Board regarding the need for additional information and the date by which the information must be received in order to avoid the application's return as ineligible for consideration.
 - 2) The 45-day response time referred to in this subsection (g) shall not commence until the applicant submits the additional material requested by the State Board, ~~which shall be sent by certified mail, return receipt requested.~~
 - 3) Each application that has not been made complete by the date identified in accordance with subsection (g)(1) of this Section shall be ineligible for consideration and shall be returned to the applicant with an explanation as to the deficiencies.~~Incomplete requests will not be considered.~~
- h) The State Board may disapprove a request for the waiver or modification of State Board rules or for the modification of School Code mandates if the request:
- 1) is not based upon sound educational practices,
 - 2) endangers the health or safety of students or staff,
 - 3) compromises equal opportunities for learning, or
 - 4) does not address the intent of the rule or mandate in a more effective, efficient or economical manner or does not have improved student performance as a primary goal.
- i) Disapproval of an application for a waiver or modification of a State Board rule or for a modification of a School Code mandate shall be sent by certified mail to the applicant no later than 45 calendar days after receipt of the application by the State Board. An applicant wishing to appeal the denial of a request may do so within 30 calendar days after receipt of the denial letter by sending a written appeal by certified mail to the Illinois State Board of Education, Rules and Waivers Unit, 100 North First Street, S-493, Springfield, Illinois 62777-0001. The written appeal shall include the date the local governing board approved the

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original request, the citation of the rule or School Code section involved, and a brief description of the issue. Appeals of denials shall be submitted to the General Assembly in the semiannual report required under Section 2-3.25g of the School Code.

- j) ~~The State Superintendent of Education shall periodically notify school districts and other potential applicants of the date by which applications must be postmarked in order to be processed for inclusion in the next report to the General Assembly. Each application~~Applications for General Assembly approval of ~~waivers of School Code mandates~~ will be reviewed for completeness. ~~Each incomplete application shall be returned to the applicant with an explanation as to the deficiencies.~~ Complete applications shall be submitted to the General Assembly in the ~~next semiannual report required under Section 2-3.25g of the School Code.~~ Incomplete applications shall be treated as discussed in subsections (g)(1) and (g)(3) of this Section.~~The State Board of Education shall periodically notify school districts and other potential applicants of the date by which applications must be postmarked in order to be processed for inclusion in the next report to the General Assembly.~~
- k) The State ~~Superintendent~~Board of Education shall notify Regional Superintendents of Schools of the disposition of requests for waivers or modifications submitted by school districts located within their regions.
- l) The limitation on renewals established in Section 2-3.25g(e) of the School Code shall apply to each waiver or modification of Section 27-6 of the School Code that is approved on or after January 1, 2008. Once an eligible applicant has received approval for a waiver or modification of that Section on or after January 1, 2008, any request submitted by that applicant for a subsequent time period shall be considered a renewal request, regardless of the rationale for the request or the schools or students to be affected. No applicant shall receive approval for more than two renewals after January 1, 2008, and no applicant shall receive approval for more than six years cumulatively beginning with that date.

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

SUBPART B: SCHOOL GOVERNANCE

Section 1.240 Equal Opportunities for all Students

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- a) All students within a school district must be provided equal opportunities in all education programs and services provided by the system (see Section 10-20.12 of the School Code).
- b) No school system may *exclude or segregate any pupil*, or discriminate against any pupil on the basis of *color, race, nationality, religion, sex, sexual orientation, gender identity, ancestry, age, marital status, or physical or mental handicap* [775 ILCS 5/1-102(A)] or status of being homeless [105 ILCS 45/1-5 and 42 USC 11434a(2)]. Further, no school system may deny access to its schools or programs to students who lack documentation of their immigration status or legal presence in the United States, and no school system may inquire about the immigration status of a student (*Plyler v. Doe*, 457 U.S. 202 (1982)). In order to comply with this subsection (b), the documents required by a school system as proof of residency for a student, when taken together, shall not result in a requirement for proof of legal presence, such as a Social Security number. That is, the permissible combinations of documents must be sufficiently variable to afford an opportunity for those who lack proof of legal presence or immigration status to meet the stated requirements. No school district shall impose requirements for enrollment more restrictive than those established under relevant Illinois and federal law. For example, no school system shall require court-ordered guardianship when an individual enrolling a student meets the legal custody requirements of Section 10-20.12b(a)(2)(iv) or (v) of the School Code [105 ILCS 5/10-20.12b(a)(2)(iv) or (v)], and each school system shall immediately enroll and serve homeless children without requiring the provision of any documentation, in accordance with the Illinois Education for Homeless Children Act [105 ILCS 45] and the McKinney-Vento Homeless Education Assistance Act [42 USC 11434].
- c) The board of education shall submit periodic reports as required by the State Board of Education detailing pupil attendance, faculty assignments, and actions taken and planned to prevent and eliminate segregation.

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

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.420 Basic Standards

- a) Class schedules shall be maintained in the administrative office in each

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attendance center of a school district.

- b) Every school district shall have an organized plan for recording pupil progress and/or awarding credit, [including credit for courses completed by correspondence, on line, or from other external sources](#), that can be disseminated to other schools within the State.
- c) Every school district shall:
 - 1) Provide curricula and staff inservice training to help eliminate unconstitutional and unlawful discrimination in our schools and society. School districts shall utilize the resources of the community in achieving the stated objective of elimination of discrimination and to enrich the instructional program.
 - 2) Include in its instructional program concepts designed to improve students' understanding of and their relationships with individuals and groups of different ages, sexes, races, national origins, religions, and socio-economic backgrounds.
- d) Boards shall adopt and implement a policy for the distribution of teaching assignments, including study hall and extra class duties and responsibilities.
- e) Every school system shall conduct supervisory and inservice programs for its professional staff. The staff shall be involved in planning, conducting, and evaluating supervisory and inservice programs.
- f) Sections 10-19, 18-8.05, and 18-12 of the School Code [105 ILCS 5/10-19, 18-8.05, and 18-12] establish certain requirements regarding the school year and the school day. School districts shall observe these requirements when preparing their calendars and when calculating average daily attendance for the purpose of claiming general State financial aid.
 - 1) Section 18-8.05(F)(2)(c) of the School Code provides that, with the approval of the State Superintendent of Education, four or more clock-hours of instruction may be counted as a day of attendance when the regional superintendent certifies that, [due to a condition beyond the control of the district](#), the district has been forced to use multiple sessions. The State Superintendent's approval will be granted when the district

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demonstrates that, due to a condition beyond the control of the district, its facilities are inadequate to house a program offering five clock-hours daily to all students.

A) The district superintendent's request to the State Superintendent shall be accompanied by an assurance that the local school board has approved the plan for multiple sessions, including the date of the meeting at which this occurred, and evidence of the approval of the responsible regional superintendent. The State Superintendent's approval shall be requested before the beginning of the school year.

B) Each~~The school district's~~ request shall include a description of the circumstances that resulted in the need for multiple sessions; information on the buildings and grades affected; the intended beginning and ending dates for the multiple sessions; copy of the minutes of the meeting at which the board of education approved the plan for multiple sessions; a plan for remedying the situation leading to the request; and a daily schedule showing that each student will be in class for at least four clock-hours.

C) Approval for multiple sessions shall be granted for the school year to which the request pertains. Each request for renewed approval shall conform to the requirements of subsections (f)(1)(A) and (B) of this Section.

D) Students who are in attendance for at least 150 minutes of school work but fewer than 240 minutes may be counted for a half day of attendance. Students in attendance for fewer than 150 minutes of school work shall not be counted for purposes of calculating average daily attendance.~~Requests for extensions of the State Superintendent's approval shall be made annually prior to the opening of school.~~

2) Section 18-8.05(F)(2)(h) of the School Code allows for a determination under rules of the State Board regarding the necessity for a second year's attendance at kindergarten for certain students so they may be included in a district's calculation of average daily attendance. Districts may count such students when they determine through an assessment of their

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individual educational development that a second year of kindergarten is warranted.

- 3) A school district shall be considered to have conducted a legal school day, which is eligible to be counted for General State Aid, when the following conditions are met during a work stoppage.
 - A) Fifty percent or more of the district's students are in attendance, based on the average daily attendance during the most recent full month of attendance prior to the work stoppage.
 - B) Educational programs are available at all grade levels in the district, in accordance with the minimum standards set forth in this Part.
 - C) All teachers hold certificates that are registered with the Regional Superintendent for their county of employment. Other than substitute teachers, certification appropriate to the grade level and subject area(s) of instruction is held by all teachers.
- 4) Attendance for General State Aid Purposes
 - A) For purposes of determining average daily attendance on the district's General State Aid claim, students in full-day kindergarten and first grade may be counted for a full day of attendance only when they are in attendance for four or more clock hours of school work; provided, however, that students in attendance for more than two clock hours of school work but less than four clock hours may be counted for a half day of attendance. [Students in attendance for fewer than two hours of school work shall not be counted for purposes of calculating average daily attendance.](#)
 - B) For purposes of determining average daily attendance on the district's General State Aid claim, students [enrolled full time](#) in grades 2 through 12 may be counted for a full day of attendance only when they are in attendance for five or more clock hours of school work; provided, however, that students in attendance for more than two and one-half clock hours of school work but less than five clock hours may be counted for a half day of attendance.

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[Students in attendance for fewer than two and one-half hours of school work shall not be counted for purposes of calculating average daily attendance.](#)

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

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- i) Career Education
- 1) The educational system shall provide students with opportunities to prepare themselves for entry into the world of work.
 - 2) Every district shall initiate a Career Awareness and Exploration Program that should enable students to make more meaningful and informed career decisions. This program should be available at all grade levels.
- j) Co-Curricular Activities
- 1) Programs for extra classroom activities shall provide opportunities for all students.
 - 2) The desires of the student body in the area of co-curricular activities shall be of critical importance. At all times, activities of this nature shall be carefully supervised by a school-approved sponsor.
- k) Consumer Education and Protection
- 1) A program in consumer education shall include at least the topics required by Section 27-12.1 of the School Code [105 ILCS 5/27-12.1]~~may include the following topics: the individual consumer in the marketplace, money management, consumer credit, human services (housing, food, transportation), clothing, health services, drugs and cosmetics, recreation, furnishings and appliances, insurance, savings and investments, taxes, and the consumer in our economy.~~
 - 2) The superintendent of each unit or high school district shall maintain evidence showing that each student has received adequate instruction in consumer education or has demonstrated proficiency by passing the Consumer Education Proficiency Test as required by law (see Section 27-12.1 of the School Code [105 ILCS 5/27-12.1]) prior to the completion of the 12th grade. Consumer education may be included in course content of other courses, or it may be taught as a separate required course.
 - 3) The minimal time allocation shall not be less than nine weeks or the equivalent for grades 9-12 and shall include installment purchasing, budgeting, comparison of prices and an understanding of the roles of

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consumers interacting with agriculture, business, trade unions, and government in formulating and achieving the goals of the mixed free enterprise system.

- 4) ~~Each district may use as a guideline the information set forth in "Consumer Education in Illinois Schools" issued by the State Board of Education.~~
- 5) Teachers instructing in consumer education courses shall hold certification valid for the grade levels taught and have completed~~have proper certification for the position to which they are assigned with~~ at least three semester hours in consumer education courses.
- l) Conservation of Natural Resources
Each district shall provide instruction on *current problems and needs in the conservation of natural resources, including, but not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides, preservation of wilderness areas, forest management, protection of wildlife, and humane care of domestic animals* (Section 27-13.1 of the School Code [105 ILCS 5/27-13.1]).
- m) Every school district has the responsibility to prepare students for full citizenship. To this end each school district should encourage student discussion and communication in areas of local, State, national and international concern.
- n) Health Education
- 1) Each school system shall provide a program in compliance with the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].
- A) There is no specific time requirement for grades K-6; however, health education shall be a part of the formal regular instructional program at each grade level.
- B) The minimal time allocation shall not be less than one semester or equivalent during the middle or junior high experience.
- C) The minimal time allocation shall not be less than one semester or

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equivalent during the secondary school experience.

- D) If health education is offered in conjunction with another course on a "block of time" basis in a middle school, a junior high school, or a high school, instruction may be offered in any combination of the grade levels in the school, provided that the total time devoted to health education is the equivalent of one full semester's work.
- 2) Nothing in this Section shall be construed as requiring or preventing the establishment of classes or courses in comprehensive sex education or family life education as authorized by Sections 27-9.1 and 27-9.2 of the School Code [105 ILCS 5/27-9.1 and 27-9.2] or by the Sex Education Act [105 ILCS 130].
- o) Library Media Programs
Each school district shall provide a program of library media services for the students in each of its schools. Each district's program shall meet the requirements of this subsection (o).
- 1) General
The program shall include an organized collection of resources that circulate to students and staff in order to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served. No later than the beginning of the 2014-15 school year, a district that relies solely upon the collection of a local public library shall maintain evidence that students receive instruction, direction, or assistance in locating and using resources that are applicable to these purposes from an individual who is qualified under Section 1.755 of this Part and who is acting on behalf of the school district.
- 2) Financial Resources
Each district's annual budget shall include an identifiable allocation for resources and supplies for the program, except that a unit district serving fewer than 400 students or an elementary or high school district serving fewer than 200 students may demonstrate that it is meeting its students' needs through alternate means that the district has determined are adequate in light of local circumstances.

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3) Facilities

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

4) Staff

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

A) In the event that no employee of the district holds any of the qualifications enumerated in Section 1.755 of this Part, the individual to whom direction of the program is assigned shall be required to participate annually in professional development consisting of:

- i) undergraduate or graduate coursework in library science offered by a regionally accredited institution of higher education; or
- ii) one or more workshops, seminars, conferences, institutes, symposia, or other similar training events that are offered by the Illinois State Library, a regional library system, or

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another professional librarians' organization; or

- iii) one or more "library academies" if these are made available by or at the direction of the State Superintendent of Education.

- B) A district that is otherwise unable to fulfill the requirements of this subsection (o)(4) shall ensure that the overall direction of the library media program (e.g., selection and organization of materials, provision of instruction in information and technology literacy, structuring the work of library paraprofessionals) is accomplished with the advice of an individual who is qualified pursuant to Section 1.755 of this Part.

p) Physical Education

- 1) Appropriate activity related to physical education shall be required of all students each day unless otherwise permitted by Section 27-6 of the School Code [105 ILCS 5/27-6]. The time schedule shall compare favorably with other courses in the curriculum. Safety education as it relates to the physical education program should be incorporated.
- 2) There shall be a definite school policy regarding credit earned each semester in physical education with provisions for allowable variables in special cases.
- 3) If a district determines that it is difficult to implement a program of physical education that involves all students daily, the administration should consult one of the program service personnel from the State Board of Education for assistance in the development of an acceptable program.
- 4) *The physical education and training course offered in grades 5 through 10 may include health education (Section 27-5 of the School Code [105 ILCS 5/27-5]).*
- 5) *Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act [225 ILCS 60], prevents their participation in the courses provided for normal children (Section 27-6 of the School*

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Code).

- 6) Pursuant to Section 27-6 of the School Code, a student who presents an appropriate excuse from his or her parent or guardian or from a person licensed under the Medical Practice Act of 1987 shall be excused from participation in physical education. Each school board shall honor excuses signed by persons licensed under the Medical Practice Act of 1987 and shall establish a policy defining the types of parental excuses it will deem "appropriate" for this purpose, which shall include, but need not be limited to, reliance upon religious prohibitions. A board shall, however, have no authority to honor parental excuses based upon students' participation in athletic training, activities, or competitions conducted outside the auspices of the school district. For each type of excuse that will be considered "appropriate", the school board shall identify in its policy any evidence or support it will require. For example, a board may require a signed statement from a member of the clergy corroborating the religious basis of a request.
 - 7) In addition, pursuant to Section 27-6(b) of the School Code, each school board that chooses to excuse pupils enrolled in grades 9 through 12 from engaging in physical education courses under that subsection shall establish a policy to excuse pupils on an individual basis and shall have the policy on file in the local district office. The district shall maintain records showing that, in disposing of each request to be excused from physical education, the district applied the criteria set forth in Section 27-6 to the student's individual circumstances.
- q) Pupil Personnel Services
To assure provision of Pupil Personnel Services, the local district shall conduct a comprehensive needs assessment to determine the scope of the needs in the areas of:
- 1) Guidance and Counseling Needs;
 - 2) Psychological Needs;
 - 3) Social Work Needs;
 - 4) Health Needs.

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- r) Social Sciences and History
Each school system shall provide history and social sciences courses that do the following:
- 1) analyze the principles of representative government, the Constitutions of both the United States and the State of Illinois, the proper use of the flag, and how these concepts have related and currently do relate in actual practice in our world (see Section 27-21 of the School Code [105 ILCS 5/27-21]);
 - 2) *include in the teaching of United States history the role and contributions of ethnic groups in the history of this country and the State* (Section 27-21 of the School Code);
 - 3) *include in the teaching of United States history the role of labor unions and their interaction with government in achieving the goals of a mixed free-enterprise system* (Section 27-21 of the School Code);
 - 4) *include the study of that period in world history known as the Holocaust* (Section 27-20.3 of the School Code [105 ILCS 5/27-20.3]);
 - 5) *include the study of the events of Black history, including the individual contributions of African-Americans and their collective socio-economic struggles* (Section 27-20.4 of the School Code [105 ILCS 5/27-20.4]); and
 - 6) *include the study of the events of women's history in America, including individual contributions and women's struggles for the right to vote and for equal treatment* (Section 27-20.5 of the School Code [105 ILCS 5/27-20.5]).
- s) Protective eye devices shall be provided to and worn by all students, teachers, and visitors when participating in or observing dangerous vocational arts and chemical-physical courses of laboratories as specified in Section 1 of the Eye Protection in School Act [105 ILCS 115/1]. Such eye protective devices shall meet the nationally accepted standards set forth in "Practice for Occupational and Educational Eye and Face Protection", ANSI Z87.1-2003, issued by the American National Standards Institute, Inc., 1819 L Street, NW, Suite 600, Washington, D.C. 20036. No later additions or amendments to these standards are

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incorporated by this Part.

- t) ~~Each school district shall provide instruction as required by Sections 27-13.2, 27-13.3, and 27-23.3 of the School Code [105 ILCS 5/27-13.2, 27-13.3, and 27-23.3]. In every public school there shall be instruction, study and discussion of effective methods by which pupils may recognize the danger of and avoid abduction. Such required instruction, study and discussion may be included in the courses of study regularly taught in the schools. In grades kindergarten through 8, such required instruction must be given each year to all pupils in those grades. (Section 27-13.2 of the School Code [105 ILCS 5/27-13.2])~~
- u) ~~School districts shall provide instruction in relation to the prevention of abuse of anabolic steroids in grades 7 through 12 and shall include such instruction in science, health, drug abuse, physical education or other appropriate courses of study. Such instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development. (Section 27-23.3 of the School Code [105 ILCS 5/27-23.3])~~

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

Section 1.450 Special Programs (Repealed)

- a) ~~Summer School
A school district may conduct summer school programs (Sections 10-22.33A and 34-18 of The School Code), and receive state reimbursement (The School Code, Section 18-8).~~
- b) ~~Evening School Credit Courses
The State Board of Education encourages the growth of new and creative programs to meet the needs of out-of-school youths and adults. Pursuant to the needs of such students, each high school shall adopt policies with reference to the awarding of credit for evening school courses on the same basis as courses taught in the day program. Experimental and pilot studies may be undertaken with approval of, and under the supervision of, the State Board of Education. If a program is approved in advance by the State Board of Education, a high school may issue credit for a course on the basis of qualitative attainment rather than on the time element.~~

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- e) ~~Boards of education shall adopt a definite policy regarding institutions that provide correspondence courses and the number of credits that will be applied toward graduation.~~
- d) ~~Programs for Children with Exceptional Needs~~
- 1) ~~Each local district, independently or in cooperation with other school districts, shall provide a comprehensive program of special education which will meet the needs of children ages 3 to 21 with the following exceptional characteristics (Article 14, The School Code):~~
- A) ~~Auditory, visual, physical, or health impairment;~~
- B) ~~Speech and/or language impairment;~~
- C) ~~Deficits in the essential learning of perception, conceptualization, memory, attention and/or motor control;~~
- D) ~~Deficits in intellectual development and mental capacity;~~
- E) ~~Educational maladjustment related to social and/or cultural circumstances;~~
- F) ~~Affective disorders and/or adaptive behavior which restricts effective functioning.~~
- 2) ~~These special education programs shall provide school psychological services and school social worker services (Sections 14-1.08 and 14-4.01 of The School Code).~~
- ~~AGENCY NOTE: See Subpart D, Section 1.420(u)~~
- 3) ~~Schools shall provide appropriate physical education programs for exceptional students.~~
- 4) ~~In those instances where a student's special needs cannot be met through the local or joint Special Education Program, the public school district may enroll the handicapped student in a private facility under Section 14-7.02 of The School Code. The placing school district shall follow the~~

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~~provisions of 23 Ill. Adm. Code 226, Special Education and place the handicapped student in a nonpublic facility that is properly registered under 23 Ill. Adm. Code 401, Nonpublic Special Education Facilities.~~

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

Section 1.465 Ethnic School Foreign Language Credit and Program Approval

- a) School boards of unit and secondary school districts ~~may~~shall have the power to award high school credit for the study of a foreign language in an ethnic school, provided that the amount of credit to be awarded is determined in accordance with Section 10-22.43a of ~~the~~The School Code ~~[105 ILCS 5/10-22.43a](Ill. Rev. Stat. 1983, ch. 122, par. 10-22.43a)~~, and that the credit is awarded for the study of a foreign language in an ethnic school program ~~that~~which has been approved by the State Board of Education in accordance with ~~this Section~~the standards set forth below.
- b) "Ethnic school" means *a part time private school which teaches the foreign language of a particular ethnic group as well as the culture, geography, history and other aspects of a particular ethnic group* ~~[105 ILCS 5/2-3.44](Ill. Rev. Stat. 1984 Supp., ch. 122, par. 2-3.44)~~.
- c) The State Superintendent of Education shall approve ethnic schools' foreign language ~~programs if they~~program(s) of an ethnic school which voluntarily seeks Illinois State Board of Education approval of its foreign language program(s) ~~shall~~ meet the following minimum standards:
- 1) Each teacher~~Teachers of the foreign language program(s)~~ shall possess at least a baccalaureate degree and have completed at least ~~20~~twenty semester hours of credit in the foreign language taught, both of which shall have been awarded by a regionally accredited college or university ~~recognized in accordance with Section 21-21 of The School Code (Ill. Rev. Stat. 1983, ch. 122, par. 21-21)~~.
 - 2) Each program~~The foreign language program(s)~~ shall contain at least 120 clock hours of instruction plus outside preparation for each unit of credit issued upon successful completion of ~~the~~such instruction, although less than a full unit of credit may also be awarded in proportion to the amount of instruction received.

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- d)3) ~~Each~~The school shall maintain and make available, upon request by ~~the~~ State Superintendent~~Board~~ of Education ~~or by officials of, and/or local~~ school ~~districts~~district officials to which students seek to transfer foreign language ~~credite~~redit(s), documentation ~~that~~which verifies compliance with ~~the~~ requirements of subsection (c) of this Section, including but not limited to ~~these~~ ~~minimum standards. Such documents may include: school~~ informational brochures,; course syllabi,; class schedules,; and ~~teachers'~~ official ~~teacher~~ transcripts.
- ~~ed~~) Annual application by an ethnic school for approval of its foreign language program shall be made on forms provided by the State Superintendent~~Board~~ of Education.
- ~~fe~~) Approval shall be granted on an annual basis provided that a previously approved ethnic school continues to comply with the minimum standards set forth in subsection (c) ~~of this Section~~.

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

Section 1.480 Correctional Institution Educational Programs

~~Pursuant to Section 13-40 of the School Code [105 ILCS 5/13-40], educational programs conducted for individuals incarcerated in facilities operated by the Department of Juvenile Justice are educational programs of a school district. Consequently, units~~ ~~The State Board of Education has recognized the school programs conducted by the Department of Corrections.~~ ~~Units~~ of credit earned ~~by students~~ while ~~they are incarcerated in the Department's facilities~~ ~~institutionalized~~ are ~~considered to be~~ transferable to ~~other~~the public schools.

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

SUBPART E: SUPPORT SERVICES

Section 1.510 Transportation

- a) Section 29-3 of the School Code [105 ILCS 5/29-3] requires the school boards of certain school districts to provide free transportation to pupils as delineated in that Section. These school districts may provide free transportation to other students in accordance with the remaining applicable provisions of Article 29 of the

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School Code [105 ILCS 5/Art. 29]. Districts that are not required to provide free transportation may do so at their option.

- b) Each district seeking State reimbursement for pupil transportation shall comply with the provisions of Article 29 of the School Code [and 23 Ill. Adm. Code 120 \(Pupil Transportation Reimbursement\)](#). [In order to qualify for reimbursement, school districts not required to provide transportation pursuant to a specific Section of Article 29 that elect to do so must afford the same service to all eligible pupils. For example, if a district is not required to transport students under Section 29-3 of the School Code \[105 ILCS 5/29-3\] but elects to transport some students residing more than 1½ miles from their attendance centers, then the district must transport all students in that same situation in order to claim reimbursement for any transportation service.](#)
- c) Each district that is required to provide free transportation has the responsibility of providing sufficient buses for transporting all eligible pupils.
- d) Each school district is required to conform to the equipment standards and regulations established by the Department of Transportation.
- e) Each local school board that provides transportation shall designate a person under its direct supervision to ensure adherence to all laws and regulations affecting safe pupil transportation.
- f) School bus routing is the responsibility of the local school board. School districts shall arrange school bus stops to maximize safety, so that buses will not have to back up, and so that crossing arms will not infringe upon pedestrian crosswalks or cross streets. School buses are not required to enter private property.
- g) Local school boards shall institute policies and practices that promote the safety and well-being of school bus passengers, including provisions that support Section 10-22.6(b) of the School Code [105 ILCS 5/10-22.6(b)]. Local school boards shall require that all school bus drivers who transport pupils have been trained as discussed in Section 1.515 of this Part. The requirements set forth in subsections (h) through (n) of this Section shall serve as minimum statewide requirements for operating a school bus. Transportation for students who receive special education and related services shall be as set forth in the State Board's rules for Special Education (23 Ill. Adm. Code 226). Local school boards may adopt more stringent requirements, at their discretion.

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- h) Operation of the Bus by the Driver
 - 1) The service door shall be closed at all times when the bus is in motion.
 - 2) Windows shall not be lowered below the stop line painted on the body pillar.
 - 3) The emergency door shall be unlocked but securely latched when operating the school bus.
 - 4) The driver shall not leave the bus while the motor is running.
 - 5) The gasoline tank shall not be filled while there are any persons on the bus or while the motor is running.
 - 6) The school bus signs shall be displayed only when the bus is being used for official school transportation.
 - 7) The required alternately flashing warning lights and stop arm shall be used only when stopping to receive or discharge students.
 - 8) The driver shall not back a bus at the school while students are in the vicinity unless a responsible person is present to guide the bus driver.
 - 9) The driver shall not permit a weapon or explosive of any kind on the bus.
 - 10) The driver shall not smoke when operating a school bus.
- i) Passenger Treatment and Supervision
 - 1) All passengers shall be seated when the bus is in motion.
 - 2) Students shall not be asked to leave the bus along the route for breach of discipline, nor shall they be asked to sit anywhere other than on a seat for breach of discipline.
 - 3) The bus driver shall observe the requirements of the district's policy adopted pursuant to Section 12-816 of the Vehicle Code [625 ILCS 5/12-

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816] with respect to ensuring that *no passenger remains on the bus at the end of a route, a work shift, or the work day.*

- j) Loading and Unloading
 - 1) When children are picked up and must cross a roadway, the driver shall beckon them to cross the road when it is safe to do so.
 - 2) The driver on a regular route shall not be expected to wait for a tardy student and may proceed on a timely route if the student is not in sight.
 - 3) At school, the bus shall be driven onto the school grounds to discharge pupils or they shall be otherwise discharged so they will not have to cross a street if at all possible. At all discharge points where it is necessary for pupils to cross a roadway, the driver shall direct students to a point at least ten feet in front of the bus on the shoulder of the roadway and shall direct them to remain there until a signal is given by the bus driver for the students to cross.
 - 4) A driver shall not allow a student to get off the bus at any place other than the student's designated discharge point unless permission is granted by the proper school official.
 - 5) If a loading zone is not visible to traffic approaching from either direction, the district shall notify the Illinois Department of Transportation and request a determination as to the need to erect appropriate signs.
- k) Permitted Occupants
 - 1) The manufacturer's capacity for a bus shall not be exceeded.
 - 2) Only persons authorized by the school district shall be allowed to ride school buses. Except with the permission of school authorities, the driver shall transport no school children with animals. Any animal transported shall be properly confined at all times when it is on a school bus.
- l) Accidents

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- 1) In case of an accident or breakdown while the bus is transporting students, the first consideration shall be whether it is safer to evacuate the students or to have them remain on the bus.
 - 2) All accidents shall be reported immediately to the appropriate school officials.
 - 3) A [School Bus Accident Report shall be completed in a format prescribed by the State Superintendent of Education and a copy of the Illinois Department of Transportation's "Motorist Report of Motor Vehicle Accident Form" \(SR-1\)](#) shall be forwarded to the regional superintendent immediately after any accident.
 - 4) In case of a death that occurs as a result of a school bus accident, the responsible district official shall immediately notify the regional superintendent by telephone.
- m) **Railroad Crossings**
Each driver of a school bus shall stop at all railroad crossings except where protected by a human flagman or law enforcement officer or marked as having been exempted by the Illinois Commerce Commission pursuant to Section 11-1202 of the Illinois Vehicle Code [625 ILCS 5/11-1202].
- 1) The driver shall stop between 15 and 50 feet in front of the first rail. While stopped, the driver shall open the service door, listen and look in both directions for any approaching train. When the driver determines that no train is approaching, he or she shall close the door, then proceed completely across the grade crossing without changing gears.
 - 2) A driver who has stopped at a railroad crossing that is protected only by flashing lights and who determines that no train is, in fact, approaching (i.e., a malfunction is apparent) may proceed despite the warning lights, provided that he or she has complied with the requirements of subsection (m)(1) of this Section.
 - 3) The driver shall not use the alternately flashing warning signals or stop arm at railroad grade crossings.
- n) **School Bus Crossing Arm**

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- 1) A school bus driver shall use the school bus crossing arm whenever the bus stops to allow students to enter or leave the bus. The driver shall allow sufficient space for the full extension of the crossing arm without infringing on other vehicles, other obstacles, the pedestrian crosswalk, or a cross street. However, a driver may omit using the crossing arm at school loading areas where school buses are parked bumper to bumper or when extending the crossing arm would impede pedestrians' crossing, extend into the adjacent cross street, or collide with another object or vehicle.
- 2) A school bus driver shall report to the affected school district any instance when the crossing arm cannot be used as required. School districts shall use this information in evaluating school bus routes and pickup and dropoff points. Districts shall retain these records in a manner consistent with their retention policies applicable to other records.
- 3) A school bus shall not be used if its crossing arm is found to be inoperable during the pre-trip inspection, or if the crossing arm has malfunctioned and has not yet been repaired.
- 4) If a crossing arm malfunctions while the school bus is carrying students, the driver shall note the stop where the malfunction first occurs and may complete the route if permitted to do so by local board policy.

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

Section 1.530 Health Services

- a) Each school shall maintain records for each student that reflect compliance with the examinations and immunizations prescribed by Section 27-8.1 of the School Code and the applicable rules and regulations of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 (Child Health Examination Code).
 - 1) School districts shall, by November 15 of each school year, report to the State [Superintendent Board](#) of Education the number of students who have received the necessary health examinations and immunizations, the number of students who are not exempt and have not received the necessary health examinations and immunizations, and the number of students exempt from the health examination and immunization

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requirements for religious or medical reasons, in the manner prescribed by the State Superintendent on forms provided by the State Board of Education. A copy of each district's report shall also be delivered to the regional superintendent.

- 2) Any school district that, for two years in a row and in any combination, either fails to deliver its report whose report has not been delivered to the State Superintendent Board of Education by November 15 or delivers a report that does not comply with the percentage requirements of Section 27-8.1 of the School Code shall be issued a Notice of Non-Compliance and be given Notice of Opportunity for Hearing in accordance with the State Board's rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). Unless, within seven school days after the mailing of the notice, the district presents written evidence to the State Superintendent that it has delivered the report required by Section 27-8.1 and the report complies with the percentage requirements of that Section, the State Superintendent shall reduce by 10 percent each subsequent payment to the district of General State Aid funds under Section 18-8.05 of the School Code, provided that all amounts withheld shall be restored to the district after compliance is documented.
 - 3) Upon a determination of non-compliance, the reduction in the district's General State Aid payments shall commence on January 1~~December 10~~ and shall will occur semi-monthly thereafter, provided that all amounts withheld shall be restored to the district after~~until~~ compliance is documented.
- b) Students participating in interscholastic athletics shall have an annual physical examination.
 - c) Each district shall adopt an emergency procedure to be followed in cases of injury or sudden illness to students and/or staff.

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

SUBPART F: STAFF CERTIFICATION REQUIREMENTS

Section 1.630 Noncertificated Personnel

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- a) Pursuant to Sections 10-22.34 and 34-18 of the School Code [105 ILCS 5/10-22.34 and 34-18], school boards may employ nonteaching personnel or use volunteer personnel for nonteaching duties not requiring instructional judgment or evaluation of pupils.
- b) Paraprofessionals; Teacher Aides
 - 1) School boards may further utilize volunteer noncertificated personnel or employ noncertificated personnel as paraprofessionals (or "teacher aides") to assist in the instruction of pupils, so long as each noncertificated individual is under the immediate supervision of a teacher who holds a valid certificate and is directly engaged in teaching subject matter or conducting activities (see Sections 10-22.34 and 34-18 of the School Code). To "assist in the instruction of pupils", i.e., to serve as a paraprofessional, means to support teachers through interactions with students that will help them master curricular content, such as by tutoring; or to assist with classroom management, such as by organizing instructional materials.
 - 2) Employment as a paraprofessional requires a statement of approval issued by the State Board of Education, in consultation with the State Teacher Certification Board, except that a paraprofessional first employed on or before June 30, 2005, in a program that serves students with disabilities shall be subject to this requirement as of July 1, 2007, and except that an individual who holds any certificate indicative of completion of at least a bachelor's degree, or who holds a provisional vocational certificate, may serve as a paraprofessional without a statement of approval.
 - 3) Each paraprofessional shall be under the direct supervision and control of a fully certificated teacher when assisting with instruction, whether this occurs in classrooms, laboratories, shops, playgrounds, libraries, or other educational settings where instructional judgment requires the supervision of a fully certificated teacher. The certificated teacher shall be responsible for planning the activities to be conducted by the paraprofessional and for evaluating the pupils with whom the paraprofessional works. The certificated teacher shall be continuously aware of the paraprofessional's activities, i.e., the teacher shall be responsible for controlling the paraprofessional's activities and shall be able to modify them at any time.

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- 4) Paraprofessionals shall not be utilized as substitutes for or replacement of certificated teachers, and they shall not have equivalent responsibilities. Certificated teachers shall exercise professional judgment when assigning duties to paraprofessionals and shall retain the responsibility for determining students' scholastic activities.
- 5) Each school district shall:
 - A) submit a list of all paraprofessionals it employs to the State Superintendent of Education with its annual application for recognition;
 - B) maintain a file for each paraprofessional that describes his or her functions and includes his or her statement of approval and evidence that he or she has met the relevant requirements of 23 Ill. Adm. Code 25.510; and
 - C) be responsible for ensuring that no individual is employed as a paraprofessional without a statement of approval, except as permitted under subsection (b)(2) of this Section, and that paraprofessionals are assigned only to tasks for which their approval is valid.
- c) School boards may designate noncertificated persons of good character to serve as supervisors, chaperones or sponsors, either on a voluntary or on a compensated basis, for school activities not connected with the academic program of the schools (see Section 10-22.34a of the School Code [105 ILCS 5/10-22.34a]).
- d) School boards may utilize noncertificated persons, under the direction of a certified teacher, for providing specialized instruction related to a course assigned to the certified teacher on a regular basis, not otherwise readily available in the immediate school environment, in the fields for which they are particularly qualified or skilled (see Section 10-22.34b of the School Code [105 ILCS 5/10-22.34b]).
- e) Noncertificated personnel in special education programs under contract to the local board of education, other than paraprofessionals, shall be governed by 23 Ill. Adm. Code 226 (Special Education). Also, beginning July 1, 2006, educational interpreters for persons who are deaf or hard of hearing shall be approved

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pursuant to 23 Ill. Adm. 25.550 (Approval of Educational Interpreters).

- f) In accordance with Section 10-22.34(d) of the School Code [105 ILCS 5/10-22.34(d)], school districts may utilize noncertificated persons who are completing their clinical experiences and/or student teaching.
- 1) A candidate participating in clinical experiences shall not be required to hold a statement of approval as a paraprofessional if:
- A) the candidate is engaging in the clinical experience as part of an approved Illinois teacher preparation program in which he or she is enrolled;
- B) when the candidate assists in instruction, he or she is under the immediate supervision of a teacher who holds a valid certificate and is directly engaged in teaching the subject matter or conducting other learning activities; and
- C) the cooperating teacher constantly evaluates the candidate's activities and is able to control or modify them.
- 2) Noncertificated personnel enrolled in a student teaching course at a college or university are not required to be under the constant supervision of a teacher, provided that their activity has the prior approval of the representative of the higher education institution, that teaching plans have been previously discussed with and approved by the supervising teacher, and the teaching is performed in accordance with the requirements of 23 Ill. Adm. Code 25.620 (Student Teaching) (see Section 10-22.34(d) of the School Code).
- g) In accordance with Section 10-22.34b of the School Code [105 ILCS 5/10-22.34b], school districts may, with the prior approval of the responsible regional superintendent of schools, utilize noncertified persons *to provide specialized instruction not otherwise readily available in the immediate school environment in the fields for which they are particularly qualified by reason of specialized knowledge or skill.* The regional superintendent shall approve an assignment of this type when:

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- 1) [the certified teacher under whose direction the instruction will be provided has specified in writing the material to be covered and the amount of time to be allotted for the specialized instruction;](#)
- 2) [the district superintendent has identified in writing the selected individual's professional competence or outstanding proficiency in the area of specialization in which instruction is to be provided;](#)
- 3) [the district superintendent has affirmed in writing that a district representative has determined the environment where instruction will be provided, if away from the school, to be safe and appropriate to the age of the students involved; and](#)
- 4) [the district superintendent has described the precise function to be served by the specialized instruction and any compensation to be paid to the selected individual.](#)

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

SUBPART G: STAFF QUALIFICATIONS

Section 1.720 Requirements for Teachers of Middle Grades

The provisions of subsections (a) and (b) of this Section shall be subject to the exception stated in subsection (c) of this Section with respect to any school in which the instructional format for any of Grades 5 through 8 is being changed from a self-contained to a departmentalized configuration. [Additional requirements shall apply to middle-grades assignments and endorsements beginning February 1, 2012 \(see subsection \(d\) of this Section\).](#)

- a) The requirements of this Section apply to teachers first employed after September 1, 1973, in departmentalized grades 5 through 8 ("middle-grade teachers"). Teachers first employed in grades 5 through 8 prior to September 1, 1973, or employed in non-departmentalized grades 5 through 8, are subject to the requirements of Section 1.710 of this Part. To qualify as a middle-grade teacher, the teacher must have either completed the coursework identified in subsection (a)(1) of this Section prior to July 1, 1997, or completed the coursework identified in subsection (a)(2) of this Section. The "major teaching assignment" is the subject taught for more time than any other subject. In mathematics and reading, and for library information specialists, there is specific coursework that must be

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included among the 18 semester hours to be earned; see subsections (a)(3), (4), and (5) of this Section. Further, new requirements for reading and library information specialists will apply to persons who apply for these endorsements on or after July 1, 2006, as well as to other persons who have not completed the 18-hour requirements prior to that date. See subsections (a)(4) and (5) of this Section.

- 1) 18 semester hours in the subject matter area of major teaching assignment (e.g., language arts, mathematics, general science, social science, music), unless the subject taught is a foreign language and Section 25.86 of the State Board's rules for Certification (23 Ill. Adm. Code 25) applies. Where a teacher is assigned to deliver instruction in two or more areas (e.g., English and social science or mathematics and science), the teacher shall meet the requirements of this subsection (a)(1) for the major teaching assignment and have no fewer than 5 semester hours in each other subject taught.
- 2) 18 semester hours in the subject matter area of major teaching assignment (e.g., language arts, mathematics, general science, social science, music), unless the subject taught is a foreign language and Section 25.86 of the State Board's rules for Certification applies. Where a middle-grade teacher is assigned to deliver instruction in two or more areas (e.g., English and social science or mathematics and science), the teacher shall meet the requirements of this subsection (a)(2) for the major teaching assignment and have no fewer than 9 semester hours in each other subject taught. In addition:
 - A) 3 semester hours of coursework, approved by the college of education or other institutional unit governing teacher education, that includes middle-grade philosophy, middle-grade curriculum and instruction, and instructional methods for designing and teaching developmentally appropriate programs (i.e., addressing the cognitive, emotional and physical development of each child) in the middle grades, including content area (e.g., science, social sciences) reading instruction.
 - B) 3 semester hours of coursework, approved by the college of education or other institutional unit governing teacher education, that includes educational psychology focusing on the

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developmental characteristics of early adolescents, the nature and needs of early adolescents, and the role of the middle-grade teacher in assessment, coordination and referral of students to health and social services.

- 3) For teachers of mathematics in grades 5 through 8 first employed on or after September 1, 1985, the required 18 semester hours in the field shall include three semester hours in the methods of teaching mathematics in those grades and 15 semester hours to be selected from four of the following areas:
 - A) Math content courses for elementary teachers;
 - B) Calculus;
 - C) Modern algebra or number theory;
 - D) Geometry;
 - E) Computer science;
 - F) Probability and statistics;
 - G) History of mathematics.
- 4) For major assignments in reading in any of departmentalized grades 5 through 8:
 - A) persons first employed on or after September 1, 1978, but before July 1, 2004, are required to have completed the 18 semester hours described in Section 1.740 of this Part;
 - B) persons first employed on or after July 1, 2004, shall be required to have completed either the 18 semester hours described in Section 1.740 of this Part or 18 semester hours in the field that include a practicum and address at least five of the six topics listed at 23 Ill. Adm. Code 25.100(i), provided that:

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- i) the individual completes all the required coursework on or before June 30, 2006; or
 - ii) the individual applies for the reading endorsement on or before June 30, 2006, and completes any coursework identified on a related deficiency statement no later than one year after the date of that statement; and
 - C) new requirements for an endorsement in this field apply to persons who have not met the requirements of either subsection (a)(4)(A) or (B) of this Section; see also 23 Ill. Adm. Code 25.100(i) and Section 1.745 of this Part.
- 5) Persons first employed on or after September 1, 1978, as media professionals or library information specialists serving any of grades 5 through 8 are required to have completed 18 semester hours in the field that address administration, organization (cataloging and classification), reference, and selection of materials, provided that the individual completes all the required coursework on or before June 30, 2006, or has applied for the endorsement on or before June 30, 2006, and completes any coursework identified on a related deficiency statement no later than one year after the date of that statement. New requirements for an endorsement in this field apply to persons who have not qualified on the basis of 18 semester hours; see also 23 Ill. Adm. Code 25.100 and Section 1.755 of this Part. The provisions of subsection (a)(2) of this Section notwithstanding, no individual who has completed only nine semester hours in the field may serve in this capacity unless assigned pursuant to 23 Ill. Adm. Code 25.464.
- b) Beginning July 1, 2004, no individual may be assigned to teach in departmentalized grades 5 through 8 unless he or she holds a certificate that is valid for the grade level or levels to be taught and:
 - 1) holds a middle-grades endorsement applicable to the subject area; or
 - 2) meets the relevant requirements of this Section; or

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- 3) met the requirements of this Section or their predecessor requirements at a time when they were applicable, as confirmed by the employing district's verification of the individual's qualifications; or
 - 4) is assigned pursuant to Section 1.745(b)(3) or 1.755(c) of this Part; or
 - 5) is assigned pursuant to authorization received under 23 Ill. Adm. Code 25.464 (Short-Term Authorization for Positions Otherwise Unfilled).
- c) A school district may also assign certain other teachers to departmentalized positions in any of Grades 5 through 8 for the 2009-10 school year and thereafter as described in this subsection (c).
- 1) A teacher who was employed in the district during the school year immediately preceding the year when the instructional format in that teacher's school is changed to a departmentalized configuration and who was appropriately certified for his or her position but does not meet the requirements of subsection (b) of this Section may be assigned to a departmentalized position in any of Grades 5 through 8 (or any of Grades 6 through 8 for the holder of a secondary certificate) for a period not to exceed three school years, provided that he or she has already completed at least nine semester hours of coursework in the subject of the major teaching assignment. If specific coursework is required for the major teaching assignment under subsection (a) of this Section, the teacher shall have completed nine semester hours that will count toward an endorsement in that subject.
 - 2) The school district shall notify the responsible regional superintendent of schools of all assignments made pursuant to this subsection (c) no more than 30 days after they occur. Further, the school district shall maintain on file for each teacher assigned in accordance with this subsection (c) a plan that:
 - A) includes a statement of intent signed by the individual, stipulating that he or she will complete all requirements for the middle-grades endorsement in the subject of his or her major teaching assignment;

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- B) provides a list of the coursework and experiences that the individual will complete in order to qualify; and
 - C) identifies the institution of higher education where the individual will complete the requirements.
- 3) No individual may be assigned for more than three school years without attaining the relevant endorsement, and no individual may be assigned for a third school year unless he or she has completed the six semester hours required under subsection (a)(2) of this Section.
 - 4) If an individual is assigned to deliver instruction in two or more subjects, he or she shall have completed no fewer than nine semester hours in each subject. If subsection (a) of this Section requires specific coursework for any of the subjects taught, the teacher shall have completed nine semester hours that will count toward an endorsement in that subject.

d) [New Requirements Applicable in 2012](#)
[All coursework that forms part of an application for a middle-grades endorsement received on or after February 1, 2012, or that is used in determining the eligibility of an individual to be first assigned to teach a particular subject in the middle grades on or after that date, must have been passed with a grade no lower than "C" or equivalent in order to be counted towards fulfillment of the applicable requirements.](#)

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

Section 1.737 Minimum Requirements for the Assignment of Teachers in Grades 9 through 12 Beginning July 1, 2004

- a) Beginning July 1, 2004, no teacher may be assigned to teach a particular subject in any of grades 9 through 12 unless he or she holds a certificate that is valid for the grade level or levels to be taught and:
 - 1) holds the applicable endorsement for the subject area (and, in the case of the provisional vocational certificate, has also completed the work experience required pursuant to subsection (c) of this Section); or

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- 2) met the requirements of Section 1.730, 1.735, or 1.736 of this Part, or their predecessor requirements, at a time when they were applicable to that assignment, as confirmed by the employing district's verification of the individual's qualifications; or
 - 3) meets the minimum requirements for that assignment identified in subsection (b) of this Section and has not exhausted the three-year period of eligibility available pursuant to 23 Ill. Adm. Code 25.100(l); or
 - 4) meets the requirements of Section 1.745 of this Part, if applicable; or
 - 5) is assigned pursuant to authorization received under 23 Ill. Adm. Code 25.464 (Short-Term Authorization for Positions Otherwise Unfilled).
- b) Beginning July 1, 2004, the provisions of this Section shall replace those of Sections 1.730, 1.735, and 1.736 of this Part as one basis upon which school districts and other entities subject to this Part may assign individuals to teach specific subjects. The qualifications identified in this subsection (b) are not the same as those for the respective endorsements, nor are they intended to match the requirements for identification as a "highly qualified" teacher in any particular subject area. Each individual who is first assigned to a subject area based upon the qualifications delineated in this subsection (b) shall be subject to the requirement for acquiring an endorsement in the respective field within three years after the date of assignment, in accordance with 23 Ill. Adm. Code 25.100(l). For purposes of the applicability of this requirement, an individual shall be considered "first assigned" to any field in which he or she has not taught in Illinois prior to July 1, 2004.
- 1) For agricultural education; visual or drama/theatre arts; business, marketing, and computer education; dance; English language arts; health education; health careers; family and consumer sciences; technology education; mathematics; music; physical education; [reading](#); biology; chemistry; earth and space science; environmental science; physics; economics; geography; history; political science; psychology; sociology and anthropology; [and for library information specialists](#): 24 semester hours in the field.
 - 2) For foreign language: 20 semester hours in the language (unless 23 Ill. Adm. Code 25.85 or 25.86 applies).

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- 3) For safety and driver education: The 16 semester hours in the field that are specified in Section 1.730(q) of this Part shall continue to apply through January 31, 2012. Each individual first assigned to teach safety and driver education on or after February 1, 2012 shall be required to hold a certificate valid for the secondary grades and an endorsement received pursuant to 23 Ill. Adm. Code 25.100(n).
 - 4) ~~For assignments in reading, the requirements of Section 1.745 of this Part shall apply.~~
- c) Additional Requirements for Career and Technical Education
- 1) Assignments at the "skill-level" (grades 11 and 12) in reimbursable career and technical education generally require 2,000 hours of work experience in the area to be taught or, for more than one area, a total of 2,000 hours with no fewer than 250 hours in each area taught. A district may, however, employ an individual who holds a secondary certificate with the appropriate career and technical education endorsement but who has not completed 2,000 hours of work experience in the occupational area to be taught, provided that the individual acquires this experience in paid employment outside the teaching profession within four years after the date of first assignment. The employing entity shall maintain records to substantiate this experience, which may include written statements from former supervisors who can be reached for verification or, in cases where supervisors are no longer available to verify the individual's employment, affidavits by the applicant's instructors describing the work experience.
 - 2) A teacher who is eligible under this Section to provide skill-level instruction in a particular area shall also be eligible to serve as a coordinator of either a specific cooperative education program or interrelated cooperative education, provided that he or she has also completed six semester hours of coursework in the organization and administration of cooperative education.
 - 3) A teacher serving as a coordinator of cooperative education for special education students shall be required to meet the requirements for assignment as a special education teacher rather than those for assignment as a teacher of career and technical education, except that an individual

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serving in this capacity shall be required to have completed 2,000 hours of work experience as provided in subsection (c)(1) of this Section and six semester hours of coursework in the organization and administration of cooperative education.

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

Section 1.770 Standards for Special Education Personnel

Individuals who provide special education services employed in reimbursable Special Education programs shall meet the requirements set forth in Subpart I of ~~hold appropriate certification as required in~~ 23 Ill. Adm. Code 226, Special Education.

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

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Section 1.APPENDIX A Professional Staff Certification

Types of Certificates

The following list of certificates identifies those certificates which, if properly registered and renewed, are valid for teaching, administering or performing the specified service in Illinois public schools.

Code	Type of Certificate	Grade Level Valid For	Still Issued	Years Valid	School Code or Ill. Adm. Code
02	Early Childhood	to age 6 excluding Kdg.	No	4	21-2.1
03	Standard Elementary	K-9	No	4	21-3
03	Initial Elementary	K-9	Yes	4 years of teaching	21-1a; 21-2; 21-3
03	Standard Elementary	K-9	Yes	5	21-1a; 21-2; 21-3
03	Master Elementary	K-9	Yes	10	21-1a; 21-2; 21-3
04	Early Childhood	Birth-3	No	4	21-2.1
04	Initial Early Childhood	Generally Birth-Grade 3 (as endorsed)	Yes	4 years of teaching	21-1a; 21-2; 21-2.1
04	Standard Early Childhood	Generally Birth-Grade 3 (as endorsed)	Yes	5	21-1a; 21-2; 21-2.1
04	Master Early Childhood	Generally Birth-Grade 3 (as endorsed)	Yes	10	21-1a; 21-2; 21-2.1

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05	Provisional Early Childhood	Birth-3	Yes	2	21-10
06	Kindergarten-Primary	K-3	No	4	
09	Standard High School	6-12*	No	4	21-5
09	Initial Secondary	6-12	Yes	4 years of teaching	21-1a; 21-2; 21-5
09	Standard Secondary	6-12	Yes	5	21-1a; 21-2; 21-5
09	Master Secondary	6-12	Yes	10	21-1a; 21-2; 21-5
10	Standard Special	K-12 Field Endorsed	No	4	21-4
10	Initial Special K-12	K-12 Field Endorsed	Yes	4 years of teaching	21-1a; 21-2; 21-4
10	Standard Special K-12	K-12 Field Endorsed	Yes	5	21-1a; 21-2; 21-4
10	Master Special K-12	K-12 Field Endorsed	Yes	10	21-1a; 21-2; 21-4
10	Initial Special Preschool-Age 21	Generally Birth- Age 21	Yes	4 years of teaching	21-1a; 21-2; 21-4
10	Standard Special Preschool-Age 21	Generally Birth- Age 21	Yes	5	21-1a; 21-2; 21-4
10	Master Special Preschool-Age 21	Generally Birth- Age 21	Yes	10	21-1a; 21-2; 21-4
11	Vocational	7-12 Field Endorsed	No	4	
14	Junior College	9-14 Field Endorsed	No	4	

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17	Special Exc. Children	K-14 Field Endorsed	No		
20	Special	11-12 Electives 10 hrs. per Week	No	4	
21	General	Adult Field Endorsed	No		(21-11 repealed)
22	Alternative Elementary	K-9	No	4	21-5b
22	Initial Alternative Elementary	K-9	Yes	4	21-5b
22	Standard Alternative Elementary	K-9	No	4	21-5b
23	Provisional Alternative Elementary	K-9	Yes	1	21-5b; 21-5c
24	Alternative Secondary	6-12	No	4	21-5b
24	Initial Alternative Secondary	6-12	Yes	4	21-5b
24	Standard Alternative Secondary	6-12	No	4	21-5b
25	Provisional Alternative Secondary	6-12	Yes	1	21-5b; 21-5c
26	Provisional Alternative Administrative	K-12	Yes	1	21-5d
27	Provisional Alternative Special	K-12 Field Endorsed	Yes	1	21-5b; 21-5c
28	Alternative Special	K-12 Field Endorsed	No	4	

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28	Initial Alternative Special	K-12 Field Endorsed	Yes	4	21-5b
29	Transitional Bilingual	K-12 Language Endorsed	Yes	6	14C-8
30	Provisional Elementary	K-9	Yes	2	21-10
31	Provisional Secondary	6-12	Yes	2	21-10
32	Provisional Foreign Lang.	K-14 Language Named	No	4	
33	Provisional Special	K-12 Field Endorsed	Yes	2	21-10
34	Provisional Vocational	K-12 Field Endorsed	No		21-10
34	Provisional Vocational	11-12 Field Endorsed	No		21-10
35	Provisional Vocational	7-12 Field Endorsed**	Yes		21-10
36	Temp. Prov. Vocational	11-12 Field Endorsed***	Yes	1	21-10
37	Temp. Prov. Vocational	K-12 Field Endorsed	No	1	21-10
38	Resident Teacher	K-12	No	4	21-11.3
39	Substitute-90 days	K-12 All	Yes	4	21-9
40	Part-Time Provisional	6-12	Yes	2	21-10
42	Life Elementary	1-8	No	Life	
43	Provisional Alternative Early Childhood	Birth-Grade 3	Yes	1	21-5b; 21-5c

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44	Alternative Early Childhood	Birth-Grade 3	No	4	21-5b
44	Initial Alternative Early Childhood	Birth-Grade 3	Yes	4	21-5b
45	Life Kindergarten	K-3	No	Life	
47	Life High School	6-12*	No	Life	
48	Life Special	K-14 Field Endorsed	No	Life	
49	Life Junior College	9-14 Field Endorsed	No	Life	
50	Visiting International Teacher – Special	K-12	Yes	3	23 Ill. Adm. Code 25.92
51	Life School Librarian	K-14 Library	No	Life	
53	Visiting International Teacher – Elementary	K-9 K-6	Yes	3	23 IAC 25.92
54	Visiting International Teacher – Early Childhood	Birth-Grade 3	Yes	3	23 IAC 25.92
59	Visiting International Teacher – Secondary	6-12	Yes	3	23 IAC 25.92
60	Ltd. Supervisory	K-14 All	*No	4	
61	All-Grade Supervisory	K-14 All	*No	4	
62	Ltd. Elem. Supervisory	K-9 All Elementary	*No	4	
63	Ltd. H.S. Supervisory	6-12 All Secondary	*No	4	

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70	Life General Supervisory	K-14 All	*No	Life	
71	Life Supervisory	K-14 All	*No	Life	
72	Temporary TMH	K-12 TMH	No	1	
73	School Service Personnel	<u>Generally Birth-Age 21</u> K-12 Area of Service Endorsed	Yes	5 (beginning July 1, 2004)	21-25
74	Provisional School Service Personnel	<u>Generally Birth-Age 21</u> K-12 Area of Service Endorsed	Yes	2	21-10
75	Administrative	K-12 -All	*Yes	5	21-7.1
76	Provisional Administrative	K-12 -All	Yes	2	21-10
77	Administrative K-12	K-12	Yes	5	21-5d
78	Interim School Counselor Intern	<u>Generally Birth-Age 21</u> K-12	Yes	3	23 IAC 25.227
79	<u>Interim Speech-Language Pathologist Intern</u>	<u>Generally Birth-Age 21</u>	<u>Yes</u>	<u>3</u>	<u>14-1.09b(b)(3)</u>
80	Resident Teacher – Special	K-12	Yes	4	21-11.3
83	Resident Teacher – Elementary	K-9	Yes	4	21-11.3
84	Resident Teacher – Early Childhood	Birth-Grade 3	Yes	4	21-11.3
89	Resident Teacher – Secondary	6-12	Yes	4	21-11.3

* If endorsed for teaching, valid for subjects for which the individual is assignable under Section 1.710, 1.720, 1.737, 1.745, or 1.755 of this Part, or to which the individual is

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assigned pursuant to authorization received under 23 Ill. Adm. Code 25.464 (Short-Term Authorization for Positions Otherwise Unfilled).

- | ** Valid in approved, ~~reimbursable~~ programs of career and technical education (CTE), for "skill-level" instruction in grades 11 and 12 in the field of specialization and for "orientation-level" instruction in grades 9 and 10 in the field of career and technical education endorsement to which the specialization belongs. Provided that the certificate-holder is employed to teach in any of grades 9 through 12 in the field of specialization, the certificate is also valid for exploratory career and technical education courses in grades 7 and 8 in that field of endorsement.

- | *** Valid only in approved, ~~reimbursable~~ CTE programs for "skill-level" instruction in grades 11 and 12 in the field of specialization.

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

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- 1) Heading of the Part: Certification
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
25.10	Amendment
25.25	Amendment
25.65	Amendment
25.67	Amendment
25.70	Amendment
25.72	New Section
25.100	Amendment
25.105	Amendment
25.115	Amendment
25.125	Amendment
25.130	New Section
25.145	Amendment
25.160	Amendment
25.165	Amendment
25.215	Amendment
25.225	Amendment
25.227	Amendment
25.235	Amendment
25.275	Amendment
25.313	Amendment
25.315	Amendment
25.335	Amendment
25.360	Amendment
25.365	Amendment
25.400	Amendment
25.425	Amendment
25.427	Amendment
25.444	Amendment
25.464	Amendment
25.485	New Section
25.486	New Section
25.487	New Section
25.488	New Section
25.489	New Section

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25.490	Amendment
25.493	Repeal
25.510	Amendment
25.520	Repeal
25.530	Repeal
25.540	Repeal
25.705	Amendment
25.710	Amendment
25.720	Amendment
25.730	Amendment
25.731	New Section
25.732	Amendment
25.733	Amendment
25.735	Amendment
25.740	Amendment
25.745	Amendment
25.750	Amendment
25.755	Amendment
25.780	Amendment
25.805	Amendment
25.835	Amendment
25.840	Amendment
25.855	Amendment
25.860	Amendment
25.865	Amendment
25.870	Repeal
25.872	Amendment
25.910	Amendment
25.APPENDIX	Amendment

- 4) Statutory Authority: 105 ILCS 5/Art. 21, 14C-8, and 2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: These amendments encompass numerous aspects of these rules and include many changes that are intended to strengthen the requirements for various credentials, streamline processes, or achieve greater consistency. An overview of these is presented below, organized according to the order in which the rules appear.

Subpart A: Definitions

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

Subpart B: Certificates

In **Section 25.25**, flexibility is being introduced to accommodate experienced out-of-state teachers who were not required to complete student teaching.

Sections 25.65 and 25.67 are being revised to require the teaching assignment that forms part of an alternative route to certification to be completed in a public school or, in the case of the early childhood certificate, in a setting where certification is required.

The need to state explicitly the long-standing requirement for work experience to have been gained outside the field of education was overlooked when **Section 25.70** was most recently revised. That omission is now being remedied. An update is also being made to reference new material being added as Sections 25.485 through 25.490 (discussed below).

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

In Section 25.100, the requirements for the issuance of endorsements are being made more stringent. Beginning in 2012, coursework passed with a grade of "D" will no longer be accepted. In addition, the option for presenting either an earned major or a "constructed" major and receiving an endorsement without passing the content-area test will be eliminated. With regard to adding designations in the sciences and social sciences, a requirement for the completion of coursework is being added. New requirements for the endorsement in safety and driver education are being added. Several provisions whose implementation is now complete are being deleted, and other technical updates are being made.

The changes in **Section 25.105** will perpetuate the availability of the temporary substitute teaching permit that was developed specifically in response to Hurricane Katrina. The

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rule will now be stated in general terms so that it can be available in similar future situations, should any arise.

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

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

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

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

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

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

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

Subpart D: School Service Personnel

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

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The change being made in **Section 25.275** is a technical one comparable to the update being made in Section 25.70. That is, several new Sections that are being added as part of this rulemaking to implement various statutes need to be referenced in Section 25.275(1)(2).

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

In **Section 25.313**, language is being added to reflect the intent of the legislation that established the alternative route to administrative certification (Section 21-5d of the School Code), i.e., to accommodate managers who wished to change careers and enter the educational field. We do not consider it appropriate for individuals who are already certified as principals to use this alternative route as a short-cut to the superintendent's endorsement. The present amendment will clarify the intent by defining "management field" to exclude educational management and thus will make the alternative route available only to individuals with management experience outside education.

A reference to new Sections 25.485 through 25.490 is being inserted into **Section 25.315(f)(7)** for the sake of completeness, as discussed elsewhere also.

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

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

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

Subpart F: General Provisions

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

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

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

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

- making certain retired individuals eligible to receive incentive payments for providing mentoring and professional development;
- making all the same services eligible for compensation, regardless of the characteristics of the school district that employs the recipient teachers or counselors;
- specifying that teachers and counselors may agree to, and receive payment for, an increment of 30 hours of service rather than 60 hours; and
- adding a variety of "candidate support" payments to the program and specifying the order of priority to be assigned to these when the appropriation is insufficient to cover all.

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

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

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

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

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

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

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

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

Subpart I: Illinois Certification Testing System

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

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Subpart J: Renewal of Standard and Master Teaching Certificates

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

Subpart K: Requirements for Receipt of the Standard Teaching Certificate

In **Section 25.910**, one of the existing requirements for programs of mentoring and induction is being changed by eliminating the cap on the number of teachers who may be mentored by the same individual.

Appendix A: Statistical Test Equating – Certification Testing System

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

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes; an incorporation by reference is found in the existing text of Section 25.115 and is not being changed.
- 10) Are there any other proposed rulemakings pending on this Part? No

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- 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 after the publication of this Notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (S-493)
Springfield, Illinois 62777

217/782-5270

Comments may also be submitted via e-mail, addressed to:

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 Agendas on which this rulemaking was summarized: January 2009 and July 2008

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

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 25

CERTIFICATION

SUBPART A: DEFINITIONS

Section

25.10 Accredited Institution

SUBPART B: CERTIFICATES

Section

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

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

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

Section

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

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SUBPART D: SCHOOL SERVICE PERSONNEL

Section

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

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

Section

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

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SUBPART F: GENERAL PROVISIONS

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

SUBPART G: ~~THE UTILIZATION OF~~ PARAPROFESSIONALS AND
OTHER NONCERTIFIED PERSONNEL

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Section

- 25.510 Paraprofessionals; Teacher Aides
- 25.520 Other Noncertificated Personnel ([Repealed](#))
- 25.530 Specialized Instruction by Noncertificated Personnel ([Repealed](#))
- 25.540 Approved Teacher Aide Programs ([Repealed](#))
- 25.550 Approval of Educational Interpreters

SUBPART H: CLINICAL EXPERIENCES

Section

- 25.610 Definitions
- 25.620 Student Teaching
- 25.630 Pay for Student Teaching ([Repealed](#))

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section

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

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SUBPART J: RENEWAL OF STANDARD AND MASTER [TEACHING](#) CERTIFICATES

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

SUBPART K: REQUIREMENTS FOR RECEIPT OF
THE STANDARD TEACHING CERTIFICATE

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

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- 25.935 Additional Activities for Which CPDUs May Be Earned
- 25.940 Examination
- 25.942 Requirements for Additional Options
- 25.945 Procedural Requirements

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

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

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg. 15044, effective August 28, 1986; amended at 11 Ill. Reg. 12670, effective July 15, 1987; amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at 15 Ill. Reg. 17048, effective November 13, 1991; amended at 16 Ill. Reg. 18789, effective November 23, 1992; amended at 19 Ill. Reg. 16826, effective December 11, 1995; amended at 21 Ill. Reg. 11536, effective August 1, 1997; emergency amendment at 22 Ill. Reg. 5097, effective February 27, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 11767, effective June 25, 1998; amended at 22 Ill. Reg. 19745, effective October 30, 1998; amended at 23 Ill. Reg. 2843, effective February 26, 1999; amended at 23 Ill. Reg. 7231, effective June 14, 1999; amended at 24 Ill. Reg. 7206, effective May 1, 2000; emergency amendments at 24 Ill. Reg. 9915, effective June 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12930, effective August 14, 2000; preemptory amendment at 24 Ill. Reg. 16109, effective October 12, 2000; preemptory amendment suspended at 25 Ill. Reg. 3718, effective February 21, 2001; preemptory amendment repealed by joint resolution of the General Assembly, effective May 31, 2001; emergency amendments at 25 Ill. Reg. 9360, effective July 1, 2001, for a maximum of 150 days; emergency expired November 27, 2001; emergency amendments at 25 Ill. Reg. 11935, effective August 31, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16031, effective November 28, 2001; amended at 26 Ill. Reg. 348, effective January 1, 2002; amended at 26 Ill. Reg. 11867, effective July 19, 2002; amended at 26 Ill. Reg. 16167, effective October 21, 2002; amended at 27 Ill. Reg. 5744,

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

SUBPART A: DEFINITIONS

Section 25.10 Accredited Institution

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

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

SUBPART B: CERTIFICATES

Section 25.25 Requirements for "Full" Certification

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

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- a) Each applicant shall:
- 1) have completed an approved Illinois teacher preparation program for the type of certificate sought ([see Subpart C of this Part](#)), including coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a]) ([see Subpart C of this Part](#)); or
 - 2) have completed a comparable program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part), [including the coursework discussed in subsection \(a\)\(1\) of this Section](#); or
 - 3) hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code [105 ILCS 5/21-11.2], and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.
- b) Each applicant shall have completed 32 semester hours, or a major as identified by the accredited institution on the individual's official transcript, in early childhood education, elementary education, or a field of specialization, as applicable to the type of certificate sought.
- c) Each applicant shall have completed pre-student teaching field experiences at the grade ~~level~~[level\(s\)](#) and in the area of specialization relevant to the certificate sought (see Section 25.610 of this Part). However, applicants with teaching experience at the applicable level, as verified by the employer, need not complete pre-student teaching field experience, except as may be required under Section 25.37 of this Part.
- d) Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part, ~~except that:—However,~~
- 1) applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part; [and](#)

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2) [one full year's teaching experience on a valid certificate in the public schools of another state shall be accepted in lieu of student teaching, if the applicant was certified in a state where student teaching was not required.](#)

- e) Each applicant shall be required to pass the tests required for the certificate as specified in Section 25.720 of this Part.
- f) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code [105 ILCS 5/21-10].

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

Section 25.65 Alternative Certification

- a) Section 21-5b of the School Code [105 ILCS 5/21-5b] provides for the issuance of provisional alternative teaching certificates and initial alternative teaching certificates to eligible candidates, as defined in that Section, who successfully complete a program consisting of:
- 1) a course of study approved by the State Board of Education;
 - 2) one year's full-time teaching [on the provisional alternative certificate:](#)
 - A) [in the public schools; or](#)
 - B) [in the case of the early childhood certificate, in a position for which an early childhood certificate was required pursuant to the rules of the State Board of Education at 23 Ill. Adm. Code 235 \(Early Childhood Block Grant\); and](#)
 - 3) a comprehensive assessment of the candidate's teaching performance, culminating in a favorable recommendation by the institution of higher education responsible for the course of study.
- b) Proposals seeking to establish programs meeting the specifications of subsection (a) of this Section shall be addressed as follows:

State Board of Education
Alternative Certification Program

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100 North First Street
Springfield, Illinois 62777-0001

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

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

Section 25.67 Alternative Route to Teacher Certification

- a) Section 21-5c of the School Code [105 ILCS 5/21-5c] provides for the issuance of provisional alternative teaching certificates to eligible candidates, as defined in

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that Section, who successfully complete an intensive course of study approved by the State Board of Education.

- b) Section 21-5c of the School Code further provides for the issuance of initial teaching certificates to candidates who, after completing the course of study referred to in subsection (a) of this Section, complete an alternative program that also includes:

- 1) one year's full-time teaching [in the public schools on the provisional alternative certificate](#); and
- 2) a comprehensive assessment of the candidate's teaching performance, culminating in a favorable recommendation by the institution of higher education responsible for the course of study.

- c) Proposals for the establishment of programs meeting the specifications of subsections (a) and (b) of this Section shall be approved if they comply with Section 21-5c of the School Code and this Section. Proposals shall be addressed as follows:

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

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

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the School Code [105 ILCS 5/21-1a] prior to beginning the proposed course of study; and

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

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candidates will practice. Each such agreement shall address:

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

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

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

Section 25.70 Provisional Vocational Certificate

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

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- 1) eight semester hours of undergraduate or graduate-level coursework related to education, of which no fewer than two semester hours must address advancing the certificate-holder's knowledge and skills as a teacher in relation to the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24.100) and the content-area standards in his or her area of certification, endorsement, or assignment; or
 - 2) ~~120~~one hundred twenty continuing professional development units (CPDUs) in accordance with Section 25.875 of this Part; or
 - 3) any combination of the types of activities described in subsections (a)(1) and (2) of this Section, provided that the total effort represents the equivalent of 120 CPDUs, and provided that one semester hour of college credit shall be considered the equivalent of 15 CPDUs; or
 - 4) an advanced degree from a regionally accredited institution in an education-related field; or
 - 5) all required activities in pursuit of certification or recertification by the National Board for Professional Teaching Standards (NBPTS); or
 - 6) four semester hours of graduate-level coursework on the assessment of one's own performance in relation to the Illinois Professional Teaching Standards; or
 - 7) four semester hours of graduate-level coursework in preparation for meeting the requirements for certification by the National Board for Professional Teaching Standards.
- e) Each professional development activity used to fulfill the requirements of this Section, other than those identified in subsections (d)(4)-(7) of this Section, shall be required to address one or more of the purposes identified for the renewal of standard and master certificates in Section 21-14(e)(2) of the School Code [105 ILCS 5/21-14(e)(2)]. At least 20 percent of the units required must address the purpose identified in Section 21-14(e)(2)(E) of the School Code.
- f) CPDUs shall be generated for completion of activities in accordance with provisions of Section 25.875 of this Part, provided that the activity described in

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subsection (h) of that Section shall not be used to generate CPDUs for holders of the provisional vocational certificate and references to Section 21-14 of the School Code [105 ILCS 5/21-14] are not applicable in the case of the provisional vocational certificate.

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

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

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

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

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

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

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

Section 25.72 Temporary Provisional Vocational Certificate

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

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

Section 25.100 Endorsing Teaching Certificates (2004)

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

- a) Subject-area "designations" shall be required in conjunction with some endorsements, as shown in Appendix E to this Part. Except in the case of foreign language, a certificate-holder shall be authorized to teach all the subjects encompassed by a particular endorsement, regardless of the designation or designations received in conjunction with that endorsement. However, a certificate-holder may not teach honors courses, as these are defined by the employing district, or Advanced Placement courses in a subject for which he or she does not hold the specific designation, unless he or she holds an applicable master certificate. For example, a secondary science teacher with a biology designation may not teach honors physics or chemistry unless he or she holds a master certificate endorsed for sciences.
- b) Endorsements at Time of Issuance
Pursuant to Section 21-1b of the School Code [105 ILCS 5/21-1b], *all certificates initially issued under this Article... shall be specifically endorsed by the State Board of Education for each subject the holder of the certificate is legally qualified to teach.*
 - 1) For each application for certification received on or before September 30, 2004, the certificate issued shall be endorsed in keeping with the program completed and the related test passed by the candidate, as well as for any

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additional subject in which the candidate completed the required coursework.

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

- 3) For each application received on or after February 1, 2012, the certificate issued shall be endorsed in keeping with the program completed and the related content-area test or test of subject matter knowledge passed by the candidate and for any other subject in which the individual:
 - A) meets the requirements of subsection (e), (g), (h), (i), (j), (k), (m), or (n) of this Section; or
 - B) has accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, with at least 12 semester hours at the upper-division or graduate level, as defined

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

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

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

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

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Education, in accordance with the provisions of Section 21-12 of the School Code [105 ILCS 5/21-12].

- 1) ~~When an~~ An applicant ~~who~~ qualifies for an endorsement, its issuance shall be reflected on the electronic certification system that is maintained by the State Superintendent of Education for use by applicants, school districts, and regional superintendents of schools~~shall receive a new copy of the original certificate with the endorsement and date of the endorsement affixed.~~

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

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- 3) For applications received on or after February 1, 2012, an endorsement will be issued for any subject in which the individual:
- A) meets the requirements of subsection (e), (g), (h), (i), (j), (k), (m), or (n) of this Section; or
 - B) has accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, with at least 12 semester hours at the upper-division or graduate level, as defined by the institution offering the coursework, and has passed the applicable content-area test.
- g) Special provisions shall apply to the addition of endorsements in self-contained general education. An individual who holds a secondary, special K-12, or special preschool-age 21 certificate, or an individual who holds an elementary certificate endorsed in some other field by virtue of having "split" a special or special preschool-age 21 certificate, may qualify for the endorsement in self-contained general education on that certificate only by completing an approved program for the elementary certificate in accordance with Section 25.37 of this Part and passing the elementary/middle grades test. Fulfillment of these requirements qualifies the individual for an elementary certificate with this endorsement. However, an individual with an early childhood or a secondary certificate may choose whether to receive the elementary certificate or to add the endorsement to his or her existing certificate, thereby restricting his or her capacity for assignment to the grade levels encompassed by that certificate. An individual who elects to receive a separate certificate pursuant to this subsection (g) shall be required to pass the test of basic skills and/or the applicable assessment of professional teaching if passage of one or both of these tests would be required for receipt of a subsequent certificate as explained in Section 25.720 of this Part.
- h) Special provisions shall apply to the issuance of endorsements in the sciences and social sciences. The requirements of subsections (h)(1) through (h)(4) of this Section relate to endorsements and designations based on the standards found at 23 Ill. Adm. Code 27.140 through 27.260, while the requirements of subsection (h)(5) make subject-specific credentials available to out-of-state applicants whose

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preparation has been structured to address individual disciplines within the sciences or social sciences.

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

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- B) completed a major in the content area of the designation.
- 4) An individual who holds an endorsement in the sciences or social sciences under the structure that was in effect prior to July 1, 2004, may receive an endorsement and a designation in that field under the new structure by passing the content-area test for the designation sought and, effective with applications received on or after February 1, 2012, completing 12 semester hours of coursework in the subject area of the designation. He or she may then qualify for additional designations in the field pursuant to subsection (h)(3) of this Section.
- 5) ~~An out-of-state applicant who is eligible to receive an Illinois teaching certificate may receive an endorsement limited to a specific discipline among the social sciences (e.g., history) or the sciences (e.g., biology), provided that he or she presents evidence of having completed a major in that discipline.~~
- i) Special provisions shall apply to the issuance of endorsements for reading teachers and reading specialists. A reading teacher is one whose assignment involves teaching reading to students, while a reading specialist is one whose assignment involves the provision of technical assistance and/or professional development to other teachers and may also include teaching reading to students.
- 1) Reading Teacher
This endorsement shall not be issued alone as an individual's first teaching credential. An individual who holds ~~or receives~~ an Illinois early childhood, elementary, secondary, or special certificate, or who receives one of these certificates endorsed for some field other than reading, shall be eligible to receive this additional endorsement on that certificate (and on any other certificate held or subsequently earned) when he or she presents evidence of:
- A) having passed the applicable content-area test (or test of subject matter knowledge) and having been recommended for the endorsement by virtue of completing an approved reading teacher's preparation program based on the standards set forth at 23 Ill. Adm. Code 27.110 that requires at least 24 semester hours of graduate or undergraduate coursework in reading, including a

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practicum, at an institution that is recognized to offer teacher preparation programs in Illinois; or

- B) having passed the applicable content-area test (or test of subject matter knowledge) and having completed 24 semester hours of graduate or undergraduate coursework in reading, including a practicum, at one or more regionally accredited institutions of higher education, provided that all the following areas were addressed:
- i) foundations of reading,
 - ii) content-area reading,
 - iii) assessment and diagnosis of reading problems,
 - iv) developmental and remedial reading instruction and support,
 - v) developmental and remedial materials and resources, and
 - vi) literature appropriate to students across all grade ranges; or
- C) having completed, on or before June 30, 2006, the 18 semester hours of college coursework in reading described at 23 Ill. Adm. Code 1.740(a), in which case [the individual shall apply for the endorsement no later than October 1, 2010, and](#) passage of the content-area test or test of subject matter knowledge shall not be required.
- 2) Reading Specialist
- A) [Each candidate for the](#)The reading specialist's endorsement shall [hold](#)~~require two years of teaching experience. An individual who holds~~ an Illinois early childhood, elementary, secondary, or special certificate [and have a least two years of teaching experience in the public schools on one or more of those certificates](#)~~shall be eligible to receive this endorsement on that certificate or on a separate~~

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~~special K-12 certificate when he or she presents evidence of having completed the required teaching experience and:~~

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

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

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

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

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

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

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

1) An endorsement and a designation for a foreign language may be added to an existing certificate when an individual has completed a major area of concentration in the language, totaling 32 semester hours or as otherwise identified by a regionally accredited institution on the individual's official transcript.

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

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- m) An additional endorsement for "technology specialist" shall be issued only upon presentation of evidence that the applicant has completed at least 24 semester hours of college coursework demonstrably related to the subject area at one or more regionally accredited institutions of higher education and has passed the relevant content-area test.
- n) Beginning with applications received on or after February 1, 2012, an endorsement in safety and driver education shall be issued when the applicant provides evidence of having completed 24 semester hours of college credit in the field, with at least 12 semester hours at the upper-division or graduate level, as defined by the institution offering the coursework, distributed as follows:
- 1) 3 semester hours in injury prevention or safety;
 - 2) 12 semester hours in driver education that include:
 - A) driving task analysis (introduction to driver education);
 - B) teaching driver education in the classroom;
 - C) teaching the laboratory portion of the driver education course, including:
 - i) on-street teaching under the supervision of a qualified driver education teacher;
 - ii) the equivalent of at least one semester hour's preparation in and use of driving simulation;
 - iii) the equivalent of at least one semester hour's preparation in and use of multiple-car programs; and
 - D) advanced driver education and emergency evasive driving;
 - 3) 3 semester hours in first aid and cardiopulmonary resuscitation; and
 - 4) 6 semester hours chosen in any combination from:
 - A) the use of technology in instruction;

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- B) [safety issues related to alcohol and other drugs;](#)
- C) [driver education for students with disabilities; and](#)
- D) [any other safety-related area.](#)

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

Section 25.105 Temporary Substitute Teaching Permit

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

- a) In recognition of the unavailability of written or electronic records in this situation, the State Board of Education shall require an individual seeking a permit under this Section only to:
 - 1) supply one form of personal identification, which may include not only a passport, driver's license, or other government-issued document but also a credit card, a bill, or any other piece of correspondence showing the individual's name;
 - 2) provide a notarized written affirmation that he or she has received a bachelor's degree from a regionally accredited institution of higher education; and
 - 3) identify the institution and the year when the degree was issued.
- b) No application fee shall be charged for a temporary substitute teaching permit, and no registration fee shall apply to its use.
- c) A permit issued under this Section shall be valid for teaching in all grades of the common schools and shall be subject to the limitations set forth in Section 21-9 of the School Code [105 ILCS 5/21-9].

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

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

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

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

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

- a) An institution shall be recognized if it is regionally accredited and:

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- 1) is approved as a degree-granting institution by the Illinois Board of Higher Education, if the institution is subject to provisions of the Institution of Learning Powers Act [110 ILCS 50];
 - 2) sponsors a course of study leading to an appropriate baccalaureate or higher degree and awards the degree; and
 - 3) conducts or proposes to conduct at least one approved program that will prepare professional educators.
- b) An educational unit shall be accredited if its accreditation visit occurs prior to the fall of 2008 and the institution meets the standards enumerated in "Professional Standards for the Accreditation of Schools, Colleges, and Departments of Education" (2002), published by the National Council for the Accreditation of Teacher Education (NCATE), 2010 Massachusetts Avenue, N.W., Suite 500, Washington, D.C. 20036-1023 (no later amendments to or editions of these standards are incorporated by this Section). Beginning with accreditation visits in the fall of 2008, the 2008 edition of these standards shall apply; no later amendments or editions are incorporated.
- c) A preparation program shall be approved if it meets the applicable content standards established by the State Board of Education and the standards set forth at 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) or 23 Ill. Adm. Code 29.100 (Illinois Professional School Leader Standards), as applicable, ~~except as provided in Section 25.135 of this Part.~~
- d) The accreditation of an educational unit and the approval of its programs shall be subject to review five years after the unit's original State accreditation and every seven years thereafter, except that no accreditation reviews shall be conducted in 2009 and each institution's first scheduled review after January 1, 2009, shall be deferred for one additional year. For an institution already accredited by the State that subsequently receives accreditation from NCATE, the next accreditation review shall be due five years after receipt of that accreditation, after which review the institution shall be returned to a seven-year cycle. Accreditation Review shall be conducted as provided in Sections 25.125 and 25.127 of this Part and decisions regarding continued accreditation and approval shall be made as provided in those Sections. The State Superintendent shall alter the timing of an institution's review at the institution's request if the Superintendent determines that the request is based on unforeseen circumstances that were beyond the

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institution's control and were demonstrably related to the institution's ability to prepare for the review.

- e) Each accredited educational unit shall annually submit to the State Superintendent of Education, in a format defined by the State Superintendent and no later than August 30 ~~according to a timeline announced at least six months in advance~~:
- 1) a report that describes any ~~significant~~ or planned changes in the unit or its programs, updates any information previously provided as needed, and provides institutional data that describe the results of unit and program assessments and the actions taken or planned to address areas identified for improvement; ~~and~~
 - 2) an annual report specific to each approved program offered by the institution that conveys summary data about the program's overall structure, faculty, and candidates, and the results of various assessments; and
 - 3) as relevant to the institution, a report on all programs provided by the institution that have been approved as an alternative route to certification under Sections 25.65 and ~~Section~~ 25.67 of this Part.
- f) If relevant to the institution, the report required under subsection (e) of this Section shall include a description of how the unit has addressed any applicable standards identified during the most recent review of the unit and its programs as "not met" or "met with areas for improvement". However, for institutions that have been assigned "Continuing Accreditation with Conditions" or "Probation", this description shall not be required in those years in which the institution is required to submit a special report or is subject to a focused or full visit as discussed in Section 25.125(j) of this Part.
- g) No later than April 7 of each year, each institution shall report to the State Board of Education, using a form supplied by the Board, on its program completers' pass rates on the examinations required for initial certification pursuant to this Part and other information required by Title II of the Higher Education Act [20 USCA 1027]. Further, each institution shall make this information readily available to the public on an annual basis and shall include it in or with publications routinely sent to potential applicants, guidance counselors, and prospective employers of the institution's program completers.

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

Section 25.125 Accreditation Review of the Educational Unit

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

- a) No later than one year before its Accreditation Review will be held, the institution shall submit to the State Superintendent of Education five copies of each of the reports specified in this subsection (a) that is applicable. However, an institution that is also seeking initial accreditation from NCATE will need to comply with NCATE's submission timelines as well.
 - 1) For its first review in light of the standards incorporated by Section 25.115(b) of this Part, the institution shall submit a report providing an overview of the unit's conceptual frameworks, which shall include a description of each framework and its development. The discussion of the frameworks shall address each of the "structural elements" found in the standards referred to in Section 25.115(b) of this Part. For each subsequent review, the institution shall describe any changes in the conceptual frameworks that have been made since the institution's previous Accreditation Review.
 - 2) If at least 80 percent of an institution's teacher preparation program completers have passed the applicable form of the assessment of professional teaching (APT) in each of the preceding three years, the institution shall be deemed to be adequately addressing the Standards for All Illinois Teachers set forth at 23 Ill. Adm. Code 24. For any form of the APT for which this criterion has not been met, the institution shall submit a composite report covering all programs for whose candidates that form is required. This report shall describe how those preparation programs address those standards.

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

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

- 2) Institutions Also Seeking to Achieve or Retain NCATE Accreditation
A staff member of the State Board of Education or another individual designated by the State Superintendent who has been trained in the applicable standards and procedures shall accompany the review team appointed by NCATE's Board of Examiners, serving as a consulting, ex officio member to ensure that applicable Illinois standards, procedures, rules, and statutes are addressed.
- e) The review team shall visit the institution and verify the degree to which the educational unit and its programs meet the standards referred to in Section 25.115(b) of this Part.
- f) The review team shall prepare a draft report during the on-site visit, incorporating an overview of the unit and its conceptual frameworks, summarizing data on the performance of candidates and graduates, and taking into account the recommendations arising from the review of program reports as outlined in Section 25.127 of this Part. This draft report shall be provided to the institution within 30 business days after the conclusion of the visit for the purpose of allowing the institution 30 days to correct any factual errors. The team chair shall review the institution's suggested revisions and make appropriate corrections in consultation with the ex officio consultant who is serving pursuant to subsection (d) of this Section. The final report shall be submitted to the State Superintendent of Education by the team's chair or by NCATE, as applicable, within 30 days after the chair's receipt of the institution's suggested corrections. The State Superintendent shall provide the final report to the institution within ten business days after receiving it.
- g) Within 30 days after receipt of the final report, the institution shall submit to the State Superintendent and to NCATE, if applicable, either a letter stating agreement with the report's findings or a rejoinder to those findings that meets the

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following requirements:

- 1) The rejoinder must indicate the grounds for disagreement with one or more of the team's findings and include documentation to support the institution's position.
 - 2) All documentation must describe conditions that existed at the time of the on-site review. (Changes made by the unit after the visit will not be considered.)
 - 3) All documentation must relate directly to the standards and procedures that applied at the time of the on-site visit.
- h) Staff of the State Board of Education shall convey to the State Teacher Certification Board the institutional report, the review team's report, the institution's letter of agreement or rejoinder, a response to that rejoinder provided by the team's chair, the results of the review of the program reports, any other relevant documentation that was available to the review team, and the decision of NCATE's Unit Accreditation Board (UAB), if applicable.
- i) After consideration of the information submitted pursuant to subsection (h) of this Section, the State Teacher Certification Board shall convey to the State Board of Education a recommendation regarding the accreditation of the educational unit as appropriate to the circumstances, in keeping with the provisions of subsection (j) of this Section. The State Teacher Certification Board shall also convey recommendations regarding approval of the unit's individual programs (see Section 25.127 of this Part).
- j) The possible outcomes of Accreditation Review shall align with those used in the NCATE system of review, so that Illinois institutions desiring both national accreditation through NCATE and the State recognition, accreditation, and program approval required pursuant to this Subpart C will generally not be caused to duplicate their efforts or undergo duplicate reviews.
- 1) If the educational unit has met all the applicable standards, the State Teacher Certification Board shall recommend that the State Board of Education continue the accreditation of the educational unit (which may include the identification of areas for improvement), thereby authorizing the institution to conduct its approved programs and to recommend

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candidates for certification by entitlement.

- 2) If the educational unit has failed to meet one or more of the applicable standards, the State Teacher Certification Board shall recommend that the State Board of Education assign accreditation of the educational unit with conditions, thereby authorizing the institution to conduct its approved programs and to recommend candidates for certification by entitlement. An institution to which accreditation with conditions has been assigned shall, within 30 days after receipt of the State Board's decision, provide written notification to the candidates enrolled in the unit's programs to this effect.
 - A) If the State Teacher Certification Board believes that the unit can make adjustments so as to satisfy the conditions expressed within six months, the Board shall recommend that the State Board of Education request submission of documentation that addresses the unmet standards as well as any other areas for improvement within that time. However, the affected unit may choose to undergo a focused visit pursuant to subsections (j)(2)(C) and (D) of this Section instead.
 - B) If documentation is submitted pursuant to subsection (j)(2)(A) of this Section, the State Board of Education shall either continue the institution's accreditation, if the conditions expressed have been satisfied, or require a focused visit addressing the unmet standards and any additional areas for improvement, which shall occur within one year after the semester in which the documentation was submitted.
 - C) If the State Teacher Certification Board believes that the conditions expressed cannot be satisfied within six months, the Board shall recommend that the State Board of Education require a focused visit addressing the unmet standards and any additional areas for improvement within two years after the semester when the conditions were issued.
 - D) Each focused visit shall be conducted by a team established by the State Superintendent of Education or the NCATE Board of Examiners, as applicable, and trained in the review process. The

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provisions of subsection (d)(2) of this Section shall also apply. The team conducting a focused visit shall forward to the State Teacher Certification Board a report indicating whether the conditions expressed have been satisfied.

- i) Within 30 days after receipt of this report, the institution shall submit either a rejoinder to the team's findings that meets the requirements of subsection (g) of this Section or a letter acknowledging receipt of the report.
 - ii) Staff of the State Board of Education shall convey to the State Teacher Certification Board the review team's report, the institution's letter of agreement or rejoinder, a response to that rejoinder provided by the team's chair, any other relevant documentation that was available to the review team, and the decision of NCATE's Unit Accreditation Board, if applicable.
- E) After reviewing the materials submitted pursuant to subsection (j)(2)(D) of this Section, the State Teacher Certification Board shall recommend that the State Board of Education continue or revoke the unit's accreditation.
- F) A unit to which continued accreditation is granted as a result of a six-month report or a focused visit shall next be due for Accreditation Review according to its original schedule (see Section 25.115(d) of this Part).
- 3) If the educational unit has failed to meet one or more of the applicable standards and exhibits areas for improvement that may limit its candidates' ability to meet the standards for certification (meaning, for an NCATE institution, if national accreditation has been revoked), the State Teacher Certification Board shall recommend that the State Board of Education assign accreditation of the educational unit with probation. An institution to which accreditation with probation has been assigned shall, within 30 days after receipt of the State Board's decision, provide written notification to the candidates enrolled in the unit's programs to this effect. If accreditation with probation is assigned, the unit must schedule an on-site visit within two years after the semester in which the decision was

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rendered. As part of this visit, the unit must address all the standards in effect at the time of the review that resulted in probation.

- A) An on-site review required pursuant to this subsection (j)(3) shall be subject to the requirements of subsections (a) through (g) of this Section.
 - B) Following the on-site review, the State Teacher Certification Board shall review the team's report and, based on its assessment of the degree to which the unit has achieved compliance with the applicable standards, shall recommend to the State Board of Education that it either continue or revoke the institution's recognition and the educational unit's accreditation.
 - C) A unit whose accreditation has been continued pursuant to this subsection (j)(3) shall next be subject to Accreditation Review according to its original schedule (see Section 25.115(d) of this Part).
- k) The provisions of subsection (j) of this Section notwithstanding, an institution not accredited by NCATE may decide to seek NCATE accreditation at any time, thus becoming subject to NCATE's initial review cycle. (If NCATE accreditation is sought other than in conjunction with a scheduled Accreditation Review, an Accreditation Review shall be conducted as described in this Section, and the schedule for subsequent Accreditation Reviews shall be altered accordingly.) Conversely, an institution may choose to become disaffiliated with NCATE so that its next Accreditation Review will be conducted under subsection (d)(1) of this Section, provided that the institution notifies the State Superintendent of Education of this intention no later than 18 months prior to the scheduled date of the review visit. The State Superintendent may make an exception to the 18-month timeframe upon determining that circumstances beyond the control of an institution prevented its meeting the deadline for this notification.
- l) Actions following upon the recommendation of the State Teacher Certification Board shall be as described in Section 25.160 of this Part. Revocation of recognition and accreditation shall be subject to the provisions of Section 25.165(b) of this Part.

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- m) Each institution shall pay a portion of the costs related to State participation in its accreditation reviews and any focused visits, subject to the rules of the Travel Regulation Council (see 80 Ill. Adm. Code 3000).
- 1) When only State accreditation is involved and the institution is located in Illinois, the institution shall pay for:
 - A) lodging for each team member, including the consulting, ex officio member referred to in subsection (d)(1) of this Section; and
 - B) a meeting room for the team in the hotel where the team members are housed.
 - 2) When NCATE accreditation is also involved and the institution is located in Illinois, the institution shall pay for the lodging of the consulting, ex officio team member referred to in subsection (d)(2) of this Section.
 - 3) When only State accreditation is involved and the institution is located outside Illinois, the institution shall pay all travel costs associated with the team members' visit, including:
 - A) transportation, lodging, and meals or per diem for each team member, including the consulting, ex officio member referred to in subsection (d)(1) of this Section; and
 - B) a meeting room for the team in the hotel where the team members are housed.
 - 4) When NCATE accreditation is also involved and the institution is located outside Illinois, the institution shall pay all travel costs for the consulting, ex officio team member referred to in subsection (d)(2) of this Section and, at the discretion of the State Superintendent of Education, for one additional individual representing the Illinois State Board of Education, including transportation, lodging, and meals or per diem.
 - 5) When an institution located in Illinois is governed by an out-of-state institution and the out-of-state institution is visited as part of the accreditation review, the travel costs associated with the out-of-state visit

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shall be borne by the institution under subsection (m)(3) or (m)(4) of this Section, as applicable.

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

Section 25.130 Mid-Cycle Intervention~~Special Provisions for Institutions Subject to Conditions for Continuing Accreditation (Repealed)~~

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

- a) If an accreditation review or focused visit is to be conducted, the State Superintendent shall inform the review team of the areas of concern. In the case of a focused visit, the areas of concern shall be considered "additional areas for improvement" that the institution must address, as discussed in Section 25.125(j)(2) of this Part.
- b) If the unit's representatives are invited to provide a response, any material submitted shall be considered by the State Teacher Certification Board at the next available opportunity. The Certification Board may also invite representatives of the institution to appear before it to present any additional information that may be relevant.
- c) If the Certification Board concludes that further information is necessary, or if the institution has not responded within 60 days after receiving notification of the issues from the State Superintendent, the Certification Board shall recommend to the State Superintendent that an inquiry be conducted, which may include an on-site review at the discretion of the State Superintendent.
- d) If the State Teacher Certification Board determines at any point that the concerns raised were unfounded or that the issues have been remedied in the interval, the Certification Board shall notify the State Superintendent that no further action is

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needed with regard to the matter, and the State Superintendent shall notify the institution accordingly.

- e) If, after considering all information presented by the institution's representatives, the standards and requirements that apply to the unit or the program in question, and the results of the inquiry, if one was conducted, the State Teacher Certification Board determines that cause for concern continues to exist, the Certification Board shall convey to the State Superintendent of Education a recommendation for action by the State Board of Education regarding the status of the unit or the program, as applicable.
- 1) In the case of an individual preparation program, the Certification Board shall recommend that the program's approval status be made provisional. If provisional approval is assigned by the State Board of Education, the Certification Board shall review the next annual program report to determine whether the required improvements have been made and the applicable standards are being met. If so, the Certification Board shall notify the State Superintendent that no further action is needed.
- A) If the required improvements have been initiated by the institution and there is a reasonable expectation that the areas of concern will be resolved within the following 12 months, the Certification Board shall recommend continued provisional approval for the program.
- i) The Certification Board shall review the subsequent annual program report to determine whether the applicable standards are being met and shall either notify the State Superintendent that no further action is needed or recommend that the State Board of Education place the program on probation for a specified period not to exceed 12 months.
- ii) If the program is placed on probation, no new candidates may be accepted into it. While the program is on probation, the institution shall submit to the State Superintendent a complete, new program report, with emphasis on the unmet standards. At the end of the probationary period, the State Teacher Certification Board

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shall recommend either continuing approval of the affected program or revocation of the program's approval, according to whether all applicable standards are being met.

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

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

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

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

Section 25.145 Approval of New Programs Within Recognized Institutions

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

a) The institution shall submit to the State Superintendent of Education a program report meeting the requirements of Section 25.127(a) of this Part, showing how each proposed program meets the applicable professional education and content-

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area standards established by the State Board of Education.

- b) No later than ~~6030~~ days after the State Superintendent receives a program report, staff shall notify the affected institution as to whether the report is complete and identify any required component not adequately addressed. An institution may provide additional material to complete a program report within ~~6030~~ days after receiving a notification to the effect that it is incomplete.
- c) At the institution's request, staff of the State Board of Education shall convey the report to the State Teacher Certification Board.
- d) After consideration of the report, the State Teacher Certification Board shall convey to the State Superintendent its recommendation that the State Board of Education:
 - 1) Provisionally approve the proposed new teacher education programs, thereby authorizing the educational unit to conduct the programs and to recommend candidates for certification by entitlement until the time of the institution's next scheduled Accreditation Review; or
 - 2) Deny approval of the proposed programs, thereby prohibiting the conduct of the affected programs.
- e) Actions following upon the recommendation of the State Teacher Certification Board shall be as described in Section 25.160 of this Part.
- f) When a unit submits a proposal for an alternative program under any of Sections 21-5b, 21-5c, and 21-5d of the School Code [105 ILCS 5/21-5b, 21-5c, and 21-5d], that proposal shall not be considered a new program subject to this Section. The review of such a proposal shall be as delineated in Section 25.65, 25.67, or 25.313 of this Part, as applicable.

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

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

- a) The State Superintendent of Education shall notify an affected institution in writing not later than 30 days after receipt of a recommendation from the State Teacher Certification Board pursuant to the provisions of this Subpart C and,

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except as provided in this subsection (a), shall await the institution's response (see subsection (b) of this Section) prior to forwarding that recommendation to the State Board of Education. The State Superintendent shall not await a response from an institution if, as applicable to the nature of the review:

- 1) the State Teacher Certification Board has recommended the initial recognition of the institution, the accreditation of its educational unit, and the approval of all of its proposed programs under Section 25.155(l)(1) of this Part; ~~or~~
 - 2) the State Teacher Certification Board has recommended continuing the accreditation of the educational unit under Section 25.125(j)(1) of this Part and the approval of all the unit's existing preparation programs under Section 25.127(j)(1) of this Part; ~~or~~
 - 3) the State Teacher Certification Board has recommended provisional approval of each proposed new preparation program under Section 25.145(d)(1) of this Part; or
 - 4) the State Teacher Certification Board has recommended continuing approval of a preparation program under Section 25.130(e)(1)(A)(ii) of this Part.
- b) Within 30 days after receipt of written notification from the State Superintendent, an affected institution may submit a notice of objection to the State Teacher Certification Board's recommendation. The institution's narrative explanation of its objections shall conform to the requirements for rejoinders stated in Section 25.125(g) of this Part but may also be based upon an objection to the State Teacher Certification Board's review; this narrative and any supporting documentation shall be submitted to the State Superintendent not later than 30 days after the institution submits its notice of objection.
- c) The State Superintendent shall forward to the State Board of Education for consideration at its next available meeting the recommendation made by the State Teacher Certification Board and the institution's presentation of its objections and shall inform the State Teacher Certification Board that these materials have been submitted for the State Board's consideration.
- d) No more than 30 days after the State Board of Education makes its decision, the

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State Superintendent shall notify the institution in writing of the State Board's action.

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

Section 25.165 Discontinuation of Programs

- a) An institution that intends to discontinue an approved program or cease offering preparation programs altogether shall so notify the State Superintendent of Education no later than 30 days prior to taking ~~that~~ action, except that voluntary discontinuation of a program shall also be subject to the following additional requirements:
 - 1) The institution shall assure the State Superintendent that all candidates currently enrolled in any program scheduled for discontinuation will have an opportunity to complete the program.
 - 2) The institution shall supply to the State Superintendent the names and Social Security numbers of all candidates currently enrolled in any program scheduled for discontinuation.
- b) When approval of a program is revoked, the State Board of Education may require its continued operation for one additional academic year to permit currently enrolled candidates either to complete the program or to seek enrollment in another institution for that purpose. However, if the State Board determines in consultation with the State Teacher Certification Board that the program is unable to offer candidates learning opportunities that contribute to their ~~teaching~~ competence ~~as professional educators~~, the Board shall require that the program cease operating at the end of the then-current semester. The institution shall supply to the State Superintendent the names and Social Security numbers of all candidates currently enrolled in any program whose approval is revoked.
- c) A program in which no candidates have been enrolled for a consecutive three-year period shall be considered to have been discontinued. An institution desiring to resume offering such a program shall be required to comply with the requirements for initial approval stated in Section 25.145 of this Part.

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

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SUBPART D: SCHOOL SERVICE PERSONNEL

Section 25.215 Certification of School Social Workers (2004)

- a) Each candidate for the school service personnel certificate endorsed for school social work shall hold a master's or higher degree in social work with a specialization in school social work awarded by a graduate school of social work accredited by the Council on Social Work Education.
- b) Each candidate shall have completed an Illinois program approved for the preparation of school social workers pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have completed both a supervised field experience of at least 400 contact hours, supervised by a field instructor holding a master's or higher degree in social work, and a school social work internship of at least 600 contact hours in a school setting [or have one year's professional experience as a school social worker on a valid out-of-state school social work certificate or an Illinois provisional school service personnel certificate endorsed for school social work.](#)
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of Section 25.720 of this Part. (See also 23 Ill. Adm. Code 23.140.)
- e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

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

Section 25.225 Certification of School Counselors (2004)

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

- a) Each applicant for the school service personnel certificate endorsed for school counseling shall hold a master's or higher degree awarded by a regionally accredited institution of higher education in school counseling, another counseling

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or related field (e.g., social work or psychology), or an educational field. ~~(See subsection (h) of this Section.)~~

- b) Each applicant shall have completed an Illinois program approved for the preparation of school counselors pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have completed a supervised counseling practicum of at least 100 clock hours that provided interaction with individuals and groups of school age and included at least 40 hours of direct service work. Except as provided in subsection (e) of this Section, each applicant shall have completed a structured and supervised internship that is part of an approved program.
 - 1) The internship shall be of a length that is determined by the approved program to be adequate to enable candidates to meet the standards set forth at 23 Ill. Adm. Code 23.110 but shall entail at least 600 hours and last no less than one semester, during which the candidate shall engage in the performance of various aspects of the counseling role and shall be gradually introduced to the full range of responsibilities associated with that role. However, the internship for an individual with at least two years of teaching experience may, at the discretion of the institution offering the approved program, consist of no fewer than 400 hours. In each case at least 240 hours of the internship shall involve direct service work with individuals and groups of school age.
 - 2) The internship shall occur in a school setting except that, at the discretion of the institution, a maximum of one-third of the hours required may be credited for experiences in other related settings such as hospitals or day care settings that, in the judgment of the institution, expose the candidate to the needs of school-aged children and prepare the candidate to function as a school counselor.
 - 3) An institution may recommend certification of a candidate who was enrolled in an approved program prior to July 1, 2004, and has completed an internship meeting the requirements applicable at the time of his or her enrollment.

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- d) Except as provided in subsections (e) and (f) of this Section, each applicant shall either:
- 1) hold or be qualified to hold a teaching certificate; or
 - 2) have completed, as part of an approved program, coursework addressing:
 - A) the structure, organization and operation of the educational system, with emphasis on P-12 schools;
 - B) the growth and development of children and youth, and their implications for counseling in schools;
 - C) the diversity of Illinois students and the laws and programs that have been designed to meet their unique needs; and
 - D) effective management of the classroom and the learning process.
- e) An applicant who holds another state's certification in school counseling shall not be subject to the requirements of subsection (c) or subsection (d) of this Section if he or she presents evidence of at least ~~one year's~~two years' full-time experience as a school counselor on a valid out-of-state school counseling certificate or an Illinois provisional school service personnel certificate endorsed for school counseling.
- f) An applicant who has completed an approved school counseling program in another state that includes an internship meeting the requirements of subsection (c) of this Section shall not be subject to the requirements of subsection (d) of this Section.
- g) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of Section 25.720 of this Part. (See also 23 Ill. Adm. Code 23.110.)
- h) ~~An applicant who holds a master's degree in any field other than school counseling, or who holds a bachelor's degree only, shall be required to complete the equivalent of all requirements of an approved school counseling preparation program. The Illinois institution offering the program shall review the individual's educational and experiential background and identify any of the~~

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~~standards set forth at 23 Ill. Adm. Code 23.110 or other applicable requirements of this Section that the individual's preparation has not addressed. Upon successful completion of the coursework and experiences offered by the institution that address the identified standards, the applicant shall be eligible to be recommended for certification by entitlement.i)~~ Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

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

Section 25.227 Interim Certification of School Counselor Interns (2004)

- a) An individual who wishes to participate in an internship enabling him or her to meet the requirements described in Section 25.225 of this Part may obtain interim certification as a school counselor intern. Each applicant for this certification shall either:
 - 1) have completed, as part of an approved program, all the coursework described in Section 25.225(d)(2) of this Part; or
 - 2) hold a master's or higher degree in ~~the~~ the field of agency counseling ~~other than school counseling~~ and be working toward completion of all requirements necessary for certification as a school counselor as described in Section 25.225(~~h~~) of this Part.
- b) Each applicant shall be in good health and of sound moral character and shall be a citizen of the United States or be legally present in the United States and possess legal authorization for employment.
- c) Each applicant shall submit the required fee along with an application to the State Board of Education and a transcript indicating compliance with subsection (a) of this Section.
- d) Interim certification as a school counselor intern shall be valid for three years, subject to Section 21-22 of the School Code, and shall not be renewable.

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

Section 25.235 Certification of School Psychologists (2004)

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

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

Section 25.275 Renewal of the School Service Personnel Certificate

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

- a) Pursuant to Section 21-25 of the School Code, the renewal of school service personnel certificates held by individuals employed and performing services in certain types of public schools is contingent upon certificate-holders' presentation of evidence of continuing professional development. Renewal of any affected SSP certificate whose period of validity begins on or after July 1, 2008 shall require the certificate-holder's:

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- 1) possession of one of the State licenses identified in Section 21-25(e) of the School Code, that is:
 - A) current licensure as either a clinical professional counselor or a professional counselor under the Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107];
 - B) current licensure as either a clinical social worker or a social worker under the Clinical Social Work and Social Work Practice Act [225 ILCS 20]; or
 - C) current licensure as a speech-language pathologist under the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]; or
 - 2) possession of one of the national certifications identified in Section 21-25(e) of the School Code; or
 - 3) completion of sufficient professional development activities to satisfy the requirements of Section 21-25 of the School Code.
- b) An individual who wishes to qualify for certificate renewal based on licensure or national certification as permitted by Section 21-25 of the School Code shall maintain documentation related to the relevant license or certificate, including its date of issue, period of validity, and issuing body. This information shall be included in the individual's application for certificate renewal in place of the statement of assurance called for in subsection (k) of this Section.
- c) Completion of the certification process conducted by the National Board for Professional Teaching Standards (NBPTS) may be used to fulfill the entire requirement for professional development under subsection (a)(2) of this Section for the renewal cycle during which completion occurs. Evidence of completion of this process shall be the inclusion of the certificate-holder's name on NBPTS' composite list of those who have completed the certification process (as distinct from having received certification).
- d) Except as provided in subsections (b) and (c) of this Section, *each professional development activity used to fulfill the requirements of this Section shall be required to address one or more of the purposes set forth in Section 21-25(e) of*

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the School Code, and *three of the four purposes must be addressed*. No later than 60 days after the State Board of Education votes to establish or change the list of *areas determined by the Board to be critical for all school service personnel* (Section 21-25 of the School Code), the State Superintendent of Education shall notify each school district superintendent, each regional superintendent of schools, and any organization that requests this notification. The notice shall include a list of the areas and state the date upon which the list takes effect.

- e) CPDUs shall be generated for completion of activities in accordance with the provisions of Section 25.875 of this Part, provided that, as necessary to the context:
- 1) references to Section 21-14 of the School Code shall be understood to mean the comparable provisions of Section 21-25 of the School Code;
 - 2) references to teachers, teaching, and instruction shall be understood to mean holders of the school service personnel certificate and their performance of services;
 - 3) references to the classroom shall be understood to mean the setting where services are provided;
 - 4) references to classes directly taught by the certificate-holder (Section 25.875(e) and (n) of this Part) shall be understood to mean students directly served by the certificate-holder;
 - 5) references specific to the supervision or preparation of candidates for teaching certificates (Section 25.875(h) and (m) of this Part) shall be understood to mean the supervision or preparation of candidates for the school service personnel certificate;
 - 6) references to content-area standards (Section 25.875(i) of this Part) shall be understood to mean the relevant standards set forth at 23 Ill. Adm. Code 23 (Standards for the School Service Personnel Certificate); and
 - 7) the reference to State priorities (Section 25.875(k) of this Part) shall be understood to mean the critical areas identified by the State Board of Education pursuant to Section 21-25(e)(2) of the School Code.

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- f) The provisions of Sections 25.855, 25.860, 25.865, and 25.872 of this Part shall apply to the awarding of CPDUs for activities offered by providers, provided that, as necessary to the context:
- 1) references to Section 21-14 of the School Code shall be understood to mean the comparable provisions of Section 21-25 of the School Code;
 - 2) references to Subpart J of this Part shall be understood as referring to this Section;
 - 3) references to teachers shall be understood to include holders of the school service personnel certificate; and
 - 4) references to continuing education units (CEUs) shall not apply.
- g) Each school service personnel certificate shall be maintained as "valid and active" or "valid and exempt" for each semester of its validity. Periods of exemption and proportionate reductions in the requirements for continuing professional development shall be determined as discussed in Section 25.880(a) of this Part. In addition:
- 1) *the number of continuing professional development units needed to renew the certificate shall be reduced by 50 percent for any amount of time during which the certificate-holder has been employed and performing services on a part-time basis, i.e., for less than 50 percent of the school day or school term; and*
 - 2) *a certificate-holder who is employed as a substitute on a part-time basis or a day-to-day basis shall only be required to pay the registration fee in order to renew his or her certificate (Section 21-25(e) of the School Code).*
- h) Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate's validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.
- i) Each certificate-holder shall:

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- 1) maintain the required form of evidence of completion for each activity throughout the period of validity that follows the renewal of the certificate based on completion of the activities documented; and
 - 2) present the evidence of completion upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under this Section.
- j) An Illinois master SSP certificate shall have a ten-year period of validity. When an individual receives an Illinois master SSP certificate, any other SSP certificate held by the same individual shall be renewed as of the date of issuance of the master certificate. Any other SSP certificate shall automatically qualify for renewal at the end of its five-year period of validity, as long as the individual continues to hold the master certificate.
- 1) When an Illinois certificate-holder successfully renews his or her National Board certification, he or she shall be entitled to renew the Illinois master SSP certificate and any other SSP certificate held if the applicable requirements of this Section have also been met.
 - 2) The holder of an Illinois master certificate whose certification through the NBPTS is not renewed shall nevertheless be entitled to renew the master certificate when it expires, provided that the applicable requirements of this Section have been met during the master certificate's period of validity.
- k) Each holder of an SSP certificate shall apply for renewal of that certificate as set forth with respect to teaching certificates in Section 25.830 of this Part, including the submission of a statement of assurance that conforms to the requirements of subsection (b) of that Section, except that:
- 1) each application for certificate renewal shall be submitted to the regional superintendent of schools, regardless of whether a local professional development committee is in operation in the employing district; and
 - 2) references to "standard" certificates in that Section shall be understood to apply to SSP certificates.

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- l) Within 14 days after receiving an application for the renewal of a school service personnel certificate, the regional superintendent shall forward to the State Teacher Certification Board a recommendation for renewal or nonrenewal on a form prescribed by the State Superintendent of Education.
- 1) The regional superintendent shall transmit a list identifying all the certificate-holders with respect to whom the regional superintendent is recommending renewal of SSP certificates, along with verification that:
 - A) each certificate-holder has completed professional development or otherwise qualifies for certificate renewal in accordance with the requirements of Section 21-25 of the School Code and this Section; and
 - B) each certificate-holder has submitted the statement of assurance required in accordance with subsection (k) of this Section.
- 2) If the recommendation is not to renew the certificates held, or if [information provided on](#) the application ~~makes~~[indicates](#) the individual [subject to the requirements of any of Sections 25.485 through 25.490 of this Part](#) ~~is or may be out of compliance with Section 10-65 of the Illinois Administrative Procedure Act with regard to child support payments~~, the certificate-holder's copy shall be sent concurrently by certified mail, return receipt requested. Each recommendation for nonrenewal shall include the regional superintendent's rationale.
- m) A certificate-holder with respect to whom a regional superintendent has recommended nonrenewal of the SSP certificate may appeal to the State Teacher Certification Board in accordance with the provisions of Section 25.835(h) of this Part, except that the requirements of Section 21-25 of the School Code shall be understood to apply rather than those established by Section 21-14 of the School Code.
- n) The State Teacher Certification Board shall review regional superintendents' recommendations regarding the renewal of SSP certificates and notify the affected certificate-holders in writing as to whether their certificates have been renewed or not renewed. This notification shall take place within 90 days after the State Teacher Certification Board receives regional superintendents' recommendations, subject to the right of appeal set forth in this subsection (n).

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- 1) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent's recommendation for nonrenewal, the State Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.
 - 2) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
 - 3) The State Teacher Certification Board may request that the certificate-holder appear before it. The certificate-holder shall be given at least ten days' notice of the date, time, and place of the hearing.
 - 4) In verifying whether the certificate-holder has met the renewal criteria set forth in Section 21-25 of the School Code, the State Teacher Certification Board shall review the recommendation of the regional superintendent of schools and all relevant documentation.
- o) The State Teacher Certification Board shall notify the certificate-holder in writing, within seven days after completing its review, as to whether the SSP certificate has been renewed. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the certificate, the notice to the certificate-holder shall be transmitted by certified mail, return receipt requested, and shall state the reason for the decision. The decision of the State Teacher Certification Board is final and subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].
- p) An individual whose certificate is not renewed because of his or her failure to meet the requirements of Section 21-25 of the School Code and this Section may apply for a reinstated certificate valid for one year. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable SSP certificate only if he or she presents evidence of having:
- 1) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and

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- 2) earned five additional semester hours of credit from a regionally accredited institution of higher learning relevant to the field of certification.
- q) The provisions of Section 25.840(d) of this Part shall apply to the renewal of the school service personnel certificate.
- r) If fewer than five years remain in the period of a certificate's validity as of July 1, 2008, the number of CPDUs required in order to renew the certificate at the conclusion of that period shall be proportionately reduced.
- s) An individual who performs services both on an SSP certificate and concurrently also on some other type of certificate to which renewal requirements apply shall be subject to the provisions of Section 25.475 of this Part.

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

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

Section 25.313 Alternative Route to Administrative Certification

The purpose of the administrative route established under Section 21-5d of the School Code [105 ILCS 5/21-5d] is to provide an expedited means by which experienced administrators from outside the field of education may acquire the knowledge and skill that will enable them to serve as public school administrators in positions other than principal and assistant principal. For purposes of this Section, and beginning with candidates who begin the course of study on or after January 1, 2010, the requirement for at least five years' employment in a management-level position (Section 21-5d of the School Code) shall be understood to exclude experience in any position for which an administrative certificate is required and any comparable position in a nonpublic school. Further, the one year's full-time administrative assignment that makes up the second phase of this program shall not consist of work performed as a principal or assistant principal and must include a range of tasks that are inherent to the roles covered by the endorsement sought.

- a) Section 21-5d of the School Code [~~105 ILCS 5/21-5d~~] provides for the issuance of provisional alternative administrative certificates to eligible candidates, as defined in that Section, who successfully complete a course of study approved by the State Board of Education in consultation with the State Teacher Certification

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Board.

- b) Section 21-5d of the School Code further provides for the issuance of standard administrative certificates to candidates who, after completing the course of study referred to in subsection (a) of this Section, complete an alternative program that also includes:
- 1) one year's full-time administrative work [in a public school or school district](#);
 - 2) a comprehensive assessment of the candidate's performance; and
 - 3) a favorable recommendation by the institution of higher education responsible for the course of study.
- c) Proposals for the establishment of programs meeting the specifications of subsections (a) and (b) of this Section shall be approved if they comply with Section 21-5d of the School Code and this Section. In making this determination, the State Board of Education shall consult with the State Teacher Certification Board and the advisory panel established pursuant to Section 21-5d of the School Code. Proposals shall be addressed as follows:
- State Board of Education
Alternative Certification Program
100 North First Street
Springfield, Illinois 62777-0001
- d) Proposal Requirements
- 1) Each proposal shall describe the roles and responsibilities of the participating university and the school districts in which candidates will be assigned for the year of practice as full-time administrators.
 - 2) Each proposal shall indicate how candidates who do not possess master's degrees in management shall be determined eligible for the program based on life experience equivalent to a master's degree. In making this determination, institutions shall take into consideration candidates' length and breadth of experience in such areas as:

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- A) personnel management, supervision, and evaluation;
 - B) long-range planning and evaluation of program effectiveness;
 - C) community and public relations;
 - D) organizational development and improvement;
 - E) finance and budgeting; and
 - F) work involving public schools and other educational units.
- 3) Each proposal shall describe the proposed course of study.
- A) Each proposal shall describe how individual candidates' education and experience will be used in determining the portions of the course of study he or she will be required to complete.
 - B) Each proposal shall demonstrate how candidates will acquire knowledge of content and skills equivalent to the content and skills contained in the participating institution's program approved pursuant to Subpart C of this Part with regard to:
 - i) educational management;
 - ii) governance and organization; and
 - iii) planning.
 - C) Each program shall include a preservice assessment of each candidate's performance to be conducted by the institution of higher education at the conclusion of the course of study in order to determine the candidate's readiness for the year-long administrative assignment. Each proposal shall state the criteria for the institution's determination of candidates' readiness.
- 4) Each proposal shall describe the proposed arrangements for candidates' assignment to administrative positions under this Section and shall provide for these to be set forth in a formal, written agreement between the

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participating institution of higher education and the school districts where candidates will practice. Each such agreement shall address the nature and intensity of the support to be provided to candidates by experienced district-level administrators, university staff, and/or other professionals with relevant experience, including at least:

- A) the qualifications and experience of such individuals;
 - B) the estimated amount of time these individuals will devote to advising and assisting candidates; and
 - C) the specific roles of the assisting individuals.
- 5) Each proposal shall describe the proposed method of assessing candidates' performance for the year referred to in this Section and shall provide for these to be set forth in a formal, written agreement between the participating institution of higher education and the school districts where candidates will practice. Each such agreement shall include:
- A) the roles of all parties who will participate in the evaluation of candidates; and
 - B) assessment methods capable of demonstrating whether a candidate has acquired knowledge and skills equivalent to those required of candidates pursuing the respective institution's program approved pursuant to Subpart C of this Part.
- 6) Each proposal shall delineate the criteria by which candidates will be recommended for certification by the participating institution of higher education.
- e) Each alternative program established pursuant to this Section shall be subject to the Accreditation Review described in Subpart C of this Part.
- f) The sponsoring institutions of programs established pursuant to this Section shall provide annual reports to the State Teacher Certification Board that describe the programs offered, the number and categories of the candidates who apply to each program, the completion rate for each program, and data regarding placement of individuals who complete each program.

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

Section 25.315 Renewal of Administrative Certificate

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

- a) **Professional Development Required**
Pursuant to Section 21-7.1 of the School Code, renewal of administrative certificates held by public school administrators who are serving in positions requiring administrative certification is contingent upon certificate-holders' presentation of evidence of continuing professional education. For the purposes of this Section, the terms "continuing professional education" and "continuing professional development" shall be considered synonymous. Renewal of any affected administrative certificate whose period of validity begins on or after July 1, 2003, shall require the certificate-holder's completion of professional development activities sufficient to satisfy the requirements of Section 21-7.1 of the School Code and presentation, upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under this Section, of evidence of completion of the activities.
- b) Each activity shall be required to address one or more of the following purposes:
 - 1) *improving the administrator's knowledge of instructional practices and administrative procedures;*
 - 2) *maintaining the basic level of competence required for initial certification; and*
 - 3) *improving skills and knowledge regarding the improvement of teaching performance in clinical settings and assessment of levels of student performance. (Section 21-7.1 of the School Code)*
- c) Activities selected to fulfill the requirement for 100 hours of professional development (see Section 21-7.1(c-10) of the School Code) shall be subject to the provisions of this subsection (c).
 - 1) Activities chosen for this purpose may include but need not be limited to:

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- A) Completion of college/university courses;
 - B) Participation in state and national conferences of professional organizations or in workshops, seminars, symposia, or other, similar training events;
 - C) Teaching college/university courses or making presentations at conferences, workshops, seminars, symposia, or other, similar training events;
 - D) Providing formal mentoring to one or more other administrators;
 - E) Independent study; and
 - F) Other activities related to the Illinois School Leader Standards and other applicable standards (see 23 Ill. Adm. Code 29) such as developing or revising school programs, participating in Administrators' Academy courses, research, and other, similar projects.
- 2) Continuing professional development hours for the activities chosen pursuant to this subsection (c) shall be credited as follows.
- A) Fifteen hours shall be credited for each semester hour of college credit earned.
 - B) One hour shall be credited for each hour of the administrator's direct participation in a relevant activity other than college coursework, as verified by a log the administrator shall maintain and present upon request by the regional superintendent or a representative of the State Board of Education, or if required as part of an appeal under this Section, describing what was done with respect to each activity, with dates and amounts of time spent in each case.
- d) Required Administrators' Academy Courses

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- 1) An individual who fails to complete an Administrators' Academy course in a given year as required by Section 21-7.1(c-10)(B) of the School Code shall be required to complete two courses for each one missed. He or she may make these up at any time during the remainder of the certificate's validity or while holding a reinstated certificate pursuant to subsection (e)(5) of this Section.
 - 2) Each administrator who completes an Administrators' Academy course shall receive written, dated verification that indicates the title of the course and the number of hours to be credited toward the applicable requirement.
- e) Application for Renewal of Certificate
- 1) Each application for renewal of an administrative certificate, other than an application of a regional superintendent of schools, shall be submitted to the regional superintendent and shall be accompanied by *a verification format developed by the State Board of Education certifying that* the required number of hours of professional development activities and the required number of Administrators' Academy courses have been completed. (Section 21-7.1(c-10) of the School Code) A certificate-holder who fails to submit this material so as to ensure its receipt by the regional superintendent no later than April 30 may not be able to preserve his or her right of appeal under subsection (f) of this Section.
 - 2) Based on the available information regarding the individual's compliance with the requirements for certificate renewal set forth in this Section, the regional superintendent shall, within 30 days after receipt of an individual's application, forward a recommendation for renewal or non-renewal of the administrative certificate to the State Superintendent of Education and notify the certificate-holder in writing of that recommendation.
 - 3) A certificate-holder who is a regional superintendent of schools shall submit the verification format referred to in subsection (e)(1) of this Section to the State Superintendent of Education along with his or her application for certificate renewal.
 - 4) Within 30 days after receiving an application, the State Superintendent of Education shall notify the affected certificate-holder as to whether the

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administrative certificate has been renewed or not renewed, including the rationale for nonrenewal. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent, except that a regional superintendent shall deposit his or her own fee in the region's institute fund.

- 5) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Section may apply for a reinstated certificate valid for one year. With respect to the year of reinstatement, completion of one Administrators' Academy course and one or more additional professional development activities meeting the requirements of subsections (b) and (c) of this Section and totaling no fewer than 20 hours shall be required. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable administrative certificate only if he or she also presents evidence of having made up activities missed during the preceding renewal cycle by completing the requirements of subsection (e)(5)(A) of this Section, subsection (e)(5)(B) of this Section, or both, as applicable.
 - A) The certificate-holder shall complete two Administrators' Academy courses for each year during which he or she failed to complete one, if not already made up as discussed in subsection (d)(1) of this Section.
 - B) If the certificate-holder failed to complete the applicable number of professional development activities or hours, he or she shall complete the balance of that requirement and ten additional hours of professional development meeting the requirements of subsections (b) and (c) of this Section.
- 6) The period of validity of an administrative certificate issued after a year of reinstatement or held after the reinstatement of a teaching certificate shall be adjusted to coincide with the validity of the holder's teaching certificate.
- f) **Appeal to State Teacher Certification Board**
Within 14 days after receipt of notice from the State Superintendent that his or her administrative certificate will not be renewed based upon failure to complete the

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requirements of this Section, a certificate-holder may appeal that decision to the State Teacher Certification Board, using a form made available by the State Board of Education.

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

State Teacher Certification Board
Secretary
100 North First Street
Springfield, Illinois 62777
 - B) No electronic or facsimile transmissions will be accepted.
 - C) Appeals postmarked later than 14 calendar days after receipt of the non-renewal notice will not be processed.
- 2) In addition to the appeal letter, the certificate-holder shall submit the following material when the appeal is filed:
 - A) evidence that he or she has satisfactorily completed the required types and quantity of activities; and
 - B) any other relevant documents.
- 3) The State Teacher Certification Board shall review each appeal regarding renewal of an administrative certificate in order to determine whether the certificate-holder has met the requirements of this Section. The Certification Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of:
 - A) the regional superintendent's rationale for recommending nonrenewal of the certificate, if applicable;
 - B) any evidence submitted to the State Superintendent along with the individual's application for renewal; and

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- C) the State Superintendent's rationale for non-renewal of the certificate.
- 4) If the Certification Board holds an appeal hearing, it may request the certificate-holder to appear before it, in which case no less than ten days' notice of the date, time, and place of the hearing shall be given to the affected individual.
- 5) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
- 6) The State Teacher Certification Board shall notify the certificate-holder of its decision regarding certificate renewal by certified mail, return receipt requested, no later than 30 days after reaching a decision. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent, except that a regional superintendent shall deposit his or her own fee in the region's institute fund.
- 7) [The State Teacher Certification Board shall not renew any certificate if information provided on the application makes the holder subject to the requirements of any of Sections 25.485 through 25.490 of this Part.](#) The decision of the State Teacher Certification Board is a final administrative decision and shall be subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].
- g) **Proportionate Reduction; Part-Time Service**
The requirements of this Section regarding continuing professional development are subject to reduction in accordance with Section 21-7.1(c-15) of the School Code.
- 1) The requirements of this Section shall be subject to reduction on the same annual basis as provided in Section 21-7.1(c-15) of the School Code in relation to years when a certificate-holder is not employed in a position requiring administrative certification.

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- 2) The number of hours required under subsection (c) of this Section shall also be reduced by 50 percent with respect to periods of time when a certificate-holder is serving on an administrative certificate only and performing services for less than 50 percent of the school day or school term, unless the individual is one whose continued retirement status is subject to the limitations of Section 16-118 of the Illinois Pension Code. Each such individual shall be subject only to the requirement for completion of one Administrators' Academy course for each year during which he or she is employed on the administrative certificate, provided that his or her employment does not exceed the limitations of Section 16-118.
- h) An individual who performs services on an administrative certificate and concurrently also on some other type of certificate to which renewal requirements apply shall be subject to the provisions of Section 25.475 of this Part.
- i) Section 21-7.1(c-10) of the School Code provides that *those persons holding administrative certificates on June 30, 2003 who are renewing those certificates on or after July 1, 2003 shall be issued new administrative certificates*. The certificates that are subject to this provision include:
 - 1) Limited Supervisory (Type 60);
 - 2) All-Grade Supervisory (Type 61);
 - 3) Limited Elementary Supervisory (Type 62);
 - 4) Limited High School Supervisory (Type 63);
 - 5) Life General Supervisory (Type 70); and
 - 6) Life Supervisory (Type 71).

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

Section 25.335 General Administrative Endorsement (2004)

This endorsement is required for principals, assistant principals, assistant or associate superintendents, and staff filling other similar or related positions as indicated in 23 Ill. Adm.

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Code 1.705. (See also 23 Ill. Adm. Code 29.120.) The requirements of this Section shall apply to the issuance of this endorsement except as otherwise provided in Sections 21-5d and 21-5e of the School Code [105 ILCS 5/21-5d and 5/21-5e] and Sections 25.313 and 25.314 of this Part.

- a) Each candidate for the general administrative endorsement shall hold a master's degree awarded by a regionally accredited institution of higher education and shall have completed the coursework in educational administration and supervision required by Section 21-7.1(e)(2) of the School Code [105 ILCS 5/21-7.1(e)(2)].
- b) Each candidate shall have completed an Illinois program approved for the preparation of administrators pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have *two years' full-time teaching or school service personnel experience in public schools, schools under the supervision of the Department of Corrections, schools under the administration of the Department of Human Services, or nonpublic schools recognized by the State Board of Education or meeting comparable out-of-state recognition standards* (Section 21-7.1(e)(2) of the School Code). Beginning with applications submitted on or after February 1, 2012, in order to be acceptable toward fulfillment of this requirement:
 - 1) teaching experience shall have been accrued while the individual held a valid early childhood, elementary, secondary, special K-12, or special preschool-age 21 certificate; and
 - 2) school service personnel experience shall have been accrued while the individual held a valid school service personnel certificate.
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills if its passage would be required for receipt of a standard certificate pursuant to Section 25.720(a) of this Part.
- e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

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

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Section 25.360 Superintendent (2004)

This endorsement is required of school district superintendents. (See also 23 Ill. Adm. Code 29.130.)

- a) Each candidate for the superintendent's endorsement shall hold a master's degree awarded by a regionally accredited institution of higher education.
- b) Each candidate shall have completed an Illinois program approved for the preparation of superintendents pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have *at least two years' full-time administrative or supervisory experience in schools*, ~~on at least a half time basis~~, on a general supervisory, general administrative, director of special education, or all-grade supervisory endorsement on an administrative certificate, or a comparable out-of-state credential. (See Section 21-7.1(e)(4) of the School Code [105 ILCS 5/21-7.1(e)(4)]; the superintendent's endorsement shall not be issued as an individual's first endorsement on the administrative certificate unless issued on the basis of a comparable out-of-state credential.) Experience as a dean of students shall count toward fulfillment of this requirement only for time when the individual had authority for, and performed administrative functions such as, evaluation of certified staff or suspension of students.
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills if its passage would be required for receipt of a standard certificate pursuant to Section 25.720(a) of this Part.
- e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

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

Section 25.365 Director of Special Education

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This endorsement shall be required for directors and assistant directors of special education beginning July 1, 2005.

- a) Each candidate for the director of special education endorsement shall hold a master's degree [or a higher degree](#) awarded by a regionally accredited institution of higher education.
- b) [The requirements of this subsection \(b\) shall apply to applications received on or before January 31, 2012. Later applications shall be subject to the requirements set forth in subsection \(c\) of this Section.](#) Each candidate shall:
 - 1) have completed an Illinois program approved for the preparation of directors of special education pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part); or
 - 2) submit, along with the application for the endorsement and the applicable fee, a copy of a letter of approval as an administrator of special education issued by the State Board of Education at any time; or
 - 3) submit, along with the application for the endorsement and the applicable fee, evidence of holding an administrative certificate, and having completed 30 semester hours of coursework, distributed among all the areas listed in this subsection (b)(3).
 - A) Survey of exceptional children.
 - B) Special methods courses covering at least three areas of disability.
 - C) Educational and psychological diagnosis and remedial techniques.
 - D) Guidance and counseling.
 - E) Supervision of programs for children with disabilities.
- c) [The requirements of this subsection \(c\) shall apply to applications received on or after February 1, 2012. Each candidate shall:](#)

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- 1) have completed an Illinois program approved for the preparation of directors of special education pursuant to Subpart C of this Part or a comparable approved program specific to directors of special education in another state or country or hold a comparable certificate issued by another state or country, provided that the requirements met by the applicant for the out-of-state program or certificate included completion of at least one course each in:
 - A) special education law;
 - B) special education finance;
 - C) supervision of programs for children with disabilities; and
 - D) cross-categorical special education methods; or
- 2) submit, along with the application for the endorsement and the applicable fee, a copy of a letter of approval as an administrator of special education issued by the State Board of Education at any time; or
- 3) submit, along with the application for the endorsement and the applicable fee, evidence of holding an administrative certificate and having completed 30 semester hours of coursework, distributed as specified in this subsection (c)(3).
 - A) at least one course in each of the areas described in subsection (c)(1) of this Section; and
 - B) additional coursework to reach the required total of 30 semester hours, chosen from the areas of:
 - i) curricular adaptations/modifications and assistive technology;
 - ii) facilitation of the least restrictive environment for all students;
 - iii) characteristics of students with disabilities;

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- iv) collaboration with parents and school personnel;
 - v) transition services for students with disabilities; and
 - vi) educational and psychological diagnosis and remedial techniques.
- d) The requirements of this subsection (d) shall apply to applications received on or before January 31, 2012. Later applications shall be subject to the requirements set forth in subsection (e) of this Section. Each candidate shall have two years' full-time teaching experience or school service personnel experience in a field other than school nursing in public schools, schools under the supervision of the Department of Corrections, schools under the administration of the Department of Human Services, or nonpublic schools recognized by the State Board of Education or meeting comparable out-of-state recognition standards.
- e) The requirements of this subsection (e) shall apply to applications received on or after February 1, 2012. Each candidate shall have two years' full-time experience providing special education services in the public schools as a special education teacher, a speech-language pathologist, a school social worker, or a school psychologist.
- f)e) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills if its passage would be required for receipt of a subsequent certificate pursuant to Section 25.720 of this Part.
- g)e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

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

SUBPART F: GENERAL PROVISIONS

Section 25.400 Registration of Certificates; Fees

Section 21-16 of the School Code [105 ILCS 5/21-16] requires the registration of an individual's teaching certificateseertificate(s) and establishes the amount of the registration fee to be paid for each type of certificate. Registration fees and requirements applicable in specified situations

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shall be as set forth in this Section.

- a) Any fee paid to register a certificate for a given year shall cover the registration of all other certificates held by the same individual. An individual shall be required to register all certificates held but shall pay only one registration fee for any year.
- b) An individual is required to register his or her certificate in each region where he or she teaches but, except as provided in Section 21-9 of the School Code [105 ILCS 5/21-9], is required to pay a registration fee in only one region. Therefore, an individual who moves from one region to another after paying a registration fee for a particular period of time:
 - 1) shall be required to register his or her ~~certificates~~certificate(s) in the new region, but
 - 2) shall not be required to pay any additional registration fee except as provided in subsection (c) of this Section.
- c) Under Section ~~21-16~~21-9 of the School Code, a holder of a substitute certificate is required to pay a registration fee in each region where the certificate is used. Therefore, a holder of such a certificate who moves from one region to another after paying a registration fee for a particular period of time:
 - 1) shall be required to register his or her ~~certificates~~certificate(s) in the new region, and
 - 2) shall be required to pay a registration fee for the remaining years of the substitute certificate's validity.
- d) When a registration fee is paid, the amount due shall be the amount required to register the certificate for its entire period of validity, except that a life certificate may be registered for a maximum of five years (see Section 21-16 of the School Code).
- e) Except as provided in subsection (f) of this Section, an individual who receives and registers one or more additional certificates after paying a registration fee for a particular period of time shall not be required to pay an additional registration fee until the period covered by the original fee has elapsed. That is, no registration fee shall be charged for a new certificate as long as the current registration period

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of another certificate covers a portion of the new certificate's registration period.

- f) An individual who receives a standard certificate after paying a registration fee covering four years of teaching on an initial certificate without "using" all four of those years (e.g., an individual from another state who came to Illinois already having accumulated some teaching experience) shall be required to pay the registration fee for the new standard certificate's five-year period of validity, less "credit" equaling the amount paid for the unused years for which the initial certificate was registered.
- g) Pursuant to Section 25.450 of this Part, a certificate that has lapsed may be reinstated by payment of all accumulated registration fees. The amount due for each year shall be the fee that was in effect at that time, rather than the annual amount applicable at the time when the fees are paid.
- h) The amount of the fee that was in effect for any given year shall remain in effect for that year, regardless of when the fee is paid.
- i) The other provisions of this Section notwithstanding, no fee paid in connection with the registration of one or more certificates shall have the effect of extending the period of validity of any other certificate that is subject to additional renewal requirements that have not been met.

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

Section 25.425 Individuals Prepared in Out-of-State Institutions

An applicant who holds or is eligible to hold another state's or another country's teacher, school service personnel, or administrative certificate may be granted a corresponding Illinois certificate if he or she meets all the generally applicable requirements of Article 21 of the School Code (e.g., age; good character; or citizenship or legal presence) and the requirements for the certificate sought, as specified in the applicable Sections of this Part. As used in each of those Sections, a "comparable program" is one that leads to eligibility for service in the same specific capacity in the public schools of the state where the program was completed. A program completed in the United States shall be considered comparable only if it was offered by a regionally accredited institution of higher education.

- a) The certificate sought must be comparable to the out-of-state certificate for which the applicant is eligible. A comparable Illinois certificate is that which is most

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nearly like that of the other state (e.g., a K-6 certificate from another state most nearly approximates the Illinois elementary (K-9) certificate).

- b) Each out-of-state applicant for an Illinois teaching certificate must have met certification requirements that are similar to Illinois requirements.
 - 1) For those who have completed traditional preparation programs, these requirements include college coursework in professional education, including pre-student teaching clinical experiences or equivalent experience, student teaching or equivalent experience, and a major in a subject area that is relevant to the area of certification.
 - 2) For those who have completed alternative certification programs, these requirements include graduation from a regionally accredited institution with a bachelor's degree, an intensive course of study approved by that state for this purpose, and student teaching or another structured teaching experience that forms part of the approved alternative program.
 - 3) An applicant who holds a certificate from another state, territory, or possession of the U.S. but has not completed a preparation program approved by that state shall be required to present a written statement, signed by a representative of the agency issuing the certificate indicating that, at the time when the applicant was certified, the state of certification had certification requirements related to general education, professional education, and an area of specialization for the certificate issued and the applicant met the requirements in all three areas.
- c) An individual may receive additional endorsements [on a teaching certificate](#) by meeting the applicable requirements of Section 25.100 of this Part.
- d) Special provisions apply to applicants from states that do not require certification of school psychologists or school social workers or [do not require any certificate](#) for administrative positions for which certification is required in Illinois. When an applicant presents evidence of having served in such a position in a state where certification for the position is not required, eligibility for the Illinois certificate sought shall be contingent upon evidence that the applicant:
 - 1) has met all applicable requirements of Illinois law relative to the certificate and endorsement sought;

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- 2) has passed the Illinois test of basic skills and the relevant Illinois content-area test; and
- 3) has met any three of the conditions described in subsections (d)(3)(A) through (E) of this Section.
 - A) The individual has completed a degree program that prepares candidates for service in the endorsement area sought in the public schools of the state where the program was completed or the state where the service was provided.
 - B) The individual has completed a program [at an institution](#) that was accredited by NCATE at the time of completion.
 - C) The individual has completed a program that formerly served as a basis for certification in the state where the program was completed.
 - D) The titles or content descriptions of courses listed on the individual's official transcript indicate that the courses were designed to address standards substantially comparable to those that apply to the Illinois certificate or endorsement sought.
 - E) The individual presents evidence of work experience in the public schools in the position for which Illinois certification is sought.
- e) A candidate whose credentials were earned at an institution outside the United States shall submit the documents prepared by the foreign institution to a service whose evaluations are accepted by the State Board pursuant to subsection (f) of this Section.
 - 1) After reviewing the documents submitted, the service shall provide to the State Superintendent of Education a statement identifying the degree held by the individual and indicating whether or not the individual has been prepared as an educator. The service shall also provide a list of the courses completed, with the credits earned equated to semester hours.
 - 2) The transcript provided by the service pursuant to subsection (e)(1) of this

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Section shall be reviewed to determine whether the individual qualifies for a certificate; if so, he or she shall receive such a certificate with all endorsements indicated by the coursework completed.

- 3) If the review of the individual's transcript indicates that he or she does not qualify for a certificate, he or she shall receive a notification of the deficiencies for the certificate.
- f) Evaluation services shall be approved to review foreign credentials for purposes of Illinois certification if they demonstrate experience working on behalf of either the National Association of Foreign Student Affairs or the American Association of Collegiate Registrars and Admissions Officers. However, the State Board of Education may discontinue acceptance of evaluations from any service based on evidence of material inconsistencies in reviews. The State Board shall maintain an up-to-date list of all organizations whose reviews are being accepted and shall make this list readily available.

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

Section 25.427 Three-Year Limitation

- a) An evaluation for purposes of issuing a certificate (rather than an additional endorsement on a previously held certificate) will be binding on the State Board of Education for only three years after it is given. At the close of that time, the evaluation and all relevant material will be discarded unless a certificate has been issued. However, should an individual apply for a certificate of a type for which a previously requested evaluation is still pending pursuant to this Section, the earlier application shall be invalidated and the relevant materials discarded immediately.
- b) A recommendation for certification of a candidate by entitlement shall be valid for only three years after its issuance by the institution. An individual who wishes to rely upon completion of a program after the relevant recommendation has expired shall provide either:
 - 1) verification from the institution that the program has not changed in the intervening time and a new recommendation by that institution for certification of the candidate by entitlement; or

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- 2) a program completion form indicating that the program has changed and identifying the changes, which shall be reviewed by the State Superintendent of Education to determine whether any deficiencies must be remedied by the individual in order to qualify for the certificate sought.

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

Section 25.444 Illinois Teaching Excellence Program

The annual payments and incentives established under Section 21-27 of the School Code [105 ILCS 5/21-27] shall be subject to the requirements of this Section and shall be contingent upon the appropriation of sufficient funds (see subsection (a)(f) of this Section). For purposes of this Section, ~~"outside the regular school term" means during hours when school is not in session or on days when school is not in session and~~ "State Superintendent of Education" means the State Superintendent or a designee, and an "eligible individual" is one who holds the certificate or certificates specified in the portion of Section 21-27 of the School Code that applies to the payment sought. When permitted or required by the State Superintendent, documentation called for in this Section may be submitted via electronic means.

- a) When the funding available in any fiscal year is inadequate to cover all the payments described in this Section, payments shall be prioritized as specified in this subsection (a). No funds shall be allotted for use under any subsection of this Section until all higher-priority expenditures have been covered. Therefore, although a "qualifying individual" is someone who meets the requirements for a particular payment, not all qualifying individuals in any given year will be assured of receiving the applicable payments.
 - 1) As a first priority, funds shall be allotted for the annual stipends described in subsection (b) of this Section.
 - 2) As a second priority, funds shall be allotted for the incentive payments for the first 30 hours of service described in Section 21-27(a)(3) of the School Code.
 - 3) As a third priority, funds shall be allotted for the incentive payments for the first 30 hours of service described in Section 21-27(a)(2) of the School Code.

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- 4) As a fourth priority, funds shall be allotted for the incentive payments for the additional 30 hours of service described in Section 21-27(a)(3) of the School Code.
 - 5) As a fifth priority, funds shall be allotted for the incentive payments for the additional 30 hours of service described in Section 21-27(a)(2) of the School Code.
 - 6) If funds remain after accounting for all the payments described in subsections (a)(1) through (5) of this Section, funds shall be allotted for the expenditures described in subsections (g) through (j) of this Section, in accordance with the order of priority established in Section 21-27(a)(4) of the School Code. The State Superintendent shall use funds appropriated for a given fiscal year to reimburse only individuals whose fees were paid during that fiscal year, as reflected in the electronic database maintained for this purpose on behalf of the State Board of Education.
 - 7) If funds are available for use under a particular subsection of this Section but are insufficient to cover all the payments that would be due under that subsection, the State Superintendent shall pro-rate the amount available among all those who qualify, except as further specified in subsection (i) of this Section.
 - 8) In order to facilitate the use of funds for payments in priority order for each fiscal year, the State Superintendent may establish deadlines for the submission of forms and other documentation required under this Section. An individual who fails to comply with any relevant deadline may forfeit his or her claim to the affected payment.
- b) An eligible individual ~~who holds an Illinois master certificate pursuant to Section 21-2(d) or Section 21-25(d) of the School Code [105 ILCS 5/21-25(d)]~~ shall qualify~~be eligible~~ for an annual payment as called for in Section 21-27(a)(1) of the School Code for each school year during which:
- 1) he or she is employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, as the individual originally assigned to a full-year, full-time~~in~~ position whose functions:

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- A) are specifically authorized by a teaching certificate and include the provision of instruction to students; or
- B) are specifically authorized by a school service personnel certificate endorsed for a school counseling and include the provision of counseling services to students position; and
- 2) he or she was certified by NBPTS prior to October 1 and, as of October 1, was employed as specified in subsection (b)(1) of this Section, or was certified by NBPTS on or after October 1 and, as of January 1, was employed as specified in subsection (b)(1) of this Section works for no less than the equivalent of half the school year, as verified by the employer at or near the conclusion of the school year using a format specified by the State Superintendent of Education, which shall be submitted by the individual as documentation of eligibility for the payment.
- c)b) An eligible~~In addition to the payment received pursuant to subsection (a) of this Section, an individual who holds an Illinois master certificate pursuant to Section 21-2(d) of the School Code shall~~ qualify be eligible for one or more~~an annual incentive payments~~payment under Section 21-27(a)(2) or (a)(3) of the School Code for each year during which:
- 1) he or she is either:
- A) employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, in a position that meets the requirements of subsection (b)(1) of this Section, as verified by the employer using a format specified by the State Superintendent of Education; or
- B) retired (i.e., drawing an annuity from either the Teachers' Retirement System of the State of Illinois pursuant to Article 16 of the Illinois Pension Code [40 ILCS 5/Art. 16] or the Public School Teachers' Pension and Retirement Fund – Cities Over 500,000 Inhabitants pursuant to Article 17 of the Illinois Pension Code [40 ILCS 5/Art. 17]); and~~whose functions are specifically authorized by a teaching certificate and include the provision of instruction to students;~~

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- 2) ~~he or she works for no less than the equivalent of half the school year, as verified by the employer at or near the conclusion of the school year using a format specified by the State Superintendent of Education; and~~ ~~3) he or she agrees in writing, using a format prescribed by the State Superintendent~~ Board of Education, to provide at least ~~3060~~ hours of mentoring to classroom teachers that conforms to the requirements of Section 21-27(a)(2) or (a)(3) of the School Code and consists of:
- A) high-quality professional development for new and experienced teachers or school counselors, as applicable; and/or
 - B) assistance to candidates for certification by the National Board for Professional Teaching Standards in completing that certification process. (Section 21-27(a)(2) of the School Code; Section 21-27(a)(3) of the School Code)

d)e) Requirements for Professional Development and Assistance to NBPTS Candidates

- 1) As verification ~~that he or she qualifies of his or her eligibility~~ for the applicable incentive payment, an eligible individual ~~the holder of the master certificate~~ who provides professional development to new or experienced teachers or school counselors under subsection ~~(c)(b)~~ of this Section shall submit to the State Superintendent of Education a written log of the assistance provided, using a format specified by the State Superintendent, demonstrating that he or she addressed one or more of the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) as relevant to the classroom-based needs of the recipient teachers, or one or more of the standards set forth in 23 Ill. Adm. Code 23.110 (Standards for the School Counselor), as applicable. Each recipient of professional development shall be identified by name, shall be working in an Illinois public educational setting, and shall sign the log as verification of the dates and hours of service indicated.
- 2) As verification ~~that he or she qualifies of his or her eligibility~~ for the applicable incentive payment, an eligible individual ~~the holder of the master certificate~~ who assists other Illinois educators ~~others~~ in preparing for certification by the National Board for Professional Teaching Standards under subsection ~~(c)(b)~~ of this Section shall submit to the State

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Superintendent of Education a written log of the assistance provided, using a format specified by the State Superintendent. This record shall identify the activities performed and verify that these activities addressed specific requirements candidates must meet for NBPTS certification.

- d) ~~In addition to the payment received pursuant to subsection (a) of this Section, an individual who holds an Illinois master certificate pursuant to Section 21-2(d) of the School Code shall be eligible for an annual incentive payment under Section 21-27(3) of the School Code for each year during which:~~
- 1) ~~he or she is employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, in a position whose functions are specifically authorized by a teaching certificate and include the provision of instruction to students;~~
 - 2) ~~he or she works for no less than the equivalent of half the school year, as verified by the employer at or near the conclusion of the school year using a format specified by the State Superintendent of Education; and~~
 - 3) ~~he or she agrees in writing, using a format prescribed by the State Board of Education, to provide, outside the regular school term, at least 60 hours of mentoring to classroom teachers in schools on the Academic Early Warning List or in schools in which 50% or more of the students receive free or reduced price lunches, or both. (Section 21-27(3) of the School Code)~~
- e) Requirements for Mentoring
- 1) Mentoring provided in accordance with subsection ~~(c)(d)~~ of this Section shall be conducted either:
 - A) as part of and in conformance with a mentoring program formally established by a school district; or
 - B) under the terms of a written agreement among the mentor ~~teacher~~, the building administrator, mentor coordinator, or other responsible official of the school district employing one or more ~~recipients~~~~recipient teachers~~, and those recipients, that describes the goals of the mentoring, the duration of the ~~mentor's~~~~mentor~~

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~~teacher's~~ involvement, and the amount of time expected to be devoted to each recipient ~~teacher~~.

2) Mentoring may be provided to recipients either individually or in groups, provided that the mentor must address one or more of the areas of ~~teaching~~ practice enumerated in subsection ~~(d)(1)(e)(1)~~ of this Section as relevant to the ~~classroom-based~~ needs of each recipient ~~teacher~~.

3) An individual who provides mentoring under ~~subsection (d)~~ of this Section shall notify his or her employing district (if different from that of the ~~recipients~~~~recipient teacher or teachers~~) to this effect and, as verification ~~that he or she qualifies of his or her eligibility~~ for the applicable incentive payment, shall submit to the State Superintendent of Education a written log that:

A) meets the requirements of subsection ~~(d)(1)(e)(1)~~ of this Section; and

B) discusses how the mentoring was related to the academic needs of the recipient teachers' students or the needs of the students served by the recipient counselors, as applicable.

~~f) Certified teachers shall receive incentive payments only for providing mentoring and professional development to other teachers, and certified school counselors shall receive incentive payments only for providing mentoring and professional development to other school counselors. In any given school year, and in addition to the annual payment discussed in Section 21-27(a)(1) of the School Code, a particular individual may qualify for any combination of the payments discussed in Section 21-27(a)(2) and (a)(3) of the School Code, provided that the logs submitted by the individual demonstrate that no portion of the individual's service to other teachers or school counselors is counted toward more than one incentive payment.~~

~~f) Insufficient Appropriations
When the funding available in any fiscal year is inadequate to cover all the payments described in this Section, payments will be prioritized.~~

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- 1) ~~No annual stipends as described in subsection (a) of this Section shall be paid until all other payments pursuant to subsections (b) and (d) of this Section have been made.~~
 - 2) ~~The incentive payments described in subsection (d) of this Section shall take precedence over those described in subsection (b) of this Section.~~
- g) First-Time Application Fees
If sufficient funds are available for all the qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of \$2,000 or the actual amount of the application fee, whichever is less.
- h) Take One! Subsidy
NBPTS permits an individual to submit one portfolio entry for review and scoring before making the decision to become a candidate for National Board certification. For purposes of reimbursement under this subsection (h), the schools *deemed to be a priority by the State Board of Education* (Section 21-27(a)(4)(B) of the School Code) shall be those in academic watch status, and teachers shall be considered members of cohorts whenever at least three from the same school sign up for Take One! If sufficient funds are available for all the qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of \$395 or the actual amount of the Take One! fee, whichever is less.
- i) Retake Subsidy
NBPTS permits a candidate to submit portfolio entries and assessment exercises as "retakes" if the required fee for each has been paid by the January 31 that follows the release of original scores in November. If sufficient funds are available for all qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual for the fees paid for as many as three portfolio entries or assessment exercises, in any combination. However, all qualifying individuals shall receive reimbursement for one retake before any individual receives reimbursement for a second retake, and all qualifying individuals shall receive reimbursement for two retakes, as applicable, before any individual receives reimbursement for a third retake.
- j) Renewal Subsidy

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NBPTS establishes a schedule for certificate renewal and for payment of the required fee. If sufficient funds are available for all qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of \$850 or the actual amount of the NBPTS renewal fee, whichever is less.

- k) In the event that funds remain available for any fiscal year after accounting for all payments described in subsections (a) through (j) of this Section and for necessary expenditures related to the electronic system identified in Section 21-27(c) of the School Code, those remaining funds shall be devoted to one or more initiatives under Section 21-27(d) of the School Code, as the State Superintendent may deem appropriate in light of the amount available and the needs of Illinois public schools.
- 1) "Candidate support" shall include efforts designed to support candidates in completing NBPTS' certification process, such as mentoring and observation.
 - 2) "Candidate recruitment" shall include efforts designed to increase the pool of candidates for certification by NBPTS, particularly in areas of shortage identified by the State Board of Education.

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

Section 25.464 Short-Term Authorization for Positions Otherwise Unfilled

Subject to the provisions of this Section, an entity that is required to employ certified teachers may receive short-term approval to employ an individual who does not hold the qualifications required for a vacant teaching position, other than a special education teaching position, when the employing entity has been unable to recruit a fully qualified candidate for that position. Short-term authorization as described in this Section shall be available not only with respect to individuals who lack full qualifications in a subject area, but also with respect to individuals who have not completed the six semester hours of coursework specified at 23 Ill. Adm. Code 1.720 for teachers of middle grades (see Section 1.720(a)(2)(A) and (B)). The requirement expressed in subsection (a)(2) of this Section shall not apply when the employing entity's need for short-term authorization has arisen due to the unforeseen departure of a teacher who was fully qualified for the assignment in question.

- a) The employing entity shall file with the regional superintendent:

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- 1) a description of the vacant position, including the subject area and the grade level;
- 2) evidence of inability to fill the position with a fully qualified individual, ~~including a list of the candidates who applied, a list of those who were interviewed, and the reason each was not interviewed or was not selected, as applicable;~~
- 3) a statement that the employing entity has not honorably discharged anyone in the past year who was fully qualified for the position;
- 4) the name and Social Security number of the individual the entity wishes to employ for the position, as well as a list of the certificate numbers and types held by that individual;
- 5) a written assurance that the district will provide the teacher to be employed with mentoring and high-quality professional development each year in the subject area to be taught;
- 6) one of the following:
 - A) a written assurance from an institution of higher education that operates a program approved pursuant to Subpart C of this Part that leads to certification in the subject area to be taught that the individual who will be employed is enrolled in coursework that is designed to meet the standards applicable to that subject area, or
 - B) a written assurance from the certification officer of another institution of higher education that offers one or more approved educator preparation programs that the individual is enrolled in courses that will enable him or her to qualify for the endorsement, or
 - C) other evidence of enrollment in relevant coursework supplied by the individual who will be employed, or
 - D) a written assurance signed by the individual who will be employed, indicating his or her intention to enroll in one or more identified

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courses at a specified institution of higher education in the next semester; and

- 7) a statement of intent, signed and dated by the individual who will be employed, stipulating that he or she will complete all requirements for an endorsement in the subject to be taught (see Section 25.100 of this Part or 23 Ill. Adm. Code 1.720, as applicable) within three school years after the issuance of authorization under this Section.
- b) Short-term authorization pursuant to this Section shall be issued only when the individual identified by the employing entity:
 - 1) holds an initial, standard, or master certificate that is valid for the grade level of the proposed assignment;
 - 2) has successfully completed at least nine semester hours of college coursework in the subject area to be taught; and
 - 3) has filed the statement of intent called for in subsection (a)(7) of this Section.
 - c) When the requirements of this Section have been met, the State Superintendent of Education shall issue to the employing entity a letter granting short-term authorization for the named individual to teach in the specific position for which the application was made.
 - 1) Such a letter shall constitute an authorization to the employing entity and not a credential issued to the individual. As such it shall not be transferable to any other individual, employing entity, or teaching assignment.
 - 2) Each employing entity that receives an authorization pursuant to this Section shall maintain the State Superintendent's letter on file and make it available for inspection by representatives of the State Board of Education upon request.
 - d) Short-term teaching authorization issued pursuant to this Section shall be issued with respect to a specific school year and shall expire on June 30 of the third school year following the date of issuance.

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- e) After the end of the validity of authorization received under this Section, the individual shall not be eligible to teach in the subject area for which approval was granted unless he or she has received an endorsement for that subject.

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

Section 25.485 Certification of Persons with Certificates Previously Denied, Suspended, or Revoked Provisional Recognition of Institutions (Repealed)

A previous denial of certification or another action against an individual's certificate may indicate that issuance, renewal, or registration of a certificate would also currently be inappropriate. Accordingly, each applicant for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has ever had a certificate denied, suspended or revoked in Illinois or any other state.

- a) Each individual providing an affirmative response to this question shall be required to submit a copy of the notice issued by the responsible agency in the state where the action occurred that includes:
- 1) the date of the action;
 - 2) the reasons for the action;
 - 3) any penalties that were imposed; and
 - 4) the ending date of each penalty, if applicable.
- b) The State Superintendent of Education shall review the information submitted pursuant to subsection (a) of this Section and shall determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate in light of the circumstances surrounding the previous denial, suspension, or revocation (including the applicant's age and the background of the applicant at the time of the action), any penalty that was imposed, and any evidence the applicant has provided concerning his or her good character that may mitigate the defect in his or her record.

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(Source: Old Section repealed at 23 Ill. Reg. 7231, effective June 14, 1999; new Section adopted at 33 Ill. Reg. _____, effective _____)

Section 25.486 Certification of Persons Who Are Delinquent in the Payment of Child Support

Pursuant to Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65], each State agency must require an applicant for a license to affirm on the application form, under penalty of perjury, that he or she is not more than 30 days delinquent in complying with a child support order. Accordingly, each applicant for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to make this affirmation on the relevant form.

- a) Each individual who fails to provide the affirmation required pursuant to this Section shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education a statement from the Illinois Department of Healthcare and Family Services, issued on that agency's letterhead, indicating the status of the current child support arrangements.
- b) The State Superintendent shall review the documentation provided by the applicant and determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate based on whether the individual has remedied the delinquency and made satisfactory arrangements to meet future obligations.

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

Section 25.487 Certification of Persons with Illinois Tax Noncompliance

Pursuant to Section 21-23(a) of the School Code [105 ILCS 5/21-23(a)], the State Board may refuse to issue or may suspend the certificate of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied. Accordingly, each applicant for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under

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Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has failed to comply with any of these requirements.

- a) Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education either:
- 1) a tax clearance form issued by the Illinois Department of Revenue, indicating that the individual has remedied the failure; or
 - 2) a statement from the Illinois Department of Revenue, issued on that agency's letterhead, that includes an explanation of the matter, including the relevant tax year, the amount owed, and the status of any disputed amount.
- b) If an individual provides the tax clearance form referred to in subsection (a)(1) of this Section, he or she shall no longer be ineligible for certification, certificate registration, certificate renewal, or issuance of one or more additional credentials based on the tax matter at issue. If an individual provides a statement under subsection (a)(2) of this Section, the State Superintendent shall review the documentation provided and determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate based on whether the individual has made arrangements to remedy the failure that are satisfactory to the Department of Revenue.

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

Section 25.488 Certification of Persons Named in Reports of Child Abuse or Neglect

Pursuant to Section 21-23(b) of the School Code [105 ILCS 5/21-23(b)], a certificate may be suspended for an appropriate length of time upon evidence that the holder has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act and upon proof that the holder has caused a child to be an abused child or neglected child as defined in the Act. Accordingly, each applicant for the issuance, registration, or renewal of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has been named as a perpetrator by a state agency responsible for child welfare in Illinois or any other state if the report was not reversed after exhaustion of any appeal.

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- a) Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education:
- 1) an official copy of the report, including the child's age and sex, the report number assigned by the Department of Children and Family Services or comparable out-of-state agency, the date of the report, and the status of the report ("indicated", "unfounded", or other) with supporting documentation for the determination;
 - 2) an explanation of the event in his or her own words, including a detailed explanation of his or her relationship to the child;
 - 3) original, signed statements from employers, civic leaders, college instructors, and others clearly indicating that they have knowledge that the applicant has been found to be a perpetrator of child abuse or neglect but can also attest to the individual's good character and rehabilitation; and
 - 4) an explanation of the status of any request to expunge, amend, or remove the report from the responsible state agency's records.
- b) The State Superintendent shall review the documentation provided by the applicant pursuant to subsection (a) of this Section and determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate based on whether the evidence of good character and rehabilitation provided is convincing when taken together with the gravity of the offense, the individual's age and background at the time of the offense, and any criminal penalty that was imposed.

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

Section 25.489 Certification of Persons Who Are in Default on Student Loans

Pursuant to Section 21-23(a) of the School Code, a certificate may be suspended for failure to establish satisfactory repayment on an educational loan guaranteed by the Illinois Student Assistance Commission. Accordingly, each applicant for the issuance, registration, or renewal of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to

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indicate on the relevant form whether he or she is in default on an Illinois student loan for which no satisfactory repayment plan has been established with the Commission. Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education a statement from the Commission, issued on the Commission's letterhead, indicating that the individual has entered into a satisfactory payment plan.

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

Section 25.490 ~~Rules for~~ Certification of Persons Who Have Been Convicted of a Crime

Pursuant to Section 21-23a of the School Code [105 ILCS 5/21-23a], convictions related to certain offenses lead to revocation of certificates. Further, convictions related to certain other offenses may lead to refusal of certification if they demonstrate individuals not to be of good character as required by Section 21-1 of the School Code [105 ILCS 5/21-1]. Accordingly, each applicant for the issuance, registration, or renewal of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has ever been convicted of a felony or of any sex, narcotics, or drug offense in Illinois or any other state.

- a) Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential if the offense was one of those enumerated in Section 21-23a of the School Code or, if the offense was not one of those enumerated, until he or she provides to the State Superintendent of Education:
- 1) a certified court record of the conviction;
 - 2) evidence that at least one year has elapsed since the end of the sentence for the criminal offense, where "sentence" includes any period of probation that was imposed either alone or in combination with a period of incarceration;
 - 3) an explanation of the event in his or her own words; and
 - 4) original, signed statements from employers, civic leaders, college instructors, and others clearly indicating that they have knowledge of the

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conviction but can also attest to the individual's good character and rehabilitation.

- b) The State Superintendent shall review the information submitted pursuant to subsection (a) of this Section and determine whether certification, certificate registration, certificate renewal, or issuance of one or more additional credentials, as applicable, is appropriate, based on whether the offense was one of those enumerated in Section 21-23a of the School Code and, if not, whether the evidence of good character and rehabilitation provided is convincing when taken together with the gravity of the offense, the individual's age and background at the time of the offense, and any criminal penalty that was imposed.
- a) ~~Applicants shall complete their applications truthfully and honestly. Each application shall be reviewed separately. The gravity of the offense (misdemeanor, felony or other infamous nature), the circumstances surrounding its commission (including age and background of the applicant at the time of the offense), and any criminal penalty that was imposed shall be considered. An applicant with a criminal history shall be provided an opportunity to provide evidence of good character and/or rehabilitation to prove that he or she has overcome a defect in his or her record.~~
- b) ~~The State Teacher Certification Board will review evidence provided by the applicant and render a decision as to good character by weighing the evidence of bad character (the criminal conviction) against that of good character and rehabilitation. In making this determination, the State Teacher Certification Board may consider, without limitation, a personal statement from the applicant and letters from university instructors, employers, and any other persons with knowledge of the applicant's criminal history and rehabilitation.~~
- e) ~~The State Teacher Certification Board shall require a waiting period of one year from the time the sentence for the criminal offense ends before an application for certification will be considered, excluding minor traffic offenses.~~
- d) ~~For purposes of this Section, a "sentence" shall include any probationary period imposed either alone or in combination with a period of incarceration.~~

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

Section 25.493 Part-Time Teaching Interns (Repealed)

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- a) ~~The entitlement officer of the college or university with an approved program leading to a master's degree of which a part-time teaching internship is a component, such as the Master of Arts in Teaching (MAT) program, shall submit a list of the students and the districts in which the part-time teaching internship is to occur to the State Superintendent of Education. Upon verification of the approved program, the Superintendent shall transmit a letter to the district superintendent authorizing the school board to employ such interns.~~
- b) ~~The colleges shall verify the student's bachelor's degree as one from a recognized institution of higher learning and shall specify the exact nature of the part-time teaching internship assignment in reporting to the State Superintendent.~~
- e) ~~Only those students who are enrolled in programs leading to a master's degree approved by the State Board of Education shall be eligible for employment as part-time teaching interns, and an individual's part-time teaching must be done in a field for which he or she is being prepared.~~

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

SUBPART G: ~~THE UTILIZATION OF~~ PARAPROFESSIONALS AND
OTHER NONCERTIFIED PERSONNEL

Section 25.510 Paraprofessionals; Teacher Aides

- a) The terms "paraprofessionals" and "teacher aides" shall be used to refer to the noncertificated personnel authorized by Section 10-22.34 of the School Code [105 ILCS 5/10-22.34] to be employed to assist in instruction. The terms "paraprofessional" and "teacher aide" shall be considered synonymous.
- b) Approval of Paraprofessionals
- 1) ~~Employment Service~~ as a paraprofessional requires a statement of approval issued by the State Board of Education, in consultation with the State Teacher Certification Board, any certificate indicative of completion of at least a bachelor's degree, or a provisional vocational certificate. Paraprofessionals first employed in programs for students with disabilities on or before June 30, 2005, shall be subject to this requirement as of July 1, 2007.

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- 2) Each individual who is required to hold a statement of approval shall submit an application to the State Superintendent of Education, accompanied by evidence that he or she meets the requirements of subsection (c) of this Section. Each individual who wishes to serve as a paraprofessional in a targeted assistance program and is paid with federal funds provided under Title I, Part A, or in a school-wide program that is supported with ~~those such~~ funds, other than an individual who holds a certificate indicative of completion of at least a bachelor's degree or a provisional vocational certificate, shall submit an application for approval accompanied by evidence that he or she meets the requirements of subsection (d) of this Section. Each applicant who qualifies shall be issued a statement of approval, which shall indicate whether it applies to programs supported with federal Title I, Part A, funds.
- c) Each paraprofessional shall be of good character and shall be a citizen of the United States or legally present and authorized for employment. Each paraprofessional shall be subject to that portion of Section 24-5 of the School Code [105 ILCS 5/24-5] that requires physical fitness and freedom from communicable disease, including evidence of freedom from tuberculosis. Each paraprofessional shall hold a high school diploma or its recognized equivalent. To receive approval to serve as a teacher aide, an individual shall:
- 1) present evidence of having completed 30 semester hours of college credit at a regionally accredited institution of higher education; or
 - 2) ~~complete a training program for paraprofessionals that has been approved either by the Illinois Community College Board or by the State Board of Education in consultation with the State Teacher Certification Board;~~ or 3) pass the ParaPro test offered by the Educational Testing Service (ETS) with at least the score identified by the State Board of Education in consultation with the State Teacher Certification Board; or
 - 3) 4) pass the Work Keys test offered by ACT with at least the score identified by the State Board of Education in consultation with the State Teacher Certification Board ~~and present verification by the employing district or other entity that: A) the individual's classroom performance was observed as part of a formal evaluation that yielded a satisfactory rating; or B) the individual's classroom performance was observed prior to employment~~

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~~and the district's representative has concluded that the individual was effective in performing the assigned duties.~~

- d) In addition to meeting the requirements of subsection (c) of this Section, each paraprofessional employed to assist with instruction in a targeted assistance program and paid with federal funds provided under Title I, Part A, or employed in a school-wide program that is supported with such funds is subject to the additional requirements of Section 1119 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110; see also 34 CFR 200.58 (2003), no later editions of or revisions to these regulations are included). No paraprofessional may be assigned to serve in such a capacity after the deadline established in federal law for the group of which he or she is a member unless he or she holds a statement of approval that is specific for this purpose, any certificate indicative of completion of at least a bachelor's degree, or a provisional vocational certificate. To qualify for this approval purpose, an individual shall either have completed two years of study at an institution of higher education, hold an associate's or higher degree, or successfully complete a formal State or local assessment.
- 1) Completion of "two years of study at an institution of higher education" means completion of at least 60 semester hours of college coursework at an accredited institution of higher education.
 - 2) "Formal State assessment" means:
 - A) either of the tests discussed in subsections (c)(3) and (c)(4) of this Section; or
 - B) possession of a statement of approval issued under subsection (c)(1) or (c)(2) of this Section and presentation to the State Superintendent of Education of evidence that the individual has accumulated 300 Professional Training Points (PTPs).
 - i) Work experience as a paraprofessional in a public or nonpublic school shall be credited at the rate of 30 PTPs per year, up to a maximum of 150 PTPs. The required evidence of completion for this experience shall be a letter signed by the chief administrator or other designated official of the employing district, other public entity, or

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- nonpublic school documenting the nature and duration of the individual's employment.
- ii) College coursework shall be credited at the rate of 15 PTPs per semester hour. The required evidence of completion for college coursework shall be official transcripts issued by the institutions at which it was completed.
 - iii) Completion of the Paraprofessional Test Preparation Curriculum developed by the Illinois Community College Board in partnership with the Illinois State Board of Education shall be credited as 15 PTPs. The required evidence for completion of this curriculum shall be a certificate of completion issued to the individual.
 - iv) Additional training activities shall be credited at the rate of one PTP per hour of the individual's direct participation, provided that training activities shall be creditable only if they address or enhance the paraprofessional's ability to assist in the academic content areas of reading/language arts, writing, or mathematics or in reading readiness, writing readiness, or mathematics readiness. The required evidence of completion for each training activity that occurred prior to July 1, 2004, shall include a description of the event, including its subject, date, location, and provider if known; and, if available, a program, outline, or completion form supplied by the provider to indicate the individual's attendance at the event. The required evidence of completion for each training activity that occurred on or after July 1, 2004, shall include a description of the event, including its subject, date, location, and provider; a program or outline if available; and a completion form supplied by the provider to indicate the individual's attendance at the event. In all cases the required evidence shall include a signed statement by the individual indicating the length of his or her participation and verifying that the activity addressed one of the areas required by this subsection (d)(2)(B)(iv).

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- 3) "Formal local assessment" means a local assessment that conforms to the guidelines established in section C-5 of the Draft Non-Regulatory Guidance of November 15, 2002, published on the subject of Title I Paraprofessionals by the United States Department of Education, Office of Elementary and Secondary Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.
- e) Revocation of Approval
- 1) When the State Superintendent of Education receives information indicating that an individual who holds approval as a teacher aide or paraprofessional has been designated as a "sex offender" as defined in Section 2 of the Sex Offender Registration Act [730 ILCS 150/2] or as a "child sex offender" as defined in Section 11-9.3 of the Criminal Code of 1961 [720 ILCS 5/11-9.3], or has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act [325 ILCS 5/Art.1], the State Superintendent may revoke an individual's approval after the individual has had an opportunity for a hearing before the State Teacher Certification Board pursuant to 23 Ill. Adm. Code 475 (Contested Cases and Other Formal Hearings). The State Superintendent's decision shall be considered an "administrative decision" for purposes of the Administrative Review Law [735 ILCS 5/Art. III].
 - 2) When the State Superintendent of Education receives information indicating that an individual who holds approval as a teacher aide or paraprofessional has been convicted of any sex offense or narcotics offense as defined in Section 21-23a of the School Code [105 ILCS 5/21-23a] or has been convicted of first degree murder, attempted first degree murder, or a Class X felony, the State Superintendent shall forthwith revoke the individual's approval. The State Superintendent's decision shall be considered an "administrative decision" for purposes of the Administrative Review Law.

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

Section 25.520 Other Noncertificated Personnel (Repealed)

- a) ~~In accordance with Sections 10-22.34 and 10-22.34a of the School Code [10 ILCS 5/10-22.34 and 10-22.34a], noncertificated personnel may be employed or~~

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~~utilized on a volunteer basis, and may be utilized for school activities not directly connected with the academic program of the schools. Such areas of utilization include:~~

- ~~1) Clerical duties, as in an office or library;~~
 - ~~2) Chaperones or sponsors;~~
 - ~~3) Playgrounds, during free play and not during part of an organized physical education period.~~
- b) ~~In accordance with Section 10-22.34(d) of the School Code [105 ILCS 5/10-22.34(d)], school districts may utilize noncertificated persons who are completing their clinical experiences and/or student teaching.~~
- ~~1) All requirements affecting utilization of noncertificated personnel are waived for candidates participating in clinical experiences as part of a preparation program when the following conditions are met:~~
 - ~~A) The candidate is an enrolled student at a recognized Illinois teacher education institution;~~
 - ~~B) The candidate engages in clinical experience as part of an approved teacher education program; and~~
 - ~~C) Agreements involving public schools as clinical sites incorporate the requirements in Section 10-22.34 of the School Code:~~
 - ~~i) When noncertificated candidates assist in instruction, they must be under the immediate supervision of a teacher holding a valid certificate and who is directly engaged in teaching the subject matter or conducting other learning activities; and~~
 - ~~ii) The cooperating teacher must constantly evaluate the candidate's activities and be able to control or modify them.~~
 - ~~2) Noncertificated personnel enrolled in a student teaching course at a college or university are not required to be under the constant supervision~~

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~~of a teacher, provided that such activity has the prior approval of the representative of the higher education institution, that teaching plans have been previously discussed with and approved by the supervising teacher, and such teaching is performed in accordance with Section 25.620 of this Part (see Section 10-22.34 of the School Code [105 ILCS 5/10-22.34]).~~

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

Section 25.530 Specialized Instruction by Noncertificated Personnel (Repealed)

- a) ~~The School Code authorizes the use of noncertificated persons, under the direction of a certificated teacher, to provide specialized instruction not otherwise readily available in the immediate school environment in the fields for which they are particularly qualified by reason of specialized knowledge or skill.~~
- b) ~~The following guidelines shall be used by the Superintendent of an Educational Service Region to determine whether specialized instruction should be approved:~~
- 1) ~~The certificated person in charge of the educational setting associated with the specialized instruction must specify the material to be covered and the amount of time to be allotted for the specialized instruction.~~
 - 2) ~~Specialized instruction may be provided in the school or away from the school facility provided that the school district has ascertained that the environment for the student is safe and wholesome.~~
 - 3) ~~Before specialized instruction by a noncertificated person may be initiated, the superintendent of the district must receive written approval from the Superintendent of the Educational Service Region as to the qualifications of the particular noncertificated person, the specific instruction to be provided, the precise functions to be served, the total number of hours for such instruction, and any compensation to be paid that person.~~
 - 4) ~~Professional competence or outstanding proficiency in the specialization area to be taught must be identified by the district superintendent.~~

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

Section 25.540 Approved Teacher Aide Programs (Repealed)

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~~The State Teacher Certification Board approves the Illinois Community College Board supervision and recommendations of Community College teacher aide training programs.~~

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

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section 25.705 Purpose – Severability

- a) This Subpart establishes procedures and requirements for the Illinois Certification Testing System, as required by Section 21-1a of the School Code [105 ILCS 5/21-1a].
- b) When specific tests are made available both as paper-based tests and as computer-based tests, certain testing procedures shall differ according to the format selected by a particular examinee, as described in the relevant provisions of this Subpart I.
- c) If any provision of this Subpart or application ~~of that provision~~ hereof to any person or circumstance is held invalid, its invalidity shall not affect other provisions or applications of this Subpart that can be given effect without the invalid provision or application, and to this end the provisions of this Subpart are declared to be severable.

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

Section 25.710 Definitions

For the purposes of this Subpart, the following definitions apply:

"Passing raw score" is the minimum number of multiple choice items that must be answered correctly on a given test or the combination of required correct responses to multiple choice items and required numerical value of constructed responses.

"Passing score" is the minimum scaled score a person must obtain in order to pass a test.

"Re-scoring" means the process of reviewing an examinee's answers and the

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scores assigned to them to confirm that a test score reported to an examinee is the score earned by him or her.

"Retake" is the opportunity for a person who has taken a test of the Illinois Certification Testing System at one test administration to take the test in the same area as given at subsequent administrations.

"Scaled score" is the person's test score after the mathematical transformation of the number of test items the person answered correctly to a scale of numbers on which the minimum score, the maximum score, and the passing score are set. Through May 31, 2006, for the tests of subject matter knowledge and language proficiency, the minimum scaled score is 0, the maximum score 100, and passing score 70. Beginning in June 2006, for the tests of subject matter knowledge (content-area tests) and language proficiency, the minimum scaled score is 100, the maximum score 300, and the passing score 240. For the assessment of professional teaching, the basic skills test, and any new content-area test first administered after December 31, 2002, the minimum scaled score is 100, the maximum score 300, and the passing score 240.

"Subarea score" is the scaled score for the subset of test items on a subject matter test or content-area test which measures specific content, and the "subarea score" is the scaled score for each subset of test items on the basic skills test which measures specific content in reading comprehension, writing, language arts, and mathematics.

"Test" or "Tests" refers to the test of basic skills, the assessment of professional teaching, the language proficiency tests, and the tests of subject matter knowledge (or "content-area tests") for the Illinois Certification Testing System. Through June 30, 2004, these tests are:

- Agriculture
- Art (K-12)
- Art (6-12)
- Assessment of Professional Teaching – Early Childhood
- Assessment of Professional Teaching – Elementary
- Assessment of Professional Teaching – Secondary
- Assessment of Professional Teaching – Special
- Basic Skills
- Language Arts

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Mathematics
Reading Comprehension
Writing
Biological Science
Blind and Partially Sighted
Business/Marketing/Management
Chemistry
Chief School Business Official
Computer Science
Dance
Deaf and Hard of Hearing
Early Childhood
Educable Mentally Handicapped
Elementary/Middle Grades (K-9)
English
English as a Second Language
English Language Proficiency
French
General Administrative
General Science
General Supervisory (available through June 30, 2003)
German
Guidance
Health
Health Occupations
Hebrew
History
Family and Consumer Sciences
Industrial Technology Education
Italian
Latin
Learning Disabilities
Mathematics
Media
Music (K-12)
Music (6-12)
Physical Education (K-12)
Physical Education (6-12)
Physically Handicapped

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Physical Science
Physics
Reading
Russian
School Nurse
School Psychology
School Social Work
Social/Emotional Disorders
Social Science
Spanish
Speech
Speech and Language Impaired
Superintendent
Theatre Arts
Trainable Mentally Handicapped
Transitional Bilingual Education
Arabic
Cantonese
Greek
Gujarati
Hindi
Japanese
Korean
Lao
Mandarin
Polish
Russian
Spanish
Urdu
Vietnamese

Beginning July 1, 2004, the Illinois Certification Testing System shall consist of the following tests in addition to the content-area tests applicable to certification in special education:

Agricultural Education
Assessment of Professional Teaching
Early Childhood
Elementary

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Secondary
Special
Basic Skills
Business, Marketing, and Computer Education
Chief School Business Official
Dance
Director of Special Education (required beginning July 1, 2005)
Drama/Theatre Arts
Early Childhood
Early Childhood Special Education
Elementary/Middle Grades (K-9)
English Language Arts
English Language Proficiency
English as a New Language
Family and Consumer Sciences
Foreign Languages
 Arabic (available in September 2008)
 Chinese (Cantonese or Mandarin)
 French
 German
 Hebrew
 Italian
 Japanese
 Korean
 Latin
 Russian
 Spanish
General Administrative
Guidance (through June 30, 2005)
Health Education
Health Careers
Library Information Specialist
Mathematics
Music
Physical Education
Reading Teacher
Reading Specialist
School Counselor (beginning July 1, 2005)
School Nurse

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School Psychologist
School Social Worker
Sciences
 Biology
 Chemistry
 Earth and Space Science
 Environmental Science
 Physics
Social Sciences
 Economics
 Geography
 History
 Political Science
 Psychology
 Sociology and Anthropology
Superintendent
Technology Education
Technology Specialist
Transitional Bilingual Education – Language Proficiency
 Arabic
 Cantonese
 Greek
 Gujarati
 Hindi
 Japanese
 Korean
 Lao
 Mandarin
 Polish
 Russian
 Spanish
 Urdu
 Vietnamese
Visual Arts

"Test items" are specific questions asked on a test that require a person either to select the correct response from those alternative responses provided or to produce a written [or oral](#) response.

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"Test objective" is a statement of the behavior or performance measured by test items.

"Unauthorized aids" are materials and devices that candidates are prohibited from bringing to a test administration. These include notes, calculators, calculator watches, calculator manuals, cellular phones, electronic communication devices, visual or audio recording or listening devices, and any other items whose use may compromise the security or validity of a test. However, any material or device that is permitted as part of an accommodation arranged pursuant to Section 25.740 of this Part shall not be considered an unauthorized aid. Furthermore, a calculator shall not be considered an unauthorized aid when its use is authorized pursuant to the current ICTS registration bulletin and the contractor's web site.

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

Section 25.720 Applicability of Testing Requirement and Scores

- a) It is the individual's responsibility to take the appropriate tests. Upon request, the State Board of Education shall assist individuals in identifying appropriate tests.
- b) **Basic Skills Test**

Except as provided in subsections (b)(1) and (3) of this Section, each candidate seeking his or her first Illinois certificate (teaching, administrative, or school service personnel) shall be required to pass the test of basic skills. Further, Section 21-1a(d) of the School Code requires passage of this test as a prerequisite to enrollment in an Illinois teacher preparation program beginning with the 2002-2003 academic year.

 - 1) A person who has passed the test of basic skills as a condition of admittance to an Illinois preparation program approved pursuant to Subpart C of this Part shall not be required to retake that test.
 - 2) A person who has passed the basic skills test and has been issued an Illinois certificate on the basis of the test shall not be required to retake the basic skills test when seeking any subsequent certificate.
 - 3) *A person who holds a valid and comparable out-of-state certificate is not required to take a test of basic skills.* (Section 21-1a of the School Code)

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[105 ILCS 5/21-1a]) For purposes of this subsection (b)(3), a "comparable certificate" is one that either:

- A) was issued on or before June 30, 2004; or
 - B) was issued on or after July 1, 2004, based on the individual's passage of a test of basic skills.
- 4) The provisions of subsection (b)(3) of this Section notwithstanding, any individual who has attempted the Illinois basic skills test without passing it shall be required to pass it in order to qualify for an Illinois certificate.
- 5) When a person who was not required to take the basic skills test pursuant to subsection (b)(3)(A) of this Section seeks a subsequent Illinois certificate, he or she shall be required to pass the Illinois test of basic skills. However, a person applying for another Illinois certificate based on an additional out-of-state certificate or qualifications shall be treated as an out-of-state applicant and shall be subject to subsection (b)(3) of this Section.
- c) Content-Area Tests
- 1) Except as provided in subsection (c)(2) of this Section, each candidate seeking an Illinois certificate, whether his or her first certificate or a subsequent certificate, shall be required to pass a content-area test. The required content-area test is that which corresponds to the approved program completed or the endorsement for which the applicant otherwise qualifies. Further, Section 21-1a(d) of the School Code requires passage of this test for program completion.
 - 2) *A person who holds a valid and comparable out-of-state certificate is not required to take the applicable content-area test if he or she has passed a certification test in another state or territory that is directly related in content to the specific area of certification.* (Section 21-1a of the School Code) For purposes of this Section, a test is "directly related in content" if it covered material encompassed by any of the subject areas in which the individual otherwise qualifies for an Illinois endorsement.

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- 3) A person who has passed a test of language proficiency in order to qualify for a transitional bilingual certificate and received that certificate shall not be required to retake that test in order to qualify for a bilingual education credential on another certificate received later. A person who has passed a test of language proficiency as a condition of admission to an Illinois preparation program shall also not be required to retake that test.
- d) **Assessment of Professional Teaching (APT)**
Each candidate seeking his or her first Illinois early childhood, elementary, secondary, or special certificate shall be required to pass the APT relevant to the certificate sought (see Section 25.710 of this Part). A candidate seeking a subsequent teaching certificate of one of these types must also pass the APT relevant to the certificate sought, unless he or she either:
 - 1) has already passed an APT that encompasses the grade levels of the subsequent certificate sought; or
 - 2) already holds another Illinois teaching certificate that encompasses the grade levels of the certificate sought.
- e) Except as provided in subsections (b)(1), (c)(3), and (d)(1) of this Section, for each person seeking an Illinois certificate, no score on a required test may be more than ten years old at the time application is made. The ten-year period shall be calculated from the date the test was taken and passed to the date of receipt of the application by the State Board of Education. Scores more than ten years old will not be accepted as part of an application.
 - 1) The ten-year period discussed in this subsection (e) shall apply to each score that forms part of an application received on or after July 1, 2008.
 - 2) The ten-year period discussed in this subsection (e) shall also apply to each score that forms part of an application that is pending as of June 30, 2008, and to each score that forms part of an application for which an evaluation is still valid as of that date pursuant to Section 25.427 of this Part.
- f) Subject to registration in accordance with the provisions of this Subpart I, the provisions of Section 25.755(g)(1) of this Part, and the limitations of subsection (h) of this Section, an individual who has taken a paper-and-pencil~~Any person~~

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~~may retake any~~ test may retake that test during any subsequent, regularly scheduled administration of that test in paper-and-pencil format and may retake that test by computer during any subsequent computer-based test administration; ~~subject only to registration in accordance with the provisions of this Subpart I.~~

- g) Subject to registration in accordance with the provisions of this Subpart I, the provisions of Section 25.755(g)(1) of this Part, and the limitations of subsection (h) of this Section, an individual who has taken a computer-based test may retake that test by computer after no fewer than 120 days but also may retake that test during any subsequent, regularly scheduled administration of the test in paper-and-pencil format.
- h) No individual may attempt to pass the same test more than five times in any combination of the two formats, except that an individual who has already taken the same test five or more times as of January 1, 2010, shall be given one additional opportunity to pass that test.

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

Section 25.730 Registration – Paper-Based Testing

Information about the tests and registration will be available from the State Board of Education, 100 North First Street, Springfield, Illinois 62777-0001, and at www.isbe.net.

- a) Registration may be submitted by mail or conducted on line at www.icts.nesinc.com or by mail. If accomplished electronically, an individual's registration must be received by the testing contractor chosen by the State Board of Education on or before the emergency registration deadline. If sent through the mail, an ~~An~~ individual's registration must be either received by the testing contractor ~~chosen by the State Board of Education~~ on or before the registration deadline or must be postmarked by the United States Postal Service on or before the registration deadline and received by the testing contractor by the late registration deadline as specified in Section 25.732 of this Part. An individual's registration must include the following:
- 1) Registrant's name, mailing address, both daytime and evening telephone numbers, Social Security number, date of birth, and gender, ~~and ethnicity~~;
 - 2) Name and identification number of tests;

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- 3) Test date and first and second test site identification numbers;
 - 4) An assurance that the registrant will abide by all the conditions of testing set forth in Section 25.750 of this Part;
 - 5) An assurance that the registrant has not had and will not seek access to any secure test materials, either prior to or after the test date, and will not disclose any of the content of test materials to any individual for a period of ten years after the date of the test administration; and
 - 6) The registrant's signature, which shall signify that the facts and assurances presented are true to the best of the registrant's knowledge and that the registrant agrees to abide by the testing conditions.
- b) The testing contractor will acknowledge receipt of registrations within four weeks after their receipt.
 - c) An individual may amend or cancel his or her registration by submitting a properly completed change notice to the testing contractor. The change notice must be received by the testing contractor on or before the late registration deadline as specified in Section 25.732 of this Part. Changes that may be made by an individual to his or her registration are:
 - 1) changing the test site or test date;
 - 2) adding a test or tests; and
 - 3) deleting a test or tests.
 - d) All requests for changes to a registration, except for deletion of a test or tests, must be accompanied by payment of the appropriate fee.
 - e) An individual who cancels her or his registration in accordance with this Section, including meeting the specified deadline, will receive a partial refund. An individual who cancels his or her registration other than in strict accordance with this Section, or who is absent from the test administration, will receive no refund or credit of any kind.

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- f) The registration deadline for each test administration will be six calendar weeks prior to the test administration date.
- g) The [testing contractor](#) ~~State Board of Education~~ may issue a fee credit to an individual who is absent from a test administration for which he or she was registered because of a medical emergency or death, provided that:
- 1) a written request is received by the State Board of Education no later than six months ~~after~~[from](#) the date of the missed test administration, and
 - 2) a written statement from a member of the medical profession or funeral home documenting the reason for the absence accompanies the request.

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

Section 25.731 Registration – Computer-Based Testing

Information about the tests and registration will be available from the State Board of Education, 100 North First Street, Springfield, Illinois 62777-0001, and at www.isbe.net.

- a) Registration shall be accomplished on line at the contractor's web site identified in the registration bulletin that is applicable to the time period of testing and shall be completed no later than three business days prior to the date of the test administration. An individual's registration must include the following:
- 1) Registrant's name, mailing address, both daytime and evening telephone numbers, Social Security number, date of birth, and gender;
 - 2) Name and identification number of tests;
 - 3) An assurance that the registrant will abide by all the conditions of testing set forth in Section 25.750 of this Part;
 - 4) An assurance that the registrant has not had and will not seek access to any secure test materials, either prior to or after the test date, and will not disclose any of the content of test materials to any individual for a period of ten years after the date of the test administration; and

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- 5) An assurance that the facts and assurances presented are true to the best of the registrant's knowledge and that the registrant agrees to abide by the testing conditions.
- b) The testing contractor will electronically send an authorization to test within 24 hours after receipt of an individual's registration, which will permit the individual to schedule a testing appointment with the contractor.
- c) An individual may amend or cancel his or her registration by submitting the relevant information electronically no later than 24 hours prior to the scheduled testing time. Changes that may be made by an individual to his or her registration are:
- 1) changing the test site or test date;
 - 2) adding a test or tests; and
 - 3) deleting a test or tests.
- d) No fees shall apply to changes in registration relative to computer-based testing.
- e) An individual who cancels his or her registration under this Section no later than 24 hours prior to the scheduled time of test administration will receive a partial refund. An individual who cancels his or her registration other than in strict accordance with this Section, or who is absent from the test administration, will receive no refund or credit of any kind.
- f) An individual requesting special accommodations should register as soon as possible in order to be reasonably assured that the accommodations can be provided.
- g) The testing contractor may issue a fee credit to an individual who is absent from a test administration for which he or she was registered because of a medical emergency or death, as provided in Section 25.730(g) of this Part.

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

Section 25.732 Late Registration

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Late registration for individuals not meeting the deadlines established in Section 25.730 of this Part will be permitted. [This Section shall not apply to registration for computer-based testing.](#)

- a) An individual's late registration must be received by the testing contractor no later than the close of business three weeks before the date of test administration and must include the information specified in Section 25.730(a) of this Part.
- b) The testing contractor will acknowledge receipt of late registrations-within two weeks after their receipt.
- c) All requests for a late registration must be accompanied by payment of a late fee in addition to the payment for each test to be taken.
- d) The late registration fee will be waived for examinees who failed the examination at its most recent administration but whose score reports were not released before the next regular registration deadline.
- e) Late registration requests for the accommodation of persons with special needs as specified in Section 25.740 of this Part or a special test date as specified in Section 25.745 of this Part will be honored by the testing contractor only if space, staff, and time constraints allow.
- f) An individual may amend or cancel his or her registration or late registration by submitting a properly completed change notice. The notice must be received by the testing contractor by the late registration deadline. Changes that may be made by an individual to his or her registration or late registration are:
 - 1) changing the test site or test date;
 - 2) adding a test or tests; and
 - 3) deleting a test or tests.
- g) All requests for changes to a late registration, except for deleting of a test or tests, must be accompanied by the appropriate fee for a change in registration.
- h) The late registration deadline for each test administration will be three calendar weeks prior to the test administration date.

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

Section 25.733 Emergency Registration

A limited number of emergency registrations per test administration will be allowed on a space-available basis and for paper-based testing only. This Section shall not apply to registration for computer-based testing.

- a) Emergency registration will be offered at a limited number of test sites throughout the state, as identified in each year's "Illinois Certification Testing System Registration Bulletin."
- b) Emergency registrations will be accepted up until the close of business on the Tuesday before the Saturday test date.
- c) All requests for emergency registration must be made by telephone or via the Internet to the testing company identified in the "Illinois Certification Testing System Registration Bulletin." Fees will be payable only by Visa or Master Card as specified in Section 25.780(j) of this Part.
- d) All individuals registering by emergency registration over the telephone must complete, prior to testing, a registration form and sign an assurance that they will abide by all the conditions set forth in Section 25.750 of this Part. Registration forms and assurance statements will be available at the test sites on the day of the test.

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

Section 25.735 Frequency and Location of Examination

- a) The tests of basic skills and subject matter knowledge will be administered in paper-and-pencil format no fewer than three times a year and at no fewer than six sites each time at locations throughout the State. The English language proficiency test and the target language proficiency test in Spanish will be administered in paper-and-pencil format four times per year at one site in the Chicago area. Target language proficiency tests in target languages other than Spanish will be administered in paper-and-pencil format twice per year at one site in the Chicago area. Specific tests may be administered in paper-and-pencil format at such additional times and locations as the State Board of

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Education deems advisable. ~~For example, the State Board may elect to offer the language proficiency test in Spanish at a site in Mexico.~~

- b) Each test that is made available as a computer-based test will be offered during no fewer than four "testing windows" annually, and each examinee may register to take an available computer-based test at any of the testing sites in the United States that are operated by the contractor chosen by the State Board of Education. Testing sites and testing windows shall be identified in the registration bulletin and any other published material pertaining to the testing system, as well as on the web sites of the State Board and its testing contractor.
- c) Registration deadlines and procedures for paper-and-pencil testing may vary from those stated in Section 25.730 of this Part when testing is conducted outside the fixed schedule set forth in subsection (a) of this Section.
- d)e) All test sites will be accessible to persons with disabilities.

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

Section 25.740 Accommodation of Persons with Special Needs

- a) Persons with special needs include those with visual, physical, or other disabilities who would not be able to take the required ~~teststest(s)~~ under standard conditions. ~~Each request for an accommodation shall be~~The State Board of Education will honor each request for special accommodations from such a person, provided the request is:1) submitted on a form ~~specified~~supplied by the State Superintendent Board of Education and made available on the web site of the testing contractor. and received on or before the regular deadline; and
- b)2) Each request for an accommodation must include a ~~accompanied by~~ a signed statement from a medical or human services professional licensed in this or any other state, such as but not limited to a physician, psychiatrist or psychologist, describing the handicapping condition and specifying the exact nature of the needed accommodations. If a test-taker's registration is being sent through the mail, this statement shall accompany the registration materials. If a test-taker's registration is being accomplished electronically, the signed statement shall be sent either through the mail or by facsimile to be matched with the registration materials.

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- 1) Each request for special accommodations in connection with paper-and-pencil testing must be submitted with the test-taker's registration materials and in time to ensure receipt by the testing contractor no later than the regular registration deadline for the desired test administration. The testing contractor will notify each person of the disposition of his or her request no later than two weeks prior to the date of testing.
 - 2) Requests for special accommodations in connection with computer-based testing will be honored if possible, subject to the capabilities of the testing location requested. A test-taker needing accommodations is advised to register and submit his or her request well in advance of the applicable deadline, in order to provide the greatest possible amount of time for the testing contractor to make the necessary arrangements. The testing contractor will notify each person requesting an accommodation for computer-based testing as soon as the disposition of the request has been determined.
- b) ~~The testing contractor will notify each person requesting special accommodations of the disposition of such request no later than two weeks prior to the test date.~~
- c) Special test administration procedures may include, but will not be limited to:
- 1) testing arrangements for visually handicapped persons, such as:
 - A) a special examiner to read the test and/or execute the examinee's choice of answers fill in the answer sheet; and/or
 - B) permission to circle answers directly in the test booklet; and/or
 - C) permission to use magnifying devices; and/or
 - D) the use of either a large print or Braille version of the test;
 - 2) testing arrangements for hearing-impaired persons, such as:
 - A) providing written instructions for administering the tests; and/or
 - B) providing a sign language interpreter for any audio-taped material or the testing instructions; and

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- 3) other arrangements determined on a case-by-case basis, as warranted by the individual's needs and the availability of appropriate means for meeting the arrangements for persons with other disabilities, such as special seating or use of assistive devices (i.e., page turners, communication boards).
- d) Special test administration procedures for persons for whom English is not the first language shall be limited to the allotment of extra time and shall be available in conjunction with paper-based testing only.

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

Section 25.745 Special Test Dates

This Section shall not apply to computer-based testing. All paper-based tests will be administered on Saturdays, except that arrangements will be made to accommodate persons whose religious convictions prohibit their taking tests on the regularly scheduled test administration date, provided that each such person submits, along with his or her registration materials, a written request for an alternate test date accompanied by a letter signed by a member of the clergy and corroborating the religious basis of the request.

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

Section 25.750 Conditions of Testing

All candidates shall abide by the rules of test participation and other terms, conditions, and policies stated in the applicable ICTS registration bulletin and on the contractor's web site. These include, but are not limited to, the conditions set forth in this Section.

- a) Identification and Admission – Paper-Based Testing
On the day of the test, each person shall present the admission ticket received following test registration and two pieces of positive identification, one of which is government-issued and includes~~shall include~~ a photograph taken within the last four years. Positive identification includes, but is not limited to, a driver's license, student identification card, Illinois identification card, passport, employee identification card, Social Security card, birth certificate, or selective service registration card. Any person lacking sufficient identification will be required to sign a declaration of identity statement. Any person lacking sufficient

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identification and refusing to sign a declaration of identity statement will be refused admission. Copies of proof of identity may be made at the discretion of staff at the testing site.

b) Identification and Admission – Computer-Based Testing

On the day of the test, each person shall present one piece of current, government-issued identification, issued in the name in which the examinee registered and bearing a photograph and the examinee's signature.

c) On-Site Verification of Identity

1) Each~~Beginning September 1, 2007, each~~ person taking a paper-and-pencil test shall be required to provide a right thumbprint in a designated area on the personalized answer document in order to be admitted to the test site, except that a person who is unable to provide a right thumbprint due to a physical condition shall be admitted if he or she provides a print of the left thumb or, if unable to provide a left thumbprint, a print of another finger. The test proctor shall indicate which finger was used, if other than the right thumb.

2) Each person taking a computer-based test shall be required to provide a digital fingerprint or palm print and a digital signature.

3) Any person refusing to provide a thumbprint, ~~or~~ other fingerprint, palm print, or signature in accordance with this subsection (c) shall be refused admission.

4) Additional procedures that are designed to confirm test-takers' identity or provide for test security, such as video recordings and repeated photographing of examinees, may be employed during test administration. Any person refusing to accede to these procedures shall be refused admission.

d) Late Arrival – Paper-Based Testing

Persons arriving more than 30 minutes after a test administration has begun will be refused admission. Persons arriving within 30 minutes after a test administration has begun will be required to sign an acknowledgment of late arrival specifying that no additional time will be allotted beyond that already given to the other examinees for the session.

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- e) Late Arrival – Computer-Based Testing
Persons arriving after their respective scheduled testing times will be refused admission if admitting them would cause a delay in subsequent testing appointments.
- f)d) No refund of fees will be made to any person refused admission under subsection (a), (b), ~~or (c)~~, (d), or (e) of this Section.
- g)e) Each person admitted to a testing site shall abide by the instructions of the proctors administering the test in all matters relating to the test, including but not limited to seating arrangements and security measures. Each person authorizes the proctors to serve as his or her agents in maintaining a secure test administration.
- h)f) Each person beginning a test shall take every section of that test. The score of a person not completing all sections of a test will be reported as set forth in Sections 25.765 and 25.775 of this Part, unless ~~the such~~ person ~~cancel requests voiding of~~ that score as provided in Section 25.755 of this Part.
- i)g) No refund will be made to any person ~~canceling requesting that~~ his or her score ~~be voided~~, nor will credit be given toward the fee for any future test.
- j) Test-takers may perform intermediate work that is necessary to enable them to answer test questions. Persons taking paper-and-pencil tests shall use as scratch paper only the blank sheets furnished as part of the test materials. Persons taking computer-based tests shall use only the erasable noteboard and marker provided for this purpose.
- k)h) No person may:
- 1) bring written notes into a testing site or use written notes during a test;
 - 2) make notes or copies of the contents of a test or remove any test materials from the testing sitebooklet;
 - 3) bring into the testing site or use unauthorized aids (see Section 25.710 of this Part)~~scratch paper~~;
 - 4) bring any personal item into a computer-based testing room or use any

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~~personal item during computer-based testing, unless permitted as part of an accommodation arranged pursuant to Section 25.740 of this Part bring into the testing site or use any mechanical or electronic device, except as expressly permitted in the registration materials (i.e., use of a nonprogrammable, solar or battery-powered calculator during the chemistry, mathematics, and physics subject matter tests);~~

- 5) ~~bring into the testing site or use any communications device (e.g., telephone, pager) or~~ communicate in any way with other examinees or any person other than the proctors during a test session;
- 6) ~~remove any test materials from the testing site;~~ 7) engage in behavior that disrupts or gives unfair advantage or disadvantage to other examinees;
- ~~7)8)~~ fail to sign the ~~documents~~document(s) on which he or she is directed to record his or her answers; or
- ~~8)9)~~ fail to follow the oral or written instructions or directions of the proctors dealing with the administration of the test.

~~1)ii)~~ An individual who wishes to object to any of the testing conditions or procedures set forth in this Section shall notify the testing contractor in writing of the basis for this objection no later than six weeks prior to the test administration date. An individual who wishes to object shall not register using the late or emergency registration procedures described in Sections 25.732 and 25.733 of this Part.

- 1) The testing contractor shall inform the registrant as to whether his or her objection will be honored.
- 2) If an individual's objection is not honored, the testing contractor shall inform the individual that he or she will not be registered for the test administration.
- 3) An individual who objects to a condition of testing after using late or emergency registration procedures for paper-and-pencil testing may be prohibited from taking the test, or his or her score may be voided.

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

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Section 25.755 Cancellation of Scores; Voiding of Scores

- a) A person shall have the right to ~~cancel~~void his/her test ~~score(s)~~score(s). ~~A cancellation~~Such a request must be submitted in writing and received by the State ~~Superintendent~~Board of Education within seven calendar days after the date of the test. However, a person's right to cancel his or her scores shall be superseded by the right of the State Superintendent of Education to void scores when subsection (b) or (c) of this Section applies.
- b) A person's ~~score(s)~~score(s) will be voided by the State ~~Superintendent~~Board of Education due to violation by the person of any of the conditions of testing enumerated in Section ~~25.750(g) and (k)~~25.750(d) and (g) of this Part.
- c) The Illinois State ~~Superintendent~~Board of Education will also void any affected test score in situations such as, but not limited to, the followingif:
- 1) any person taking the test violates any of the rules of test participation or terms, conditions, or policies stated in the current ICTS registration bulletin and website engages in any form of misconduct, including but not limited to the actions listed in Section 25.750(g), having the purpose or effect of:
 - A) giving any person taking the test an unfair advantage over other examinees,
 - B) affecting, either positively or negatively, the performance of any person taking the test, or
 - C) representing the performance of the named registered examinee by the performance of another person;
 - 2) there is any testing irregularity that calls into question:
 - A) the accuracy of the test scores as measures of the actual performances of the examinees, or
 - B) the validity of the test scores as measures of the performances of the examinees in light of the conditions and circumstances under which the test was administered.

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- d) The State ~~Superintendent~~Board of Education shall notify the person of the action taken within six weeks after the test date. If any person's test materials reveal irregularities that warrant further investigation, the State ~~Superintendent~~Board shall forward those materials, including the person's thumbprint, [fingerprint, or palm print, as applicable](#), to the appropriate law enforcement authority and shall notify the affected person within ten days after taking that action. The State ~~Superintendent~~Board of Education may require the person to provide a thumbprint [or alternate print, if applicable](#), to the appropriate law enforcement authority for comparison with that provided on the personalized answer document and may void the test score earned by a person who refuses to do so.
- e) No refund will be given to any person whose score is [cancelled or](#) voided.
- f) If a score is [cancelled or](#) voided for any reason, it will not be reported or entered on any records. [Cancellation of an individual's score shall not limit his or her right to retake the test](#). Voiding of an individual's score shall not limit his or her right to retake the test [unless subsection \(g\) of this Section applies](#).
- [g\)](#) ~~In~~[However, in](#) some instances, scores are voided for reasons that render individuals ineligible for certification in Illinois, ~~regardless of any future testing~~. [When an individual is found to have violated a condition of testing with the intent of falsifying his or her identity or unfairly affecting his or her performance in the current or a future test administration, the violation shall be taken as evidence that the individual is not of good character as required by See Section 21-1 of the School Code \[105 ILCS 5/21-1\]](#).
- 1) [In addition to voiding of the person's score on the test at which the violation occurred, any other score achieved by the person during the same test administration shall be voided, and the individual shall be ineligible for any future certification testing in Illinois](#).
 - 2) [A person who is subject to this subsection \(g\) shall be ineligible to receive any certificate in Illinois](#).
 - 3) [If a person who is the subject to this subsection \(g\) already holds any Illinois certificate, the State Superintendent of Education shall initiate the suspension or revocation of that certificate as provided in Section 21-23 of the School Code \[105 ILCS 5/21-23\]](#).

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- h) In ~~these~~ instances described in subsection (g) of this Section, records of the individuals' test responses may be maintained by the testing contractor and by ISBE for further investigation. In all other cases when scores are cancelled or voided, test-takers' answer documents, including electronic media, records of the person's test responses, including but not limited to answer sheets and electronic media records, will be destroyed and will be irretrievable.

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

Section 25.780 Fees

Each fee or refund required pursuant to this Section shall be established by the State Superintendent of Education in consultation with the testing contractor and published in all written materials related to the testing program. The fee schedule shall be maintained in the offices of the State Board of Education and shall also be available upon request.

- a) Each registration shall be accompanied by payment of a fee for each test to be taken. The registration fee for a test to be administered by the testing contractor outside the United States may be different from other registration fees.
- b) Each request for re-scoring of a test shall be accompanied by payment of a fee, which shall be refunded if the original scoring is found to be in error.
- c) Each request for an additional individual score report shall be accompanied by payment of a fee.
- d) Each request for a change in the test(s), test date or test site for which the individual is scheduled, other than changes related to computer-based testing, shall be accompanied by payment of a fee.
- e) Each request to add a test or tests to an individual's registration shall be accompanied by payment of a fee.
- f) An individual who cancels his or her registration in accordance with Section 25.730 of this Part shall receive a partial refund for each test for which he or she registered.
- g) Each late registration for paper-based testing shall be accompanied by payment of

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a fee in addition to the payment of the fee for each test to be taken.

- h) A fee of \$20 shall be charged for any test payment that does not clear.
- i) Only cashiers' checks and money orders will be accepted for payment of fees by mail; payment of fees associated with registration transactions made via the Internet shall be made by Visa or Master Card only. [Payment for computer-based testing shall be made via the Internet only and by VISA or MasterCard only.](#)
- j) Payment of fees for emergency registration ([applicable to paper-based testing only](#)) must be made by Visa or Master Card only, as identified in the current year "Illinois Certification Testing System Registration Bulletin-".
 - 1) A fee in addition to the fee for each test to be taken as specified in subsection (a) of this Section will be charged for each emergency registration.
 - 2) No refund or credit of any kind shall be made to any person who registers by emergency registration.

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

SUBPART J: RENEWAL OF STANDARD AND MASTER [TEACHING](#) CERTIFICATES**Section 25.805 Continuing Professional Development Options**

Except as provided in subsections (a) through (g) of this Section, professional development activities shall generate credit for purposes of certificate renewal only if they address one or more of the purposes identified in Section 21-14(e)(2) of the School Code.

- a) *Completion of an advanced degree from a regionally accredited institution in an education-related field may be used to fulfill 100% of the requirement for continuing professional development. (Section 21-14(e)(3)(A) of the School Code [105 ILCS 5/21-14(e)(3)(A)])*
- b) *Eight semester hours of college coursework in an undergraduate or graduate-level program related to education may be used to fulfill 100% of the requirement for continuing professional development, provided that at least 2 semester hours are chosen to address the purpose described in Section 21-14(e)(2)(A) of the*

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School Code. (Section 21-14(e)(3)(B) of the School Code [105 ILCS 5/21-14(e)(3)(B)])

- c) *Completion of all required activities in pursuit of certification or recertification by the National Board for Professional Teaching Standards (NBPTS) may be used to fulfill 100% of the requirement for continuing professional development (Section 21-14(e)(3)(D) of the School Code [105 ILCS 5/21-14(e)(3)(D)]). The presence of an individual's name on NBPTS' composite list of those who have completed the certification process (as distinct from having received certification) shall be considered evidence of completion.*
- d) *Receipt of a subsequent Illinois certificate or endorsement may be used to fulfill 100% of the requirement for continuing professional development. (Section 21-14(e)(3)(K) of the School Code [105 ILCS 5/21-14(e)(3)(K)])*
- e) *Becoming "highly qualified" in an additional teaching area may be used to fulfill 100% of the requirement for continuing professional development. (Section 21-14(e)(3)(L) of the School Code [105 ILCS 5/21-14(e)(3)(L)]) The criteria applicable to Illinois teachers and the required evidence of completion shall be as set forth in Appendix D to this Part. Each individual using this option shall have completed at least some portion of the requirements in the additional field during the period of validity to which the professional development credit is attributed.*
- f) *Successful completion of four semester hours of graduate-level coursework on the assessment of one's own performance in relation to the Illinois Professional Teaching Standards may be used to fulfill 100% of the requirement for continuing professional development, provided that the coursework meets the requirements of Section 21-2(c)(2)(B) of the School Code [105 ILCS 5/21-2(c)(2)(B)] and Section 25.915 of this Part. (Section 21-14(e)(3)(M) of the School Code [105 ILCS 5/21-14(e)(3)(M)])*
- g) *Successful completion of four semester hours of graduate-level coursework in preparation for meeting the requirements for certification by the National Board for Professional Teaching Standards may be used to fulfill 100% of the requirement for continuing professional development, provided that the coursework meets the requirements of Section 21-2(c)(2)(C) of the School Code [105 ILCS 5/21-2(c)(2)(C)] and Section 25.920 of this Part. (Section 21-14(e)(3)(N) of the School Code [105 ILCS 5/21-14(e)(3)(N)])*

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- h) ~~Twenty-four continuing education units ("CEUs"; see Sections 25.865 and 25.870 of this Part) may be used to fulfill 100% of the requirement for continuing professional development.~~ Completion of 120 continuing professional development units ("CPDUs"; see Section 25.875 of this Part) may be used to fulfill 100% of the requirement.
- ~~i)~~ j) A certificate-holder may choose any combination of the types of activities described in subsections (b) ~~and~~; (h) ~~, and (i)~~ of this Section, provided that the total effort represents the equivalent of 120 CPDUs ~~or 24 CEUs~~. For purposes of calculating combinations from different categories, ~~1) one semester hour of college credit shall be considered the equivalent of 15 CPDUs or three CEUs; and 2) one CEU shall be considered the equivalent of 5 CPDUs.~~
- ~~j)~~ k) The provisions of subsections (b), (h), ~~and (i), and (j)~~ of this Section shall be subject to the proportionate reductions specified in Section 21-14 of the School Code with respect to part-time teaching and periods when certificates have been maintained valid and exempt and shall also be subject to any applicable reductions provided in Section 21-2(c)(8) of the School Code for any individual whose application for certificate renewal is received or processed on or after July 1, 2004. (See Section 25.880 of this Part.)
- ~~k)~~ l) A given professional development activity may be attributed to all of the purposes to which it relates. However, the units of credit awarded for a particular activity may be counted only once in calculating the total earned.
- ~~l)~~ m) Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate's validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.

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

Section 25.835 Review of and Recommendation Regarding Application for Renewal

- a) An LPDC shall review each application it receives that conforms with the requirements of Section 25.830 of this Part and, within 30 days after receiving it, shall forward the application to the regional superintendent of schools accompanied by the LPDC's recommendation regarding certificate renewal,

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provided on a form supplied by the State Board of Education.

- b) If the recommendation is for nonrenewal of the affected ~~certificate~~[certificate\(s\)](#), notification to this effect shall be provided concurrently to the certificate-holder, including a return receipt and an explanation of the LPDC's rationale for recommending nonrenewal.
- c) The certificate-holder may appeal to the responsible RPDC for consideration of his or her application for renewal if the LPDC does not respond within the time allowed under subsection (a) of this Section.
- d) Within 14 days after receiving notice that a recommendation for nonrenewal has been forwarded by an LPDC, the certificate-holder may appeal the recommendation to the RPDC. Such an appeal shall be transmitted on a form supplied by the State Board of Education, shall include a return receipt, and shall include:
 - 1) the required evidence of completion for the activities upon which the appeal is based; and
 - 2) any other relevant documents.
- e) Within 45 days after receiving such an appeal, the RPDC shall make a recommendation to the regional superintendent in keeping with the requirements of Section 21-14(g)(2) of the School Code [105 ILCS 5/21-14(g)(2)]. The RPDC shall use a form provided by the State Board of Education for this purpose and shall include the rationale for its recommendation. To assist it in arriving at its recommendation, the RPDC may require the submission of additional information or may request that the certificate-holder appear before it. The RPDC shall also forward to the regional superintendent the material received from the certificate-holder under subsection (d) of this Section.
- f) Within 14 days after receiving the last recommendation required under subsections (a) through (e) of this Section, the regional superintendent shall forward his or her recommendation to the State Teacher Certification Board along with the information required pursuant to Section 21-14(g)(1) of the School Code [105 ILCS 5/21-14(g)(1)]. Forms supplied by the State Board of Education shall be used for this purpose. A copy of any recommendation for nonrenewal shall be sent to the certificate-holder concurrently. If the recommendation is not to renew

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the ~~certificates~~ certificate(s) held, or if information provided on the application makes indicates the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part ~~is or may be out of compliance with Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65] with regard to child support payments~~, the certificate-holder's copy shall be sent by certified mail, return receipt requested.

- 1) The regional superintendent shall forward to the Secretary of the State Teacher Certification Board a list that identifies each certificate-holder with respect to whom the regional superintendent is concurring with an LPDC's recommendation for certificate renewal or is recommending renewal without the involvement of any LPDC. This list shall be prepared on a form supplied by the State Board of Education.
- 2) If the regional superintendent is recommending certificate renewal despite a local or regional committee's recommendation for nonrenewal, the regional superintendent shall forward to the Secretary of the State Teacher Certification Board:
 - A) the material received from the certificate-holder under subsection (e) of this Section;
 - B) the RPDRC's recommendation and any additional material received by the RPDRC pursuant to subsection (e) of this Section; and
 - C) the regional superintendent's rationale for recommending renewal.
- 3) If the regional superintendent is recommending nonrenewal (regardless of local and/or regional recommendations) the regional superintendent shall forward to the Secretary of the State Teacher Certification Board:
 - A) the LPDC's recommendation, if any;
 - B) the RPDRC's recommendation, the material called for in subsection (d) of this Section, and the material received pursuant to subsection (e) of this Section, if any; and
 - C) the regional superintendent's rationale for recommending

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nonrenewal.

- g) Within 14 days after receipt of notice that the regional superintendent has recommended nonrenewal of his or her [certificates](#)~~certificate(s)~~, the certificate-holder may appeal that recommendation to the State Teacher Certification Board, using a form provided by the State Board of Education.
- 1) The appeal must state the reasons why the recommendation of the regional superintendent should be reversed and must be sent by certified mail, return receipt requested.
- A) Appeals shall be addressed to:
- State Teacher Certification Board Secretary
100 North First Street
Springfield, Illinois 62777
- B) No electronic or facsimile transmissions will be accepted.
- C) Appeals postmarked later than 14 calendar days following receipt of the nonrenewal notice will not be processed.
- 2) In addition to the appeal form, the certificate-holder may submit the following material when the appeal is filed:
- A) evidence that he or she has satisfactorily completed activities sufficient to meet the requirements of Section 21-14 of the School Code, as modified by Section 21-2(c)(8) of the School Code if applicable;
- B) any other relevant documents.
- h) Grounds for a recommendation that a certificate not be renewed shall be limited to the certificate-holder's failure to satisfactorily complete activities sufficient to meet the requirements of Section 21-14 of the School Code, as modified by Section 21-2(c)(8) of the School Code if applicable.

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

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Section 25.840 Action by State Teacher Certification Board; Appeals

- a) The State Teacher Certification Board shall review each recommendation regarding the renewal of a certificate within the time allotted by Section 21-14(h) of the School Code [105 ILCS 5/21-14(h)] and verify that the certificate-holder has met the renewal criteria set forth in Section 21-14(g)(1) of the School Code [105 ILCS 5/21-14(g)(1)], subject to the certificate-holder's right of appeal as specified in that Section.
- b) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent's recommendation for nonrenewal, the State Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.
 - 1) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
 - 2) *The State Teacher Certification Board may request that the certificate-holder appear before it. (Section 21-14(h)(2) of the School Code [105 ILCS 5/21-14(h)(2)])* The certificate-holder shall be given at least ten days' notice of the date, time, and place of the hearing.
 - 3) In verifying whether the certificate-holder has met the renewal criteria set forth in Section 21-14(g)(1) of the School Code, *the State Teacher Certification Board shall review:*
 - A) *the recommendation of the regional superintendent of schools;*
 - B) *the Regional Professional Development Review Committee's recommendation, if any;*
 - C) *the Local Professional Development Committee's recommendation, if any; and*
 - D) *all relevant documentation.*
- c) The State Teacher Certification Board shall notify the certificate-holder of its decision regarding certificate renewal as set forth in Section 21-14(h)(2) of the

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School Code [105 ILCS 5/21-14(h)(2)]. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the individual's ~~certificate~~certificate(s), the notification shall state the ~~reasons~~reason(s) for that decision.

- 1) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Subpart J may apply for a reinstated certificate valid for one year.
- 2) After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable standard certificate only if he or she presents evidence of having:
 - A) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and
 - B) earned five additional semester hours of credit in a recognized institution of higher learning in the field of professional education or in courses related to the holder's contractual teaching duties.
- d) The State Teacher Certification Board shall not renew any certificate if information provided on the application makes the holder subject to the requirements of any of Sections 25.485 through 25.490 of this Part~~has been found to be more than 30 days delinquent in payment of child support or has failed to comply with a subpoena or warrant relating to a paternity or child support proceeding~~. Any disciplinary action taken against a certificate-holder under any of those Sections for failure to make the certification required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65] shall be in accordance with ~~that Section and~~ the rules of the State Board of Education for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). The decision of the State Board of Education is a final administrative decision and shall be subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

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

Section 25.855 Approval of Illinois Providers

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Illinois-based entities that offer professional development activities, such as training organizations, institutions, school districts, regional offices of education, firms, teacher unions and professional associations, and universities and colleges, may apply to the State Board of Education and the State Teacher Certification Board for approval to issue ~~CEUs or~~ CPDUs for conferences, workshops, institutes, seminars, symposia, or other similar training events whose goal is the improvement of teaching skills and knowledge. A certificate-holder may not receive credit for CEUs or CPDUs with respect to activities offered by Illinois-based entities that are not so approved, unless the activity is offered under the auspices of the State Board of Education or Section 25.872 of this Part applies.

- a) Except as provided in subsection (b) of this Section, each provider wishing to receive such approval shall submit an application on a form supplied by the State Board of Education. For each area of professional knowledge or skill in which the provider wishes to secure approval, the application shall include:
 - 1) a description of the intended offerings in terms of relevant standards to be addressed;
 - 2) the qualifications and experience the provider will require of presenters to be assigned in each area; and
 - 3) ~~an indication as to whether the application is for approval to issue CEUs or CPDUs and, if approval is sought for both, identification of the activities that will generate each form of credit; and 4)~~ assurances that the requirements of subsection (c) of this Section and the requirements of Section 25.870 of this Part will be met.
- b) An organization that has affiliates based in Illinois may apply for approval on their behalf.
 - 1) The applicant organization shall provide a list of its affiliates for which approval is sought and supply the information required pursuant to subsection (a) of this Section with respect to each one.
 - 2) The applicant organization's provision of the assurances required pursuant to subsection (a)(4) of this Section shall be understood to apply to each affiliate for which approval is sought.

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- 3) The applicant organization shall notify the State Board of Education any time it determines that one or more affiliates should be added to or removed from the list of approved providers or that the areas of training should be changed for one or more of the affiliates. For affiliates to be added, the applicant organization shall supply the information required pursuant to subsection (a) of this Section.
 - 4) The approval status of the applicant organization shall be contingent upon its affiliates' compliance with the applicable requirements of this Subpart J.
- c) Each provider approved to issue ~~CEUs or~~ CPDUs shall:
- 1) verify attendance at its training activities, provide to participants the standard forms referred to in Section 25.865 of this Part, and require completion of the evaluation portion of these forms;
 - 2) maintain participants' evaluation forms for a period of not less than three years and make them available for review upon request by staff of the State Board of Education; and
 - 3) maintain attendance records for each event or activity it conducts or sponsors for a period of not less than five years; ~~and~~ 4) include in each announcement regarding an event or activity whether CEUs or CPDUs will be available.
- d) Applicants may be asked to clarify particular aspects of their materials.
- e) The State Superintendent of Education, on behalf of the State Board of Education and the State Teacher Certification Board, shall respond to each application for approval no later than 30 days after receiving it.
- f) ~~A provider shall be approved to issue CEUs for a given type of activity only if the provider's application provides evidence that: 1) the activities will be developed and presented by persons with education and experience in the applicable subject matter areas; 2) the activities will include an activity such as discussion, critique, or application of what has been presented, observed, learned, or demonstrated; and 3) there is an apparent correlation between the proposed content of the training activities, the relevant standards set forth in Subpart B of this Part, and one or~~

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~~more of the purposes the recipients are required to address in their continuing professional development pursuant to Section 21-14(e)(2) of the School Code.~~

~~g)~~A provider shall be approved to issue CPDUs for a given type of activity only if the provider's application provides evidence that:

- 1) the activities and events it sponsors or conducts will be developed and presented by persons with education and experience in the applicable subject matter areas; and
- 2) there is an apparent correlation between the proposed content of the training activities, the relevant standards set forth in Subpart B of this Part, and one or more of the purposes the recipients are required to address in their continuing professional development plans pursuant to Section 21-14(e)(2) of the School Code.

~~g)h)~~ The State Board of Education ~~will~~shall maintain and publicize the list of all approved providers. The list shall indicate any limitations on the types of activities for which an entity has received approval.

~~h)j)~~ Approval of a provider shall be valid for three years. To request renewal of ~~such~~ approval, a provider shall, no later than March 1 of the year of expiration, submit an application on a form supplied by the State Board of Education and containing:

- 1) a description of any significant changes in the material submitted as part of its approved application; or
- 2) a certification that no such changes have occurred.

~~i)j)~~ A provider's approval shall be renewed if the application conforms to the requirements of subsection ~~(h)j)~~ of this Section, provided that the Boards have received no evidence of noncompliance with the requirements of this Subpart J.

~~j)k)~~ The State Board of Education may evaluate any approved provider at any time to ensure compliance with the requirements of this Section. Upon request by the State Board, a provider shall supply information regarding its schedule of training events, which the State Board may, at its discretion, monitor at any time.

- 1) In the event an evaluation indicates that applicable standards have not been met, the State Board of Education and the State Teacher Certification

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Board may jointly withdraw approval for one or more types of activities or of the provider.

- 2) Staff of the State Board of Education shall periodically report to the State Teacher Certification Board on the providers reviewed and any changes in their approval status.
- 3) Pursuant to Section 21-14(e)(3)(H) of the School Code [105 ILCS 5/21-14(e)(3)(H)], *a teacher may not receive credit for any activity that is designed for entertainment, promotional, or commercial purposes or that is solely inspirational or motivational, and the State Board and the State Teacher Certification Board may jointly disapprove any activity found to be of this nature.*
 - A) When an activity is disapproved under this subsection ~~(j)(3)(k)(3)~~, the provider may continue to offer the activity but shall immediately revise all relevant notices and advertisements to indicate the nature of the activity. The provider shall be required to state in each such notice or advertisement that the activity generates no credit applicable to certificate renewal. Individuals who complete the activity once it is accurately described shall not claim credit for it.
 - B) Individuals who have completed an activity that is later disapproved under this subsection ~~(j)(3)(k)(3)~~ shall not be penalized with respect to continuing professional development credit accrued for that activity.

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

Section 25.860 Out-of-State Providers

The requirements for approval of providers not based in Illinois shall be as set forth in this Section unless Section 25.872 of this Part applies.

- a) Entities not based in Illinois that offer professional development activities for which the target audience is groups of Illinois teachers shall be subject to the requirements of Section 25.855 of this Part. A certificate-holder may not receive credit with respect to activities offered by such an entity unless it has been

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approved pursuant to that Section.

- b) When an entity not based in Illinois conducts an activity outside Illinois, a certificate-holder may receive CPDUs with respect to that activity, provided that:
- 1) the certificate-holder documents his or her participation by maintaining on file:
 - A) the program, agenda, or other announcement of the event; and
 - B) a completion form supplied by the provider to indicate the certificate-holder's attendance at the event or, if no such form was supplied, a signed statement by the certificate-holder to that effect; and
 - 2) if the certificate-holder's records are audited pursuant to Section 21-14(e)(4) of the School Code, the program, agenda, or other announcement of the event is found to demonstrate that there is an apparent correlation between the content of the training received and one or more of the purposes the recipient must address in his or her continuing professional development.
- c) ~~When an entity not based in Illinois conducts an activity outside Illinois, a certificate holder may receive CEUs with respect to that activity, provided that: 1) the requirements of subsection (b) of this Section are met; and 2) each activity for which CEUs are claimed included an activity such as discussion, critique, or application of what was presented, observed, learned, or demonstrated.~~ d) When a national or regional activity (e.g., the annual conference of the National Council of Teachers of Mathematics) happens to be held in Illinois, that activity shall not be treated as one for which the target audience is groups of Illinois teachers. That is, provider approval shall not be required and credit shall be available as described in subsections (b) and (c) of this Section.

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

Section 25.865 Awarding of Credit for Activities with Providers

The State Teacher Certification Board and the State Board of Education shall develop the requirements for a standard form that shall be used by approved providers. These forms shall

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serve two purposes: evaluation of the activity by the certificate-holder and evidence of completion for the certificate-holder with respect to the activity. The State Board of Education shall make available information about the required format and contents of this form so that providers may generate them for their own use, other than providers who are subject to the requirements of Section 25.872 of this Part.

- a) This form shall be provided to each participant who completes the activity, who shall maintain it as evidence of completion (see Section 25.875(k) of this Part). In the case of a conference, workshop, or other event having more than one session, each session shall be considered an "activity" for purposes of this Subpart J.
- b) The provider shall complete the standard form to indicate the title, time, date, location, and nature of the event.
- c) ~~The provider shall indicate the number of CEUs issued, if applicable.~~ d) The number of CPDUs to be credited shall be in keeping with the provisions of Section 25.875(k) of this Part. Time spent on multiple topics at the same event may be combined to generate CPDUs.
- d)e) If the certificate-holder's records are audited pursuant to Section 21-14(e)(4) of the School Code, ~~CEUs or~~ CPDUs claimed shall be affirmed only when the standard form is presented.

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

Section 25.870 Continuing Education Units (CEUs) (Repealed)

~~Continuing education units shall be credited only for professional development activities that are conducted or sponsored by an organization, entity, or firm that has been approved to issue CEUs pursuant to Section 25.855 of this Part, unless the activity completed is subject to the requirements of Section 25.872 of this Part.~~

- a) ~~One CEU shall be issued for five clock hours of a certificate holder's direct involvement, exposure, or participation in activities (including related assignments) that contribute to his or her professional knowledge, competence, performance, or effectiveness in education.~~
- b) ~~Time spent in organizational or administrative activities related to the conduct of a professional development activity or event or related to other business of the~~

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~~sponsoring entity shall not be included in the calculation of time for which CEUs will be issued.~~

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

Section 25.872 Special Provisions for Interactive, Electronically Delivered Continuing Professional Development

The requirements of this Section shall apply to the approval of providers and the awarding of credit for activities that are electronically delivered, such as electronically mediated study groups, seminars, and conferences, interactive CD-ROMs, and on-line professional development curricula. The provisions of Sections 25.855, 25.860, ~~and 25.865, and 25.870~~ of this Part shall apply to such activities only to the extent set forth in this Section.

- a) A certificate-holder may accrue professional development credit for an activity under this Section if the provider of the activity is approved for the applicable subject area pursuant to subsections (b) through (f) of this Section. Alternatively, a certificate-holder may accrue credit for an activity without an approved provider by meeting the requirements of subsection (h) of this Section.
- b) Each provider wishing to receive approval under this Section shall submit an application using a format prescribed by the State Board of Education. For each area of professional knowledge or skill in which the provider wishes to secure approval, the application shall describe:
 - 1) the intended offerings in terms of relevant standards to be addressed;
 - 2) the qualifications and experience the provider will require of the presenters, moderators, and facilitators to be assigned in each area;
 - 3) the means by which individuals' participation and participants' identities will be verified, consistent with subsection (e)(4) of this Section;
 - 4) the assistance that the provider will furnish to participants to foster their understanding of the material covered in the activity and their ability to complete the activity's requirements successfully; ~~and~~

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- 5) the documentation that the provider will furnish to each individual who completes a continuing professional development activity; ~~and 6) whether the provider intends for CEUs or CPDUs to be available to participants.~~
- c) Each application shall provide assurances that the following requirements will be met.
- 1) The provider shall submit written notice to the State Board of Education no later than 30 days prior to the initial date of each of its training activities, including the title, description, target audience, instructional method, and intended learning outcomes of the activity, along with a sample of the syllabus, program, or outline for it.
 - 2) The provider shall verify individuals' participation in its training activities, provide documentation indicating whether those who participated in a particular activity have completed it, and require participants to complete evaluations of the activities that will gather at least ~~the such~~ information as specified by the State Board of Education. ~~The provider shall issue CEUs, if applicable, based upon the average or expected time required to complete a given activity and in accordance with Section 25.870 of this Part. The For activities generating CPDUs, the~~ evidence of completion provided to participants shall indicate the average or expected time required so that one CPDU per hour of participation may be documented.
 - 3) The provider shall maintain participants' evaluations for a period of not less than three years and make them available for review upon request by staff of the State Board of Education.
 - 4) The provider shall maintain records of participation and completion for each activity it conducts or sponsors for a period of not less than five years.
- d) Applicants may be asked to clarify particular aspects of their materials.
- e) A provider shall be approved under this Section only if all of the following conditions are met.
- 1) There is an apparent correlation between the content of the training activities, the standards applicable to their intended participants, and one

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or more of the purposes the participants are required to address in their continuing professional development pursuant to Section 21-14(e)(2) of the School Code.

- 2) The activities will be developed and presented by persons with education and experience in the applicable subject [areasarea\(s\)](#).
- 3) The provider makes available to participants a mentor or facilitator who is qualified by education and experience to serve as a presenter of the activity.
- 4) Participation in or completion of any portion of the activity that is not designed to be attended in person is verified by some other means. That is, each individual's participation yields either a product (e.g., a lesson plan, a tape of teaching performance, a completed test) or a record of interaction with a representative of the provider or with other participants (e.g., a discussion board). These products and records are available for evaluation by the provider, and each participant's receipt of the evidence of completion for the activity is contingent upon their presentation to the provider along with a brief written statement in which the certificate-holder discusses the skills and/or knowledge acquired and indicates, where applicable, how the skills or knowledge will be applied in the context of his or her teaching. Alternatively, if the certificate-holder determines that the experience has not yielded knowledge or skills that can be used in his or her teaching, he or she shall indicate that fact and briefly explain why this is the case.
- 5) Each participant who completes the activity receives verification from the provider to that effect.
- f) The State Superintendent of Education, on behalf of the State Board of Education and the State Teacher Certification Board, shall respond to each application for approval no later than 30 days after receiving it.
- g) A certificate-holder may receive continuing professional development credit for an activity conducted by a provider approved under this Section to the extent that the activity is relevant to one of the purposes applicable to the certificate-holder.

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- h) A certificate-holder may receive continuing professional development credit for an activity not conducted by a provider approved under this Section (to the extent that the activity is relevant to one of the purposes applicable to the certificate-holder) by meeting the requirements of this subsection (h).
- 1) The certificate-holder shall maintain a syllabus, program, or summary prepared by the provider or a summary written by the certificate-holder.
 - 2) The certificate-holder shall maintain any documents or other products developed during the activity and any verification of completion supplied by the provider.
 - 3) The certificate-holder shall maintain a brief written statement meeting the requirements of subsection (e)(4) of this Section.
 - 4) The certificate-holder shall maintain a statement issued by the provider indicating the average or expected amount of time required for completion of the activity, which shall serve as the basis for credit in the form of CPDUs at a rate of one per hour of direct participation ~~or CEUs in accordance with Section 25.870(a) of this Part, as applicable.~~

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

SUBPART K: REQUIREMENTS FOR RECEIPT OF
THE STANDARD TEACHING CERTIFICATE**Section 25.910 Requirements for Induction and Mentoring**

Completion of a program of induction and mentoring as a means of qualifying for the standard teaching certificate shall be subject to the requirements of this Section.

- a) The program selected by a certificate-holder must have been approved for this purpose by the State Board of Education in consultation with the State Teacher Certification Board. Two or more school districts or other organizations may jointly offer a program of induction and mentoring under this Section. An entity or group of entities that wishes to offer an approved program of induction and mentoring shall submit to the State Superintendent of Education a written plan for the program that conforms to the requirements of Section 21-2(c)(2)(A) of the School Code [105 ILCS 5/21-2(c)(2)(A)]. A program shall be approved if the

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plan demonstrates that the program will meet the specifications of subsections (b) through (g) of this Section. Entities that were conducting programs of induction and mentoring prior to July 1, 2003, may apply to the State Superintendent under this Section for verification that those programs met the requirements of this Section so that individuals who have completed them may fulfill the requirements of this Subpart K on that basis. The State Board of Education shall annually publish a list of induction and mentoring programs that have been approved for this purpose.

- b) A formally trained mentor shall be assigned to assist each new teacher, ~~and no mentor shall be assigned to assist more than five new teachers during any given school year.~~ To the extent possible, mentor teachers shall hold the same type of certificate as the new teachers with whom they will work. Each mentor teacher assigned shall hold, or shall have retired while holding, a standard or master certificate and shall have completed a training program that addresses all the following topics:
- 1) Content Knowledge and Pedagogy;
 - 2) Adult Learning Theory;
 - 3) Verbal and Non-Verbal Communication Skills;
 - 4) Attributes and Styles of Positive Critiques;
 - 5) Classroom Observation Skills Related to Assessment of Performance;
 - 6) Strategies for Providing Constructive Feedback and Social Support;
 - 7) Problem-Solving Skills; and
 - 8) Formative Assessment and Self-Assessment.
- c) Each new teacher shall receive formal mentoring, which may include mentoring conducted electronically, consisting of an established sequence of sessions no less than two school years in duration. The planned sequence for each teacher shall comprise no fewer than three episodes of observation, which may be conducted using videoconferencing or videotaping, that include preparation with the mentor teacher prior to observing the new teacher in the classroom; observation of the

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new teacher's teaching practice; and provision of feedback, suggestions, and techniques to the recipient teacher in response to each period of observation.

- d) The program shall afford mentor teachers and new teachers systematic opportunities for contact with each other so that new teachers will receive professional and social support in the school environment. The program shall include a formal mechanism for orienting new teachers to the school improvement and professional development plans that apply and for assisting them in understanding their respective employers' expectations with regard to the Illinois Professional Teaching Standards and the relevant content-area standards.
- e) New teachers shall be afforded at least one opportunity during each semester to participate in professional development opportunities that involve:
 - 1) observing teaching practice modeled by experienced teachers and discussing selected aspects of teaching practice with these teachers; or
 - 2) participating in workshops, conferences, symposia, seminars, or other, similar training events that are designed to increase teachers' knowledge and skills with respect to the Illinois Professional Teaching Standards or the content-area standards that apply to their respective areas of certification or assignment.
- f) The program shall require formative assessment of new teachers' professional development. The mentor teacher shall participate in formative assessment by providing written feedback after observing the teaching performance of the new teacher and by providing written analysis of written materials prepared by the new teacher. The new teacher shall participate in formative assessment by preparing at least one written reflection on his or her teaching practice for each quarter of a school year, for review by the mentor teacher. New teachers' written reflections shall be required to focus on relevant aspects of the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24) and the content-area standards that apply to their assignments and areas of certification and to issues identified in the feedback received from mentor teachers.
- g) Each plan for an induction and mentoring program shall include a specific method for collecting and maintaining information that will permit evaluation of the program and will contribute to an overall assessment of the effectiveness of

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induction and mentoring. For each program, at least the following information shall be collected and supplied to the State Board of Education upon request:

- 1) the length of time during which recipients of the program remain employed as teachers (if known) or remain employed as teachers in the district where mentoring and induction were received;
 - 2) the percentage of recipient teachers who received ratings of "satisfactory" or "excellent" each year since completing the program;
 - 3) any savings realized in the cost of recruiting new teachers due to increased retention; and
 - 4) any decrease in the number or percentage of teachers teaching outside their respective fields.
- h) As evidence of completion for this requirement, the candidate for a standard certificate shall maintain verification, in a format specified by the State Board of Education, signed by the administrator of the approved mentoring and induction program.
- i) An individual may transfer between programs approved under this Section.
- j) Each holder of an initial certificate who chooses the option described in this Section shall be required to complete:
- 1) an approved program of at least one year's duration, if his or her initial certificate was issued before September 1, 2007;
 - 2) an approved program of at least two years' duration, if his or her initial certificate was issued on or after September 1, 2007.

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

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Section 25.APPENDIX A Statistical Testing Equating – Certification Testing System

The Z-score formula set forth below will be used in all cases except where none of the scorable items on a test form has appeared on any previous test form. In such cases, the linear equating formula will be used.

Z-Score Formula

The following formula is used for z-score equating.

1. Define:

\bar{X} \equiv the mean raw score achieved on the new test form's scorable items

s_x \equiv the standard deviation of X

\bar{Y} \equiv the mean raw score achieved on the previous test form's scorable items

s_y \equiv the standard deviation of Y

X_i \equiv a given raw score on the new test form

Y_i \equiv the raw score equivalent to X_i expressed in the raw score metric of form Y

2. Set $z_x = z_y$

$$\frac{X_i - \bar{X}}{s_x} = \frac{Y_i - \bar{Y}}{s_y}$$

3. In order to find the equivalent passing score on the new form, solve for X_i , where Y_i = the passing score on the previous form rounded to one decimal place.

$$X_i = \bar{X} + (s_x / s_y)(Y_i - \bar{Y})$$

The linear equating formula is as follows.

1. Define:

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\bar{X} \equiv mean total test score on a new test form

s_x^2 \equiv variance of total test scores on the new form

\bar{U}_x \equiv mean of common items on the new form

$s_{u_x}^2$ \equiv variance of common item scores on the new form

s_{xu} \equiv covariance of total test and common item set for the new form

n_x \equiv number of candidates taking the new form

\bar{Y} , s_y^2 , \bar{U}_y , $s_{u_y}^2$, s_{yu} , and n_y are corresponding statistics for the previous test form

2. Compute estimated descriptive statistics for the total group (i.e., candidates from new and previous test form administrations).

$$\bar{U}_t \equiv (\bar{U}_x + \bar{U}_y) / 2$$

$$s_{u_t}^2 \equiv \frac{\left(n(\bar{U}_x - \bar{U}_y)^2 \right) / 2 + (n-1)(s_{u_x}^2 + s_{u_y}^2)}{2n-1}$$

where $n \equiv$ the smaller of n_x or n_y

$$b_{xu} \equiv s_{xu} / s_{u_x}^2$$

$$b_{yu} \equiv s_{yu} / s_{u_y}^2$$

$$\bar{X}_t \equiv \bar{X} + b_{xu} (\bar{U}_t - \bar{U}_x)$$

$$s_{x_t}^2 \equiv s_x^2 + b_{xu}^2 (s_{u_t}^2 - s_{u_x}^2)$$

$$\bar{Y}_t \equiv \bar{Y} + b_{yu} (\bar{U}_t - \bar{U}_y)$$

$$s_{y_t}^2 \equiv s_y^2 + b_{yu}^2 (s_{u_t}^2 - s_{u_y}^2)$$

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3. In order to find the equivalent passing score on the new form, solve for X_i , where Y_i = the passing score on the previous form rounded to one decimal place.

$$\underline{X_i} = \underline{\bar{X}_t + (s_{x_i} / s_{y_t})(Y_i - \bar{Y}_t)}$$

1. Define:

~~\bar{X} = mean score on previous form scorable items~~

~~s_x = standard deviation of X~~

~~\bar{Y} = mean score on revised form scorable items~~

~~s_y = standard deviation of Y~~

2. Set ~~$z_y = z_x$~~

$$\frac{Y_i - \bar{Y}}{s_y} = \frac{X_i - \bar{X}}{s_x}$$

3. Solve for ~~Y_i~~

$$Y_i = \bar{Y} + (s_y / s_x)(X_i - \bar{X})$$

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Linear Equating Formula

1. Define:

~~\bar{X} = mean total test score on the revised test form~~

~~s_x^2 = variance of total test scores on the revised form~~

~~\bar{U}_x = mean of common items on the revised form~~

~~$s_{u_x}^2$ = variance of common item scores on the revised form~~

~~s_{xu} = covariance of total test and common item set for the revised form~~

~~n_x = number of examinees taking the revised test form~~

~~$\bar{Y}, s_y^2, \bar{U}_y, s_{u_y}^2, s_{yu}$, and n_y are corresponding statistics for the previous test form~~

2. Complete estimated descriptive statistics for the total group (i.e., examinees from revised and previous test form administrations)

~~$$\bar{U}_t = (\bar{U}_x + \bar{U}_y) / 2$$~~

~~$$s_{u_t}^2 = ((n(\bar{U}_x - \bar{U}_y)^2) / 2 + (n - 1)(s_{u_x}^2 + s_{u_y}^2)) / (2n - 1)$$~~

~~where n = the smaller of n_x or n_y~~

~~$$\bar{X}_t = \bar{X} + b_{xu}(\bar{U}_t - \bar{U}_x)$$~~

~~$$s_{u_t}^2 = ((n(\bar{U}_x - \bar{U}_y)^2) / 2 + (n - 1)(s_{u_x}^2 + s_{u_y}^2)) / (2n - 1)$$~~

~~$$\bar{Y}_t = \bar{Y} + b_{yu}(\bar{U}_t - \bar{U}_y)$$~~

~~$$s_{y_t}^2 = s_y^2 + b_{yu}^2(s_{u_t}^2 - s_{u_y}^2)$$~~

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

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NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Voluntary Registration and Recognition of Nonpublic Schools
- 2) Code Citation: 23 Ill. Adm. Code 425
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
425.10	New Section
425.20	New Section
425.30	New Section
425.40	New Section
425.50	New Section
425.60	New Section
425.70	New Section
425.80	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.6 and 2-3.51.5
- 5) A Complete Description of the Subjects and Issues Involved: This new set of rules responds mainly to the portion of the FY 2008 Budget Implementation Act (P.A. 95-707) that consisted of revisions to Section 2-3.51.5 of the School Code making recognized nonpublic schools eligible for the school safety and educational improvement block grant.

Both recognition and registration of nonpublic schools have been conducted on a voluntary basis for many years. Certain conditions for recognition and registration have been stated in Section 2-3.25o of the School Code, the most recent addition being the 2007 insertion of requirements for checking criminal history records and the Statewide Sex Offender Database and the prohibition against employing persons guilty of certain offenses. Section 2-3.25o has also provided that recognition of these schools is to be subject to "administrative guidelines and review procedures", which are required not to be more burdensome than the requirements placed on the public schools and to recognize the different goals of the nonpublic schools.

Now that eligibility for public funds under the school safety and educational improvement block grant is contingent on recognition, ISBE needs administrative rules, rather than guidelines, as the basis for recognition. That is, the decision whether to recognize a school or not is an exercise of ISBE's discretionary authority that has tangible consequences for the school. The standards that are the basis for the agency's decision clearly fit the definition of "rule" found in the Illinois Administrative Procedure Act and are thus required to be stated as such.

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The proposed rules set forth the process and timelines for registration first, because it has been the agency's practice not to recognize a school unless it has already been registered for at least one full year. Registration involves the provision of certain assurances that are identified in Section 2-3.25o, along with information about the school's staff and the students enrolled.

The requirements for recognition that are set forth in Section 425.30 fall into four broad categories: administrative requirements, educational program, personnel requirements, and health and safety. Our approach has been to present requirements within each of those categories according to whether they arise out of education-related laws that apply to the nonpublic schools or are established by ISBE as additional conditions for recognition.

No requirements are included in Section 425.30 that are not also applicable to the public schools. The only significant current discrepancy between the two types of schools in terms of these provisions is the absence of any concrete requirements for the qualifications of professional personnel in the nonpublic schools. Within Section 425.30(c), we intended to include a phased-in increase in requirements that would eventually culminate in certification for all newly hired professional personnel. As a matter of policy, we considered it inappropriate for the agency to continue to recognize schools without evidence of professional preparation on the part of their staff, particularly since recognition will afford the nonpublic schools access to public funds. However, our preliminary consultation with representatives of the nonpublic school community revealed that not all the schools would be able to attract certified individuals, due to the different salaries and benefits that are available from those employers. Our current recognition policies have not even required that all professional employees hold a bachelor's degree. Consequently we eliminated the intended requirement for certification that would have applied to newly hired staff members effective with the 2013-14 school year but retained a requirement for either a bachelor's degree or ongoing professional development.

Two avenues to recognition are discussed in Section 425.40, one of which involves ISBE's acceptance of accreditation decisions by organizations that are found to base their determinations on requirements that at least encompass those stated in these rules. Initial recognition involves an on-site visit and review of a range of evidence, while annual renewal will be based on assurances except in keeping with the on-site review cycle discussed in Section 425.50. Provisions are made for due process for schools receiving negative determinations relative to their recognition.

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The final Section establishes requirements for submitting the information that figures into the calculation of the schools' proportionate shares of the school safety and educational improvement block grant funds.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed 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 after the publication of this Notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (S-493)
Springfield, Illinois 62777
217/782-5270

Comments may also be submitted via e-mail, addressed to:

rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: Some of the nonpublic schools may be organized as small businesses or not-for-profit corporations.

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- B) Reporting, bookkeeping or other procedures required for compliance: The chief administrator of each school registering or seeking recognition must submit the relevant application and other information required by this Part.
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent Agendas because: It was not entirely clear that rules should be developed for this purpose until after submission of items for the January 2009 agenda.

The full text of the Proposed Rules 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 I: NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS

PART 425

VOLUNTARY REGISTRATION AND RECOGNITION OF NONPUBLIC SCHOOLS

Section

425.10	Purpose and Applicability
425.20	Requirements for Registration
425.30	Requirements for Recognition
425.40	Process for Initial Recognition
425.50	Renewal of Recognition
425.60	Changes in Recognition Status
425.70	Appeals
425.80	Block Grant Funds

AUTHORITY: Implementing Sections 2-3.25o and 2-3.51.5 and authorized by Sections 2-3.6 and 2-3.51.5 of the School Code [105 ILCS 5/2-3.25o, 2-3.51.5, and 2-3.6].

SOURCE: Adopted at 33 Ill. Reg. _____, effective _____.

Section 425.10 Purpose and Applicability

Section 2-3.25o of the School Code [105 ILCS 5/2-3.25o] requires the State Board of Education to provide for the voluntary registration and recognition of nonpublic elementary and secondary schools, as defined in that Section. Further, Section 2-3.51.5 of the School Code [105 ILCS 5/2-3.51.5] makes State-recognized, nonpublic schools eligible to receive funds under the School Safety and Educational Improvement Block Grant Program under certain circumstances.

- a) The purpose of this Part is to set forth:
 - 1) the requirements and procedures for nonpublic schools' voluntary registration;
 - 2) the requirements and procedures for nonpublic schools' voluntary recognition; and

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- 3) the requirements and procedures for nonpublic schools' receipt of funding under Section 2-3.51.5 of the School Code.
- b) This Part shall not apply to special education facilities under Section 14-7.02 of the School Code [105 ILCS 5/14-7.02] (see 23 Ill. Adm. Code 401).
- c) Nothing in this Part shall be construed as relieving a nonpublic school from the duty to comply with any other applicable State or federal law or regulatory requirement.

Section 425.20 Requirements for Registration

The State Superintendent of Education shall make available a form to be used for nonpublic schools' voluntary registration. A school's initial registration may occur at any time from October 1 through June 30 of the relevant school year. The application for renewal of a school's registration in any subsequent year must be submitted no sooner than October 1 and no later than December 31 of that school year. Initial registration of a school shall occur by means of a paper submission, while annual renewal of a school's registration shall be requested electronically. Each paper registration form shall bear the signature of the school's chief administrative officer. The required electronic format shall be submitted only by the authorized administrator.

- a) Descriptive information that must be submitted shall include:
 - 1) the name of the school, its location and telephone number, its affiliation, and the name of the chief administrator;
 - 2) data on the students enrolled, by race, ethnicity, and grade level; and
 - 3) data on the staff employed in various capacities.
- b) The chief administrator of each school shall provide assurances that:
 - 1) the school offers an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually;
 - 2) the school *provides instruction in English*, except as otherwise permitted pursuant to Section 27-2 of the School Code [105 ILCS 5/27-2], *in the branches of education taught to children of corresponding age and grade*

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in the public schools (Section 26-1 of the School Code [105 ILCS 5/26-1]), including the language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health (Section 27-1 of the School Code [105 ILCS 5/27-1]);

- 3) the school requires the students who are enrolled to attend daily during the entire regular school term;
 - 4) the physical facilities occupied by the school comply with the applicable local building code and fire safety requirements;
 - 5) the school will require evidence that, and will furnish to the State Superintendent of Education the required reports regarding the extent to which, students have complied with the requirements of Section 27-8.1 of the School Code [105 ILCS 5/27-8.1] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 with respect to health examinations, immunizations, eye examinations, and dental examinations; and will cooperate in the implementation of the Child Vision and Hearing Test Act [410 ILCS 205] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 675 and 685 regarding hearing and vision screenings, respectively; and
 - 6) the school complies with federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 USC 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 USC 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 USC 2000d et seq., 2000e et seq.), the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law, including Plyler v. Doe, 457 U.S. 202, 102 S. Ct. 2382 (1982).
- c) Upon receipt of complete information for initial registration, including the required assurances, the State Superintendent shall assign a unique identifying number to the school. This number shall be evidence of completed registration and shall permit the school's chief administrator to apply for a user account affording access to the Illinois Web Application Security (IWAS) System, which the school may then use to exchange information with the State Superintendent of Education as relevant to its situation.

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Section 425.30 Requirements for Recognition

No nonpublic school shall apply for recognition until it has been registered for at least one full calendar year and unless it is registered for the current year, except that a school whose educational program is delivered via correspondence may seek recognition without registration, in acknowledgment of the fact that students participating in a school of this type do not gather in a physical location and thus the school does not provide assurances about their compliance with requirements for health examinations, as required for registration under Section 2-3.25o(b) of the School Code. Recognition shall be granted only to schools that meet the requirements of this Section.

- a) Administrative Requirements
 - 1) Each school's recognition shall be contingent upon evidence of compliance with the administrative requirements that are made applicable to nonpublic schools by relevant statutes.
 - A) The school shall offer an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually.
 - B) The school shall require the students who are enrolled to attend daily during the entire regular school term.
 - C) The school shall comply with federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 USC 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 USC 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 USC 2000d et seq., 2000e et seq.), the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law, including Plyler v. Doe, 457 U.S. 202, 102 S. Ct. 2382 (1982).
 - D) The school shall comply with the requirements of Section 4 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4], Section 5 of the Missing Children Records Act [325 ILCS 50/5],

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Section 5 of the Missing Children Registration Law [325 ILCS 55/5], and the rules of the State Board of Education promulgated pursuant to Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a] (see 23 Ill. Adm. Code 375.75, Public and Nonpublic Schools: Transmission of Records for Transfer Students).

- E) The school shall comply with the requirements of the School Reporting of Drug Violations Act [105 ILCS 127].
 - F) The school shall comply with the requirements of Sections 10-27.1A and 10-27.1B of the School Code [105 ILCS 5/27.1A and 27.1B] regarding firearms and drug-related incidents in schools.
 - G) The school shall comply with the requirements of Section 10-21.7 of the School Code [105 ILCS 5/10-21.7] regarding the reporting of attacks on school personnel.
- 2) Recognition shall also be contingent upon evidence of compliance with the additional administrative requirements of this subsection (a)(2).
- A) The school shall maintain written descriptions of its governance structure and its policy-making procedure, shall maintain its policies in written form, and shall make its policies routinely available to parents of the students enrolled and to school staff, as well as to other individuals upon request.
 - B) The school shall maintain a written description of its methods for complying with the nondiscrimination requirements identified in subsection (a)(1)(C) of this Section.
- b) Educational Program
- Each school's recognition shall be contingent upon evidence of compliance with the programmatic requirements that are made applicable to nonpublic schools by relevant statutes.
- 1) *Instruction shall be provided in English, except as otherwise permitted pursuant to Section 27-2 of the School Code [105 ILCS 5/27-2], in the branches of education taught to children of corresponding age and grade in the public schools (Section 26-1 of the School Code), including the*

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language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health (Section 27-1 of the School Code).

- 2) *Each school...shall provide instruction in American patriotism, the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag, and shall require pupils to recite the Pledge of Allegiance daily. (Sections 27-3 and 27-4 of the School Code [105 ILCS 5/27-3 and 27-4]) Not less than one hour per week, or the equivalent, shall be devoted to the study of this subject matter in the seventh and eighth grades or their equivalent and in all high school grades. No student shall receive a certificate of graduation from the eighth grade or from high school without passing an examination on these subjects. No student shall be graduated from the eighth grade unless he or she has received instruction in the history of the United States and has given evidence of a comprehensive knowledge of the subject. (Section 27-21 of the School Code [105 ILCS 5/27-21])*
 - 3) The school shall provide health education as required by the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].
- c) Personnel Requirements
- 1) Each school's recognition shall be contingent upon evidence of compliance with the requirements of subsection (c-5) of Section 2-3.25o of the School Code .
 - 2) Each school shall require of each new employee evidence of freedom from communicable disease, including tuberculosis. This evidence shall consist of a tuberculin skin test and, if appropriate, an x-ray, made, by a physician licensed in Illinois or any other state to practice medicine in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her

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supervising physician, not more than 90 days preceding the date on which the report of the test results is presented to the school's chief administrator.

- 3) Each school's personnel policies shall require monitoring of each employee's performance and formal evaluation at least every two years in terms of proficiency and competency.
 - 4) Students' needs for support services such as counseling and social work shall be evaluated when school staff believe consideration is needed, such as when there are changes in the student body or stresses within the surrounding community, and the school's staffing configuration shall reflect decision-making about how those needs should be addressed.
 - 5) Each individual first assigned to a particular professional position at or after the beginning of the 2011-12 school year shall hold a bachelor's or higher degree.
 - 6) Each individual first assigned to a particular professional position prior to the beginning of the 2011-12 school year who does not hold a bachelor's or higher degree shall participate annually in professional development that is demonstrably designed to strengthen his or her knowledge and skills in areas directly related to job duties (e.g., content-area knowledge or pedagogy for teaching staff, and administration, supervision, evaluation, or school management for administrators).
 - 7) Each individual employed in a field requiring licensure shall hold and practice within the scope of the relevant license.
- d) Health and Safety
Each school's recognition shall be contingent upon evidence of compliance with the health and safety requirements that are made applicable to nonpublic schools by relevant statutes.
- 1) The physical facilities occupied by the school shall comply with the applicable local building code and fire safety requirements.
 - 2) If the school provides food service, the nutrition program and the facilities used shall comply with the Richard B. Russell National School Lunch Act

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(42 USC 1751 et seq.), the Child Nutrition Act of 1966 (42 USC 1771 et seq.), and the School Breakfast and Lunch Program Act [105 ILCS 125].

- 3) The school shall have a wellness policy on file that complies with the requirements of the Child Nutrition and WIC Reauthorization Act of 2004.
- 4) The school shall require evidence that, and shall furnish to the State Superintendent of Education the required reports regarding the extent to which, students have complied with the requirements of Section 27-8.1 of the School Code [105 ILCS 5/27-8.1] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 with respect to health examinations, immunizations, eye examinations, and dental examinations; and shall cooperate in the implementation of the Child Vision and Hearing Test Act [410 ILCS 205] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 675 and 685 regarding hearing and vision screenings, respectively.
- 5) The school shall comply with the requirements of the School Safety Drill Act [105 ILCS 128].
- 6) The school shall comply with the requirements of the Eye Protection in School Act [105 ILCS 115].
- 7) The school shall comply with the requirements of the Toxic Art Supplies in Schools Act [105 ILCS 135].
- 8) The school shall comply with the applicable requirements of the Asbestos Abatement Act [105 ILCS 105].

Section 425.40 Process for Initial Recognition

A nonpublic school may choose whether to seek recognition under subsection (a) or subsection (b) of this Section. An application for initial recognition may be submitted at any time.

- a) Direct Recognition
 - 1) The chief administrator of a registered nonpublic school shall submit an application for recognition, using a format specified by the State Superintendent of Education. The application shall include summary

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information about the school, including but not limited to its educational program and its intended calendar for the upcoming school year, as well as a report of the most recent fire inspection conducted by or on behalf of the relevant local authority.

- A) For each school whose geographic location falls within the jurisdiction of a code authority, a copy of a certificate of occupancy issued by that authority and valid for the upcoming school year shall be included with the application.
 - B) For each school not located within the jurisdiction of any code authority, the application shall include a letter provided by a design professional, indicating that that individual has evaluated the facility and found no condition that would constitute a threat to the health and safety of the occupants and no condition that would constitute an obvious violation of the building code incorporated at 23 Ill. Adm. Code 180.60.
 - C) For each school whose most recent fire inspection report is more than one year old, the application shall include a letter provided by either a design professional or an individual who meets the requirements of the rules of the Office of the State Fire Marshal at 41 Ill. Adm. Code 111.30 (General Requirements for a Qualified Fire Official), indicating that that individual has evaluated the facility and found no condition that would constitute a fire hazard.
 - D) A "design professional" is an architect licensed to practice in Illinois under the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and the administrative rules of the Department of Financial and Professional Regulation implementing that Act (68 Ill. Adm. Code 1150) or an engineer licensed to practice in Illinois under the Illinois Professional Engineering Practice Act of 1989 [225 ILCS 325] and the applicable administrative rules of the Department of Financial and Professional Regulation (68 Ill. Adm. Code 1380).
- 2) Upon receipt of a complete application, the State Superintendent shall schedule a recognition visit and empanel a review team, whose members shall include at least a representative of the State Superintendent, a

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representative of a public educational entity such as a school district or regional office of education, and either a representative of a nonpublic school, other than the school whose recognition is being considered, or another individual who is familiar with the nonpublic educational milieu. The team shall visit the school to verify its compliance with the requirements of this Part. The chief administrator shall be notified in advance of the visit regarding the documentation that must be presented relative to each requirement of Section 425.30 of this Part.

- 3) The team shall observe the operations of the school, review the required documentation, and prepare a report of its findings, including a recommendation regarding recognition of the school, for the consideration of the State Superintendent.
 - 4) Upon consideration of the evidence presented and the recommendations of the review team and relevant staff members, the State Superintendent shall recognize the school if it meets the requirements of Section 425.30 of this Part. If recognition is not granted, the State Superintendent's notice to the chief administrative officer shall identify the deficiencies leading to that determination and Section 425.70 of this Part shall apply.
- b) Recognition via External Accrediting Organizations
- 1) The State Superintendent of Education shall review the processes used by various accrediting organizations to identify those entities whose approval, recognition, or accreditation of schools is granted on the basis of compliance with at least the requirements of Section 425.30 of this Part. A nonpublic school shall receive State recognition upon presentation of evidence that it has received approval, recognition, or accreditation from any of these entities. Probationary recognition shall be assigned if the accrediting body has assigned a comparable status to the school.
 - 2) The State Superintendent shall maintain on the agency's web site a list of all entities whose determinations are accepted pursuant to subsection (b)(1) of this Section.
- c) Each school that is recognized shall receive a Certificate of Nonpublic School Recognition reflecting that status.

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- d) Recognition shall be valid for one school year and shall be subject to renewal as provided in Section 425.50 of this Part.
- e) Recognition that is granted pursuant to this Part shall not be extended to any additional campus, site, or school, nor shall it affect students who are not in attendance at the site to which recognition was specifically granted.

Section 425.50 Renewal of Recognition

- a) Cycle for On-Site Review
 - 1) Each school recognized pursuant to Section 425.40(a) of this Part shall be visited by a review team in preparation for every seventh year for which continued recognition is sought. On those occasions, the team shall observe the school's operations, confirm compliance with applicable requirements and prepare a report as provided in Section 425.40 of this Part. When the school's application for renewal of its recognition is received, the State Superintendent shall consider the evidence presented and proceed as discussed in subsection (c) of this Section.
 - 2) Each school recognized pursuant to Section 425.40(b) of this Part shall be visited in keeping with the review cycle of the relevant accrediting organization. When the school's application for renewal of its recognition is received, the State Superintendent shall:
 - A) renew the school's recognition, if the accrediting organization has renewed the school's accreditation; or
 - B) assign another status as provided in subsection (c) of this Section, if the accrediting organization has not renewed the school's accreditation.
- b) Renewal in Intervening Years
 - 1) For each school year between on-site reviews, the chief administrator of a school recognized pursuant to Section 425.40(a) of this Part shall apply for renewal of the school's recognition by submitting, in an electronic format specified by the State Superintendent of Education, assurances that the school continues to comply with the requirements of this Part and that no

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significant changes have been made in its operations, its facilities, or its programs. If annual professional development is required for any staff member pursuant to Section 425.30(c)(6) of this Part, the school's chief administrator shall also submit a written plan for ensuring that the affected individuals complete relevant activities.

- 2) For each school year between on-site reviews, the chief administrator of a school recognized pursuant to Section 425.40(b) of this Part shall apply for renewal of the school's recognition by submitting evidence that the school's accreditation from the relevant organization is in effect for that school year.
- c) Upon consideration of the application materials and the report, and recommendation of the review team if a visit was conducted, the State Superintendent shall assign a recognition status to the school.
 - 1) A school shall be fully recognized if it meets the requirements of this Part, including each school whose accreditation by the relevant organization is in effect for the school year in question.
 - 2) A school shall be recognized pending further review if it exhibits areas of noncompliance that:
 - A) are not serious enough to warrant probation as delineated in subsection (c)(3) of this Section; and
 - B) can be corrected prior to the end of the school year following the school year in which they are identified.
 - 3) A school shall be placed on probation if it:
 - A) exhibits deficiencies that present a health hazard or a danger to students or staff;
 - B) fails to offer required coursework;
 - C) employs personnel who lack the required qualifications;

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- D) fails or refuses to serve students according to relevant legal requirements; and/or
 - E) prolongs or repeats instances of noncompliance to a degree that indicates an intention not to comply with relevant requirements.
- d) When a school is recognized pending further review, the chief administrator may, within 30 days after receipt of notification to this effect, request a conference at which representatives of the school will have an opportunity to discuss compliance issues with representatives of the State Board of Education.
- e) When a school is placed on probation, the State Superintendent shall schedule a conference at which representatives of the school will discuss compliance issues with representatives of the State Board of Education, unless the chief administrator has appealed the school's status as provided in Section 425.80 of this Part. Within 60 days following a conference under this subsection (e), the school's chief administrator shall submit to the State Superintendent a plan for corrective action that conforms to the requirements of subsection (f) of this Section.
- f) The State Superintendent of Education shall respond to the submission of a plan within 15 days after receiving it. The State Superintendent shall approve a plan if it:
- 1) specifies steps to be taken that are directly related to the areas of noncompliance cited;
 - 2) provides evidence that the school has the resources and the ability to take the steps described without giving rise to other issues of compliance that would lead to probationary status; and
 - 3) specifies a timeline for correction of the cited deficiencies that is demonstrably linked to the factors leading to noncompliance and is no longer than needed to correct the identified problems.
- g) If a school's plan is not approvable under subsection (f) of this Section, the State Superintendent shall notify the chief administrator to this effect. If no plan is submitted, or if no approvable plan is received within 60 days after the conference

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with representatives of the State Board, the school's recognition shall be withdrawn, subject to appeal under Section 425.70 of this Part.

- h) If, at any time while a plan for corrective action is in effect, the State Superintendent determines that the agreed-upon actions are not being implemented in accordance with the plan or the underlying areas of noncompliance are not being remedied, the State Superintendent shall withdraw the school's recognition, subject to appeal under Section 425.70 of this Part.

Section 425.60 Changes in Recognition Status

A school's recognition status may be changed by the State Superintendent of Education at any time to reflect information confirmed during compliance monitoring or by any other means, subject to the provisions of Section 425.70 of this Part. No school shall be nonrecognized without first having been placed on probation.

Section 425.70 Appeals

A chief administrator who wishes to appeal a school's placement on probation or nonrecognition shall submit to the State Superintendent of Education a written statement of appeal within 14 days after receiving notification of the recommended status.

- a) Within 30 days after receipt of the appeal, the State Superintendent or a designee shall convene a hearing to review all pertinent information, including the procedures that led to the recommended recognition status. Representatives of the affected school shall have an opportunity to present evidence demonstrating that the school complies with the requirements of this Part.
- b) No later than 30 days after the conclusion of the hearing, the State Superintendent shall inform the chief school administrator of the school's recognition status. The decision of the State Superintendent of Education shall be a final administrative decision, subject to the Administrative Review Law [735 ILCS 5/Art. III].

Section 425.80 Block Grant Funds

Only schools recognized pursuant to this Part shall be eligible to receive school safety and educational improvement block grant funding under Section 2-3.51.5 of the School Code.

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- a) In order to receive its proportionate share of these funds for a given school year, a school shall be required to submit, at the conclusion of the school year and in a format specified by the State Superintendent of Education:
 - 1) a final calendar demonstrating that the length of the school term conformed to the requirements of Section 425.30 of this Part; and
 - 2) month-by-month attendance information.
- b) The State Superintendent shall annually establish and publicize the timelines for the submission of this information.
- c) Each school shall maintain attendance records in an auditable format, i.e., one that shows that attendance was taken daily and supports the information transmitted to the State Superintendent.
- d) Each school shall prepare an annual expenditure report, in a format specified by the State Superintendent, relating to its use of block grant funds and make this report available to the State Superintendent upon request. Payments to a school whose use of block grant funds in a prior year is found not to have complied with the requirements of Section 2-3.51.5(1) of the School Code shall be reduced to reflect amounts expended for purposes not allowed under that Section, and the school shall be subject to potential additional consequences for noncompliance as set forth in Section 425.50 of this Part.
- e) Any school that, for two years in a row and in any combination, either fails to deliver the report required by Section 27-8.1 of the School Code to the State Superintendent of Education by November 15 or delivers a report that does not demonstrate that at least 90 percent of the pupils enrolled in the school have complied with the requirements of that Section regarding immunizations and health examinations (other than dental and eye examinations) shall be issued a Notice of Non-Compliance. Unless, within seven school days after mailing of the notice, the school presents written evidence to the State Superintendent that it has delivered the report required by Section 27-8.1 and the report demonstrates compliance with that Section, the State Superintendent shall reduce by 10 percent the next payment of block grant funds under this Section, provided that all amounts withheld shall be restored to the school after compliance is documented.

ATTORNEY GENERAL

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Married Families Domestic Violence Grants
- 2) Code Citation: 89 Ill. Admin. Code 1110
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1110.10	New Section
1110.20	New Section
1110.30	New Section
1110.40	New Section
1110.45	New Section
1110.50	New Section
1110.60	New Section
1110.100	New Section
1110.110	New Section
1110.120	New Section
1110.130	New Section
1110.140	New Section
1110.150	New Section
1110.160	New Section
1110.170	New Section
1110.180	New Section
1110.190	New Section
- 4) Statutory Authority: Section 6z-69 of the State Finance Act [30 ILCS 105/6z-69]
- 5) Effective Date of Rules: May 26, 2009
- 6) Does this rulemaking contain an automatic repeal date? Yes, December 31, 2009.
Section 1110.45 is the only section subject to this repeal date.
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material 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 Illinois Register: March 6, 2009; 33 Ill. Reg. 3697
- 10) Has JCAR issued a Statement of Objection to these rules? No

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- 11) Differences between proposal and final version: In Sections 1110.20 and 1110.110, language was deleted that would have limited payment for legal advocacy services provided by paralegals and advocates to only those such services provided by advocates and paralegals who are under the supervision of a licensed attorney. In recognition of the fact that many eligible applicants may already be receiving grant money from the Attorney General under another program that requires an audit, Sections 1110.40 and 1110.130(b) were amended to allow those applicants to rely on the audit already provided rather than be required to submit a second copy of the same audit. In Section 1110.130(a) we deleted the apparent alternative of having an audit performed by a registered, rather than licensed, certified public accountant. Finally, two clarifications were made, one a cross-reference in Section 1110.140(c) that explains the reference to a proposal. The other makes clear that the fee schedule reference in Section 1110.40(f)(9) applies only to services not funded by the grant.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: The Married Families Domestic Violence Fund was established to fund the delivery of free legal advocacy, legal assistance, and legal services to married and formerly married victims of domestic violence by means of grant awarded by the Illinois Attorney General to public or private not-for-profit service providers. These rules establish grant application procedures and requirements; define eligible agencies, services and allowable expenses; and establish criteria for the award of grants. Fiscal controls are also adopted.
- 16) Information and questions regarding these adopted rules shall be directed to:

Jennifer A. Welch, Policy Director
Illinois Attorney General Lisa Madigan
100 West Randolph, 11th Floor
Chicago, IL 60601

312/814-5846

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NOTICE OF ADOPTED RULES

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

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NOTICE OF ADOPTED RULES

TITLE 89: SOCIAL SERVICES
CHAPTER IX: ATTORNEY GENERAL

PART 1110
MARRIED FAMILIES DOMESTIC VIOLENCE GRANTS

SUBPART A: GENERAL ADMINISTRATIVE PROVISIONS

Section

- 1110.10 Administration of the Married Families Domestic Violence Fund
- 1110.20 Eligible Agencies
- 1110.30 Conflict of Interest
- 1110.40 Grant Application Requirements
- 1110.45 First Year Application Deadline
- 1110.50 Funding Priorities
- 1110.60 General Programming and Staffing Requirements

SUBPART B: FISCAL AND MONITORING REQUIREMENTS

Section

- 1110.100 Accounting Requirements
- 1110.110 Allowable and Non-allowable Expenses
- 1110.120 Interest
- 1110.130 Audits
- 1110.140 Grant Agreement
- 1110.150 Payment
- 1110.160 Termination of Grant Agreement
- 1110.170 Lapsed Funds
- 1110.180 Quarterly and Staff Reporting
- 1110.190 On-site Visits and Inspection of Records

AUTHORITY: Authorized by and implementing Section 6z-69 of the State Finance Act [30 ILCS 105/6z-69].

SOURCE: Adopted at 33 Ill. Reg. 7838, effective May 26, 2009.

SUBPART A: GENERAL ADMINISTRATIVE PROVISIONS

Section 1110.10 Administration of the Married Families Domestic Violence Fund

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The Illinois Attorney General (the "Administrator") is charged with administering the disbursement of monies from the Married Families Domestic Violence Fund, including the selection of qualified applicants to receive funding to provide free domestic violence legal advocacy, legal assistance, or legal services to married or formerly married victims of domestic violence.

Section 1110.20 Eligible Agencies

The following types of agencies may apply for funding from the Married Families Domestic Violence Fund:

- a) An agency of the United States, the State of Illinois, or a unit of local government that provides legal advocacy, legal assistance, or legal services to victims of domestic violence.
- b) A private, nonprofit entity that provides legal advocacy, legal assistance, or legal services to victims of domestic violence, if it:
 - 1) has a tax exempt ruling from the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code (26 USC 501(c)(3)) and
 - 2) is compliant with the Charitable Trust Act [760 ILCS 55] and the Solicitations for Charity Act [225 ILCS 460] or is exempt from these Acts.

Section 1110.30 Conflict of Interest

- a) Applicants for grants under this Part shall have rules to govern themselves when conflict of interest situations arise and shall incorporate those rules into their constitution or bylaws, or publish the rules as agency policy.
- b) Rules governing conflict of interest shall prohibit staff members of the Administrator's Crime Victim Service Division and management of the Administrator above the Division Chief level from serving on boards of agencies that apply for or receive funding.

Section 1110.40 Grant Application Requirements

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In order to be considered for an award of grant funds under this Part, applicants must, on or before the first Friday of March preceding the fiscal year for which funding is required, submit the following information on, or, where indicated, attached to, a properly completed grant application form provided by the Administrator:

- a) Identification of the applicant, including:
 - 1) Organization name and type, Federal Employer Identification Number, complete address, telephone number, and e-mail address;
 - 2) The agency's Illinois Charitable Trust registration number or a statement that the agency is exempt;
 - 3) The name and telephone number of the agency's chief executive officer or executive director;
 - 4) The name, telephone number and e-mail address of the agency's contact person for purposes of the grant.
- b) A description of the applicant and the services it provides, including:
 - 1) A summary of the history and purpose of the applicant and the specific program for which funding is sought;
 - 2) A detailed description of the services program for which funding is sought;
 - 3) The number of clients served by applicant in the previous year;
 - 4) Applicant's past experience in providing legal advocacy, legal assistance, or legal services to victims of domestic violence;
 - 5) Applicant's current capacity to serve married or formerly married victims of domestic violence.
- c) A description of existing needs of the community to be served in relation to legal advocacy, legal assistance, or legal services for married or formerly married victims of domestic violence, including descriptions of:

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- 1) Community support for and involvement with the applicant;
 - 2) Memberships in multidisciplinary organizations or coalitions;
 - 3) Agencies with which applicant has networking agreements.
- d) A proposal describing the legal advocacy, legal assistance, and legal services to be provided with grant funding. The proposal must include:
- 1) Identification of the types of civil proceedings for which services will be provided;
 - 2) A description of direct services to be provided and of any programmatic service limitations or restrictions;
 - 2) A description of the client population to be served;
 - 3) A description of the geographic area to be served, including counties and legislative districts;
 - 4) A statement of goals, objectives, and activities of the program for which funding is sought;
 - 5) A description of any memoranda of intent in place for proposed networks of working relationships, including target dates for implementation.
- e) A request for a specific dollar amount, along with a detailed budget showing income and expenses, on the forms prescribed by the Administrator, which will include the following elements:
- 1) A budget summary detailing expenses for personnel, operations (contractual services, supplies, printing, other), travel, trainings attended, trainings hosted, and any other expenses for which funding has been provided or is sought in the current fiscal year and the fiscal year for which funding is requested;
 - 2) Itemized budgets for personnel, operations, and travel and training expenses to be funded by the grant, with a narrative description of each budget item requested;

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- 3) A statement of income for the program to be funded by the grant that includes income received in the applicant's current fiscal year and anticipated to be received in the fiscal year for which funding is requested, in the following categories:
 - i) State or federal government;
 - ii) Township or county government;
 - iii) Administrator;
 - iv) Private foundations and corporate contributions;
 - v) Local support;
 - vi) Other contributions;
 - vii) Fundraisers;
 - viii) United Way;
 - ix) Revenue sharing.

- f) A signed certification that, with respect to each of the following items, the applicant has either put in place and is implementing written policies or that the requirement does not apply:
 - 1) A reasonable accommodation policy for persons with disabilities;
 - 2) Drug free workplace policies as required by law;
 - 3) Non-discrimination;
 - 4) Client intake;
 - 5) Client rights;
 - 6) Volunteer training;

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- 7) Personnel policies and procedures;
 - 8) Conflict of interest rules;
 - 9) Fee schedule with details of charges for specific services, other than those funded by the grant (copy to be attached to the application).
- g) A description of staffing, including the total number of applicant staff members, the numbers of full- and part-time employees, the number of program staff and:
- 1) Identification of all full- or part-time compensated program staff by name and title, designating those for whom funding is requested;
 - 2) A copy of the current job description for the positions listed;
 - 3) A description of the training provided to staff for whom funding is requested;
 - 4) A listing of at least one goal for each funded staff person for the next year.
- h) A description of the applicant's use of volunteers, including the numbers of full- and part-time volunteers, the job functions they perform in the operation of the program for which funding is sought, and the training provided to those who work directly with clients.
- i) A copy of the most recent fiscal audit required by Section 1110.130 or a statement that the most recent audit has been filed with the Attorney General as part of another grant application identified in the statement.
- j) At least one letter of support from a local domestic violence services agency dated no more than six months before the date of the application.
- k) A list of the members of the applicant's governing board.
- l) A certification that applicant will keep proper, complete, and accurate accounting records of all grant funds, as required by Section 11 of the Grant Funds Recovery Act [30 ILCS 705/11].

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- m) A certification, signed by the authorized official of the agency, that the statements in the application are true and correct and submitted in proper format.

Section 1110.45 First Year Application Deadline

For grants awarded for Fiscal Year 2010, grant applications will be due no later than June 12, 2009. This Section is automatically repealed on December 31, 2009.

Section 1110.50 Funding Priorities

- a) The Administrator shall consider the following factors in determining whether and how much to fund a given applicant:
 - 1) The stated goals of the applicant, as contained in the grant application;
 - 2) The applicant's commitment and ability to provide the services sought to be funded. Evidence of commitment and ability includes: legal expertise (i.e., experience of agency staff in providing legal services relating to domestic violence), level of resources available to the agency, and past services provided;
 - 3) The number of married or formerly married domestic violence victims served;
 - 4) The extent to which the grant would expand the provision of services described in Section 1110.60;
 - 5) The extent to which the grant would serve the needs of the community by bringing services to un- or under-served areas or populations;
 - 6) Evidence of support by local domestic violence services agencies;
 - 7) The extent to which different areas of the State are served; and
 - 8) Applicant's history of compliance with reporting, accounting and other requirements pertaining to grants awarded under this Part or under any other government program.

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- b) Grants will be made for a term of one year corresponding to the State's fiscal year. The number of applicants selected for funding will depend upon the amount of appropriated funds available in the Married Families Domestic Violence Fund for that year. Rather than award small amounts to all eligible applicants, the Administrator shall make a limited number awards of sufficient size that the funding will make a substantial impact in the areas to be served.

Section 1110.60 General Programming and Staffing Requirements

- a) Requirements for provision of services by Grantees.
- 1) The services provided by virtue of a grant awarded under this Part shall be provided to married or formerly married victims of domestic violence without charge.
 - 2) The services provided shall be legal advocacy, legal assistance, or legal services relating to one or more of the following proceedings:
 - A) Order of protection proceedings;
 - B) Dissolution of marriage proceedings;
 - C) Declaration of invalidity of marriage proceedings;
 - D) Legal separation proceedings;
 - E) Child custody proceedings;
 - F) Visitation proceedings; and
 - G) Proceedings for civil remedies for domestic violence, including, but not limited to:
 - i) Remedies under the Safe Homes Act [765 ILCS 750];
 - ii) Remedies under the Gender Violence Act [740 ILCS 82];
 - iii) Child support enforcement remedies;

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- iv) Remedies under any federal law for violence against women; and
 - v) Remedies under the Victims of Trafficking and Violence Protection Act of 2000 (22 USC 7101).
- 3) Grant recipients must have in place written policies and procedures pertaining to client rights, including the release of information about a client. For purposes of this subsection (a)(3), the term "client rights" shall in all cases include, but not be limited to, the right to confidentiality and the right of personal privacy.
 - 4) Grant recipients shall not deny services to clients on the basis of race, color, religion, sex, sexual orientation, national origin, ancestry, citizenship status, age, marital status, unfavorable military discharge, military status, or physical, mental, or perceived handicap.
 - 5) Client intake policies and procedures shall be set forth in writing and be available for review by the Administrator to verify that the agency's services are being provided to the population described in the grant application.
 - 6) Grant recipients shall comply with the mandatory reporting requirements of the Abused and Neglected Child Reporting Act [325 ILCS 5].
- b) Personnel Requirements
 - 1) Grant recipients shall not discriminate in the hiring or promotion of staff based on race, color, religion, sex, sexual orientation, national origin, ancestry, citizenship status, age, marital status, unfavorable military discharge, military status, or physical, mental, or perceived handicap.
 - 2) Personnel policies shall be set forth in writing and be available for review by the Administrator upon request. Those policies shall demonstrate compliance with equal employment opportunity and drug free workplace requirements.

SUBPART B: FISCAL AND MONITORING REQUIREMENTS

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Section 1110.100 Accounting Requirements

- a) All accounting entries of a Grantee must be supported by appropriate source documents, recorded in books of original entry, and posted to a general ledger on a monthly basis.
- b) Expenses paid with grant funds are to be identified to specific services funded by the grant. All other expenses not funded by the Administrator may be booked in total.
- c) Each Grantee shall maintain all fiscal records for five years after the end of each budget period. In instances involving unresolved issues arising from an audit, pending litigation or unresolved tax issues, records related to the unresolved issues must be retained at least until the issues are resolved.

Section 1110.110 Allowable and Non-allowable Expenses

The Administrator provides funds for services offered by public and non-profit agencies as specified in this Section, but will not be the sole funding source for any Grantee. The Administrator will only provide funds to programs for the purpose of funding certain items of expense as set forth in this Section.

- a) The following expenditures are the only allowable expenses for which grant funds may be used:
 - 1) Salaries and fringe benefits for Grantee employees who are attorneys licensed to practice law in Illinois, as well as for advocates and paralegals;
 - 2) Contractual services from attorneys licensed to practice law in Illinois, advocates and paralegals;
 - 3) Equipment that is rented or leased for program use;
 - 4) General office expenses;
 - 5) Travel expenses and transportation costs for staff and clients;
 - 6) Court fees, evidence-related costs, and research and documentation costs;

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- 7) Printed or promotional materials used for informational purposes or to publicize the program. All printed materials paid for, in whole or part, with funds provided pursuant to the Grant Agreement shall include a statement that they were printed with support from the Illinois Attorney General's Office and that the views and statements expressed in those materials do not necessarily reflect the views and opinions of the Attorney General of the State of Illinois.
- b) In particular, the following expenditures are among those for which grant funds may not be used, notwithstanding the potential applicability of subsection (a):
- 1) The expense of researching issues and programs and collecting statistics;
 - 2) Compensation to an agency board member other than payment of fair value for services rendered to the agency in a capacity other than board member;
 - 3) Individual or agency association dues or costs of attending professional meetings;
 - 4) The use, or reimbursement for use, of agency- or privately-owned automotive equipment by staff for personal business or non-work-related transportation;
 - 5) The expense of fund-raising activities;
 - 6) Donations of cash or in-kind services to charities, other organizations and individuals;
 - 7) The repayment of any of the principal amount of, and the payment of interest on, any loan;
 - 8) Lease-purchase agreements for items of equipment;
 - 9) The cost of office space or other buildings;
 - 10) The cost of developing supply inventories;
 - 11) Any expense incurred by a Grantee for the sale of goods or services;

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- 12) Reimbursement of expenses that have been funded by a grant from another funding source;
- 13) Contributions to a contingency reserve or any similar provision for unforeseen events.

Section 1110.120 Interest

- a) Interest income earned from award funds shall be used for expenses that further the provision of direct services to clients, consistent with the provision of service stated in the Grant Agreement. These expenses shall not exceed \$500 in any fiscal year. Interest income earned in excess of \$500 shall be returned to the Administrator with the next quarterly report.
- b) Interest income earned from award funds and expenses paid from that interest income shall be reported on quarterly reports as separate items from other expenses against the grant award.
- c) In addition to the allowable expenses listed in Section 1110.110(a), interest income may be used to pay interest expenses on borrowed funds used to purchase land, buildings, and/or equipment that are required to provide direct services to clients, or are related to client services. The items purchased must actually be in use.

Section 1110.130 Audits

- a) Each Grantee agency shall have an annual audit of its financial statements performed at the close of its fiscal year by an independent certified public accountant licensed by the State of Illinois. The report shall contain the basic financial statements presenting the financial position of the agency, the results of its operations, and changes in fund balances. The report shall also contain the auditor's opinion regarding the financial statements taken as a whole, or an assertion to the effect that an opinion cannot be expressed. If the auditor expresses a qualified opinion, a disclaimer of opinion, or an adverse opinion, the reason must be stated.
- b) Audit Report

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- 1) Private not-for-profit agencies must submit a copy of their most recently completed audit.
- 2) Governmental entities must have on site a copy of their most recently completed audit for review by the Administrator during site visits.

Section 1110.140 Grant Agreement

- a) The Grant Agreement serves as the formal statement of mutual expectations between the Administrator and the Grantee. The Grant Agreement is a combination service plan and budget. It identifies what services will be provided or procured, to what target population, and within what geographical area.
- b) The term of the agreement shall be July 1 to June 30 unless a different term is specified in the Grant Agreement, unless sooner terminated as provided in Section 1110.160. Payments under the Grant Agreement will be made quarterly. Grant Agreements and payments are subject to the continued availability of appropriated funds.
- c) Those sections of the Grantee's proposal describing services to be provided (as required by Section 1110.40(d)) that the Administrator has accepted shall be incorporated into the Grant Agreement.
- d) **Modification of Program**
The Grantee shall not change, modify, revise, alter, amend, or delete any part of the services it has agreed to provide in the Grant Agreement without first obtaining the written consent of the Administrator in the form of a Supplemental Agreement.
 - 1) When the Grantee has in good faith attempted to comply with the service provisions of the Grant Agreement, but for unforeseen circumstances was not able to comply with the Grant Agreement, the Administrator will consider a Supplemental Agreement.
 - 2) **Procedures for a Supplemental Agreement**
 - A) The Grantee shall submit to the Administrator the following:

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- i) A written explanation of the circumstances, detailing the good faith attempts to comply with the service provisions of the Grant Agreement;
 - ii) A proposed solution; and
 - iii) A request for a Supplemental Agreement.
 - B) The Administrator will grant the request if the request is consistent with the original intent of the agency's application and services to victims and witnesses and the expense is allowable under Section 1110.110(a).
 - C) The Administrator will prepare a Supplemental Agreement to be signed by both parties if:
 - i) The Administrator approves the Grantee's request and proposed solution;
 - ii) The Administrator proposes its own solution that is acceptable to the Grantee; or
 - iii) The parties agree on a solution.
 - D) The Administrator will notify the Grantee in writing of the denial of a request for modification of the program.
- e) Modification of Budget
- 1) The Grantee has the responsibility to identify instances when funds cannot be expended in accordance with the Grant Agreement Project Budget and to seek reallocation of those funds prior to the expiration of the Grant Agreement.
 - 2) The Grantee must utilize one of the following options in order to reallocate funds.
 - A) The Grantee may reallocate amounts less than \$1,000 of the grant funds to existing line items in the approved budget in the Grant

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Agreement. The Grantee must note the reallocation in the reporting forms.

- B) If the Grantee wishes to reallocate amounts less than \$1,000 of the grant funds to an expense that creates a new line item in the approved budget, the Grantee must submit to the Administrator a written request and explanation for reallocation.
- C) If the Grantee wishes to reallocate amounts of \$1,000 or more of grant funds, the Grantee must submit to the Administrator a written request and explanation for the reallocation.
- D) The Administrator shall grant a reallocation of funds when it determines that funds will be used for allowable expenses consistent with the funded services.
- E) The Administrator shall inform the Grantee within 30 days after receipt of a request, if the request is not approved.

Section 1110.150 Payment

- a) The Administrator shall complete the processing for payment of 25 percent of the grant award within 45 days after the beginning of the grant term or the execution of the agreement, whichever is later. The remaining balance of the award shall be processed in three equal installments within 30 days after the end of each of the first three quarters.
- b) A payment may be delayed if:
 - 1) The Grantee has not complied with reporting requirements;
 - 2) The Administrator is investigating possible misstatements in the Grantee's reports or application; or
 - 3) The Grantee has failed to obtain approval for modification of services.

Section 1110.160 Termination of Grant Agreement

- a) The Administrator may terminate the Grant Agreement for the following reasons:

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- 1) Failure to timely submit reports to the Administrator, as required by Section 1110.170;
 - 2) Failure to provide the services specified in the Grant Agreement;
 - 3) Material misrepresentations or misstatements in a grant application or required reports;
 - 4) Failure to comply with accounting requirements; and
 - 5) Misappropriation of grant funds.
- b) The Administrator will send written notification of the cancellation of a Grant Agreement to the Grantee 30 days prior to the cancellation date. The notice shall detail the reasons for termination and the procedure for the repayment of unexpended funds or monies due the Administrator.
- c) Failure to comply with the procedures prescribed for repayment of funds due to cancellation of the Grant Agreement will result in invocation of the provisions of the Illinois Grant Funds Recovery Act [30 ILCS 705].

Section 1110.170 Lapsed Funds

- a) Grant funds not expended or legally obligated by the end of the Grant Agreement are considered lapsed.
- b) The Grantee shall identify the amount of lapsed funds in the final report submitted to the Administrator.
- c) The Administrator shall verify the amount of the lapsed funds and notify the Grantee in writing of the amount of lapsed funds and the date by which the lapsed funds must be returned, which shall be within 45 days following the end of the Grant Agreement, as required by the Grant Funds Recovery Act [30 ILCS 705].
- d) If the Grantee fails to timely return the lapsed funds, the Administrator shall institute proceedings to recover the funds in accordance with the Grant Funds Recovery Act.

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Section 1110.180 Quarterly and Staff Reporting

- a) A Grantee shall submit to the Administrator financial and activity reports every three months, for the previous three-month period, on forms provided by the Administrator.
 - 1) The financial report form shall provide a detailed statement of costs and expenditures, fiscal summary, names of funded staff persons, and requested revisions, reallocations and adjustments.
 - 2) The activity report form shall detail clients served, services provided, and revisions, if any, of time-tables and activities to reflect the current program status and future activity.
 - 3) All reporting forms must be received by the Administrator no later than 15 days following the end of the reporting period.
 - 4) The Administrator may grant extensions of up to 2 weeks for good cause (e.g., inability to complete report due to unavailability of responsible staff as a result of illness or personal or business emergency or due to calamity, natural disaster or weather event). The Administrator will provide written confirmation of any extension. The written confirmation shall be attached to the reporting forms when submitted.
- b) Funded Staff Reporting
 - 1) A Grantee shall submit to the Administrator the resume of any funded staff no later than October 15 of the funded year.
 - 2) If, for any reason, a Grantee finds it necessary or desirable to substitute, add, or subtract personnel to perform its services under the Grant Agreement, the Grantee shall submit a written notice to Administrator within 10 days after the change in personnel. The notice must include the name of any substituted or additional personnel, together with the person's resume and the reason for the change. Any substitutions or additional personnel must meet the qualifications of the written job description on file with the current application.

Section 1110.190 On-site Visits and Inspection of Records

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- a) The Administrator may conduct random or for-cause on-site visits of a Grantee's program.
- b) The Grantee shall make available, and the Administrator may inspect, all financial records, audits, client contact records, and case records in connection with funded programs.
- c) The Grantee shall make available, and the Administrator may inspect, policies and procedures specified in 89 Ill. Adm. Code 1110.40.
- d) In making case records available, the Grantee shall insure the confidentiality of each client pursuant to the Grantee's confidentiality standards.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Organ Donor Leave
- 2) Code Citation: 80 Ill. Adm. Code 332
- 3) Section Number: 332.4 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by the Organ Donor Leave Act [5 ILCS 327]
- 5) Effective Date of Rulemaking: June 1, 2009
- 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 amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 33 Ill. Reg. 1410; January 23, 2009
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Only minor nonsubstantive technical changes such as italicizing and adding a citation reference were made.
- 12) Have all of the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This amendment brings the rules into compliance with Public Act 95-354, which allows employees more than one hour to donate blood and more than 2 hours to donate blood platelets, in accordance with the Organ Donor Leave Act.
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Gina Wilson
Illinois Department of Central Management Services
720 Stratton Office Building
Springfield IL 62706

217/785-1793

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICESPART 332
ORGAN DONOR LEAVE

Section

332.1	Purpose
332.2	Definitions
332.3	Organ Donor
332.4	Blood Donor
332.5	Impact on Accumulated Benefit Time

AUTHORITY: Implementing and authorized by the Organ Donor Leave Act [5 ILCS 327].

SOURCE: Adopted at 27 Ill. Reg. 9013, effective May 23, 2003; amended at 33 Ill. Reg. 7859, effective June 1, 2009.

Section 332.4 Blood Donor

a) *On request, a participating employee may be entitled to use:*

- 1) *up to one hour or more to donate or attempt to donate blood every 56 days, and*
- 2) *up to 2 hours or more to donate or attempt to donate blood platelets in accordance with appropriate medical standards established by the American Red Cross or other nationally recognized standards. Leave to donate blood platelets may not be granted more than 24 times in a 12-month period.*

b) An employee may be required to submit medical documentation to the employee's agency after donating or attempting to donate blood or blood platelets.

c) *An employee may use leave only after obtaining approval from the employee's agency. [5 ILCS 327/20]*

(Source: Amended at 33 Ill. Reg. 7859, effective June 1, 2009)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Reports of Child Abuse and Neglect
- 2) Code of Citation: 89 Ill. Adm. Code 300
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
300.20	Amended
300.180	New
- 4) Statutory Authority: 325 ILCS 325/2
- 5) Effective Date of Amendments: June 15, 2009
- 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 amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: August 1, 2008; 32 Ill Reg. 12120
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: The final version contains formatting edits recommended by the Joint Committee. Other recommendations made by the Illinois Hospital Association resulted in two edits for the purpose of consistency with the statute provision involving hospital reporting requirements and the statute definition of "relinquish."
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendments, which implement the Abandoned Newborn Infants Protection Act, include Section 300.20, Definitions, and new Section 300.180, Abandoned Newborn Infants. Section 300.180 describes the

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mechanism for a newborn infant to be relinquished by the child's parent without criminal liability.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65
Springfield, Illinois 62703-1498

Telephone: 217/524-1983
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The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 300

REPORTS OF CHILD ABUSE AND NEGLECT

Section

300.10	Purpose
300.20	Definitions
300.30	Reporting Child Abuse or Neglect to the Department
300.40	Content of Child Abuse or Neglect Reports
300.50	Transmittal of Child Abuse or Neglect Reports
300.60	Special Types of Reports (Recodified)
300.70	Referrals to the Local Law Enforcement Agency and State's Attorney
300.80	Delegation of the Investigation
300.90	Time Frames for the Investigation
300.100	Initial Investigation
300.110	The Formal Investigative Process
300.120	Taking Children into Temporary Protective Custody
300.130	Notices Whether Child Abuse or Neglect Occurred
300.140	Transmittal of Information to the Illinois Department of Professional Regulation and to School Superintendents
300.150	Referral for Other Services
300.160	Special Types of Reports
300.170	Child Death Review Teams
300.180	Abandoned Newborn Infants
300.APPENDIX A	Acknowledgement of Mandated Reporter Status
300.APPENDIX B	Child Abuse and Neglect Allegations

AUTHORITY: Implementing and authorized by the Abused and Neglected Child Reporting Act [325 ILCS 5], the Abandoned Newborn Infants Protection Act [325 ILCS 2] and Section 3 of the Consent by Minors to Medical Procedures Act [410 ILCS 210/3].

SOURCE: Adopted and codified as 89 Ill. Adm. Code 302 at 5 Ill. Reg. 13188, effective November 30, 1981; amended at 6 Ill. Reg. 15529, effective January 1, 1983; recodified at 8 Ill. Reg. 992; preemptory amendment at 8 Ill. Reg. 5373, effective April 12, 1984; amended at 8 Ill. Reg. 12143, effective July 9, 1984; amended at 9 Ill. Reg. 2467, effective March 1, 1985; amended at 9 Ill. Reg. 9104, effective June 14, 1985; amended at 9 Ill. Reg. 15820, effective

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November 1, 1985; amended at 10 Ill. Reg. 5915, effective April 15, 1986; amended at 11 Ill. Reg. 1390, effective January 13, 1987; amended at 11 Ill. Reg. 1151, effective January 14, 1987; amended at 11 Ill. Reg. 1829, effective January 15, 1987; recodified from 89 Ill. Adm. Code 302.20, 302.100, 302.110, 302.120, 302.130, 302.140, 302.150, 302.160, 302.170, 302.180, 302.190, and Appendix A at 11 Ill. Reg. 3492; emergency amendment at 11 Ill. Reg. 4058, effective February 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12619, effective July 20, 1987; recodified at 11 Ill. Reg. 13405; amended at 13 Ill. Reg. 2419, effective March 1, 1989; emergency amendment at 14 Ill. Reg. 11356, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 17558, effective October 15, 1990; amended at 14 Ill. Reg. 19827, effective November 28, 1990; emergency amendment at 15 Ill. Reg. 14285, effective September 25, 1991; amended at 15 Ill. Reg. 17986, effective December 1, 1991; emergency amendment at 17 Ill. Reg. 15658, effective September 10, 1993, for a maximum of 150 days; emergency expired February 7, 1994; amended at 18 Ill. Reg. 8377, effective May 31, 1994; amended at 18 Ill. Reg. 8601, effective June 1, 1994; amended at 19 Ill. Reg. 3469, effective March 15, 1995; amended at 19 Ill. Reg. 10522, effective July 1, 1995; amended at 20 Ill. Reg. 10328, effective July 19, 1996; amended at 22 Ill. Reg. 18847, effective October 1, 1998; amended at 23 Ill. Reg. 13590, effective November 15, 1999; amended at 24 Ill. Reg. 7707, effective June 1, 2000; amended at 25 Ill. Reg. 12781, effective October 1, 2001; amended at 26 Ill. Reg. 7435, effective May 15, 2002; amended at 26 Ill. Reg. 11730, effective August 1, 2002; amended at 27 Ill. Reg. 1114, effective January 15, 2003; amended at 27 Ill. Reg. 9431, effective June 9, 2003; preemptory amendment at 29 Ill. Reg. 21065, effective December 8, 2005; amended at 33 Ill. Reg. 7862, effective June 15, 2009.

Section 300.20 Definitions

"Abandonment" means parental conduct that demonstrates the purpose of relinquishing all parental rights and claims to the child. Abandonment is also defined as any parental conduct that evinces a settled purpose to forego all parental duties and relinquish all parental claims to the child.

"Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

inflicts, causes to be inflicted, or allows to be inflicted upon such child physical or mental injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

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creates a substantial risk of physical or mental injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss of or impairment of any bodily function;

commits or allows to be committed any sex offense against such child, as such sex offenses are defined in the Criminal Code of 1961, as amended, and extending those definitions of sex offenses to include children under 18 years of age;

commits or allows to be committed an act or acts of torture upon such child;

inflicts excessive corporal punishment; or

commits or allows to be committed the offense of female genital mutilation, as defined in Section 12-34 of the Criminal Code of 1961, against the child. [325 ILCS 5/3]

"Act" means the Abused and Neglected Child Reporting Act [325 ILCS 5].

"CANTS/SACWIS 8" or "C/S8" means the Department's document titled Notification of a Report of Suspected Child Abuse and/or Neglect. This document explains the Department's child abuse/neglect allegation investigation process.

"CANTS/SACWIS 9" or "C/S9" means the Department's document titled Notification of Intent to Indicate Child Care Worker for Report of Child Abuse and/or Neglect. This document is used to notify a person that the Department plans to indicate that person as a perpetrator of child abuse/neglect.

"CANTS/SACWIS 10" or "C/S10" means the Department's document titled Notice of Intent to Indicate a Child Care Worker for Report of Child Abuse and/or Neglect-Questions and Answers. This is an informational document explaining the impact of a determination of indicated child abuse/neglect and the appeal process.

"CANTS/SACWIS 11" or "C/S11" means the Department's document titled Notification of Indicated Decision in an Employment Related Report of Suspected Child Abuse and/or Neglect. This is the document by which the Department

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notifies a person that the Department has determined that there is credible evidence that he or she is responsible for the child abuse or neglect described in that document.

"Caregiver" means the child's parents, guardian, custodian or relative with whom the child lives and who has primary responsibility for the care and supervision of the child.

"Child" means any person under the age of 18 years, unless legally emancipated by reason of marriage or entry into a branch of the United States armed services.

"Child care facility" means any person, group of persons, agency, association or organization, whether established for gain or otherwise, who or which receives or arranges for care or placement of one or more children, unrelated to the operator of the facility, apart from the parents, with or without the transfer of the right of custody in any facility as defined in the Child Care Act of 1969, established and maintained for the care of children. Child care facility includes a relative who is licensed as a foster family home under Section 4 of the Child Care Act of 1969. [225 ILCS 10/2.05]

"Child care worker" means any person who is employed to work directly with children and any person who is an owner/operator of a child care facility, regardless of whether the facility is licensed by the Department. Child care facilities, for purposes of this definition, include child care institutions; child welfare agencies; day care/night care centers; day care/night care homes; day care/night care group day care homes; group homes; hospitals or health care facilities; schools, including school teachers and administrators, but not tenured school teachers or administrators who have other disciplinary processes available to them; and before and after school programs, recreational programs and summer camps. "Child care worker" also means persons employed as full-time nannies. A child care worker may, at his or her discretion, be subject to this Part if alleged to be responsible for child abuse or neglect outside of his or her employment. "Child care worker" includes a person: currently employed as a child care worker; currently enrolled in an academic program that leads to a position as a child care worker; or who has applied for a license required for a child care worker position. A person will be considered to be "employed as a child care worker" under this Part if, at the time of the notice of the investigation, he or she: has applied for, or will apply within 180 days for, a position as a child care worker; is enrolled in, or will commence within 180 days, an academic program that leads to a position as a

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child care worker; or has applied for a license as a child care worker.

"Child-placing agency" means a licensed public or private agency that receives a child for the purpose of placing or arranging for the placement of the child in a foster family home or other facility for child care, apart from the custody of the child's parents. [325 ILCS 2/10]

"Child Protective Service Unit" or "~~CPS~~" means certain specialized State employees of the Department assigned by the Director or his or her designee to perform the duties and responsibilities described under this Part. CPS staff is also referred to as investigative staff. [325 ILCS 5/3]

"Children for whom the Department is legally responsible" means children for whom the Department has temporary protective custody, custody or guardianship via court order, or children whose parents have signed an adoptive surrender or voluntary placement agreement with the Department.

"CPSW" means a Child Protective Service Worker.

"Collateral contact" means obtaining information concerning a child, parent, or other person responsible for the child from a person who has knowledge of the family situation but was not directly involved in referring the child or family to the Department for services.

"Credible evidence of child abuse or neglect" means that the available facts, when viewed in light of surrounding circumstances, would cause a reasonable person to believe that a child was abused or neglected.

"Delegation of an investigation" means the investigation of a report of child abuse or neglect has been deferred to another authority. The Department maintains responsibility for determining whether the report is indicated or unfounded, entering information about the report in the State Central Register and notifying the subjects of the report and mandated reporters of the results of the investigation.

"Department" or "DCFS" means the Department of Children and Family Services.

"Determination" means a final Department decision about whether there is credible evidence that child abuse or neglect occurred. A determination must be

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either "indicated" or "unfounded".

"Disfigurement" means a serious or protracted blemish, scar, or deformity that spoils a person's appearance or limits bodily functions.

"Emergency medical facility" means a freestanding emergency center or trauma center, as defined in the Emergency Medical Services (EMS) Systems Act. [325 ILCS 2/10]

"Emergency medical professional" includes licensed physicians, and any emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, trauma nurse specialist, and pre-hospital RN, as defined in the Emergency Medical Services (EMS) Systems Act. [325 ILCS 2/10]

"Fire station" means a fire station within the State that is staffed with at least one full-time emergency medical professional. [325 ILCS 2/10]

"Formal investigation" means those activities conducted by Department investigative staff necessary to make a determination as to whether a report of suspected child abuse or neglect is indicated or unfounded. Those activities shall include: *an evaluation of the environment of the child named in the report and any other children in the same environment; a determination of the risk to such children if they continue to remain in the existing environments, as well as a determination of the nature, extent and cause of any condition enumerated in such report, the name, age and condition of other children in the environment; and an evaluation as to whether there would be an immediate and urgent necessity to remove the child from the environment if appropriate family preservation services were provided. After seeing to the safety of the child or children, the Department shall forthwith notify the subjects of the report, in writing, of the existence of the report and their rights existing under the Act in regard to amendment or expungement.* [325 ILCS 5/3]

"Godparent" is a person who sponsors a child at baptism or one in whom the parents have entrusted a special duty that includes assisting in raising a child if the parent cannot raise the child. The worker shall verify the godparent/godchild relationship by contacting the parents to confirm the fact that they did, in fact, designate the person as the godparent. If the parents are unavailable, the worker should contact other close family members to verify the relationship. If the

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person is considered to be the child's godparent, in order for placement to occur, the same placement selection criteria as contained in 89 Ill. Adm. Code 301.60 (Placement Selection) must be met. If the godparent is not a licensed foster parent, all the conditions currently in effect for placement with relatives in 89 Ill. Adm. Code 301.80 must be met.

"Hospital" has the same meaning as in the Hospital Licensing Act [210 ILCS 85].

"Indicated report" means any report of child abuse or neglect made to the Department for which it is determined, after an investigation, that credible evidence of the alleged abuse or neglect exists.

"Initial investigation" means those activities conducted by Department investigative staff to determine whether a report of suspected child abuse or neglect is a good faith indication of abuse or neglect and, therefore, requires a formal investigation. Good faith in this context means that the report was made with the honest intention to identify actual child abuse or neglect.

"Initial oral report" means a report alleging child abuse or neglect for which the State Central Register has no prior records on the family.

"Involved subject" means a child who is the alleged victim of child abuse or neglect or a person who is the alleged perpetrator of the child abuse or neglect.

"Legal custody" means the relationship created by a court order in the best interest of a newborn infant that imposes on the infant's custodian the responsibility of physical possession of the infant, the duty to protect, train, and discipline the infant, and the duty to provide the infant with food, shelter, education, and medical care, except as these are limited by parental rights and responsibilities. [312 ILCS 2/10]

"Local law enforcement agency" means the police of a city, town, village or other incorporated area or the sheriff of an unincorporated area or any sworn officer of the Illinois Department of State Police.

"Mandated reporters" means those individuals required to report suspected child abuse or neglect to the Department. A list of these persons and their associated responsibilities is provided in Section 300.30 of this Part.

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"Member of the clergy" means a clergyman or practitioner of any religious denomination accredited by the religious body to which he or she belongs. [325 ILCS 5/3]

"Neglected child" means any child who is not receiving the proper or necessary nourishment or medically indicated treatment including food or care not provided solely on the basis of present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise is not receiving the proper or necessary support, or medical or other remedial care recognized under State law as necessary for a child's well-being (including where there is harm or substantial risk of harm to the child's health or welfare), or other care necessary for a child's well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare without a proper plan of care; or who is a newborn infant whose blood, urine or meconium contains any amount of controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or a metabolite thereof, with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother or newborn infant. A child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time. A child shall not be considered neglected or abused for the sole reason that such child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care under Section 4 of the Abused and Neglected Child Reporting Act. Where the circumstances indicate harm or substantial risk of harm to the child's health or welfare and necessary medical care is not being provided to treat or prevent that harm or risk of harm because ~~the~~ parent or other person responsible for the child's welfare depends upon spiritual means alone for treatment or cure, ~~the~~ child is subject to the requirements of this Act for the reporting of, investigation of, and provision of protective services with respect to ~~the~~ child and his ~~or her~~ health needs, and in such cases spiritual means through prayer alone for the treatment or cure of disease or for remedial care will not be recognized as a substitute for ~~such~~ necessary medical care, if the Department or, as necessary, a juvenile court determines that medical care is necessary. A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code. [325 ILCS 5/3]

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"Newborn infant" means a child who a licensed physician reasonably believes is 7 days old or less at the time the child is initially relinquished to a hospital, police station, fire station, or emergency medical facility, and who is not an abused or a neglected child. [315 ILCS 2/10]

"Perpetrator" means a person who, as a result of investigation, has been determined by the Department to have caused child abuse or neglect.

"Person responsible for the child's welfare" means the child's parent, guardian, foster parent, relative caregiver, an operator, supervisor, or employee of a public or private residential agency or institution or public or private profit or not-for-profit child care facility; or any other person responsible for the child's welfare at the time of the alleged abuse or neglect, or any person who came to know the child through an official capacity or position of trust, including but not limited to health care professionals, educational personnel, recreational supervisors, members of the clergy and volunteers or support personnel in any setting where children may be subject to abuse or neglect. [325 ILCS 5/3]

"Police station" means a municipal police station or a county sheriff's office. [315 ILCS 2/10]

"Private guardianship" means an individual person appointed by the court to assume the responsibilities of the guardianship of the person as defined in Section 1-3 of the Juvenile Court Act of 1987 [705 ILCS 405/1-3] or Article XI of the Probate Act of 1975 [755 ILCS 5/Art. XI].

"Relative", for purposes of placement of children for whom the Department is legally responsible, means any person, 21 years of age or over, other than the parent, who:

is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, first cousin once removed (children of one's first cousin to oneself), second cousin (children of first cousins are second cousins to each other), godparent (as defined in this Section), great-uncle, or great-aunt, or

is the spouse of such a relative, or

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is the child's step-father, step-mother, or adult step-brother or step-sister.

Relative also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. [20 ILCS 505/7(b)]

"Relinquish" means to bring a newborn infant, who a licensed physician reasonably believes is 7 days old or less, to a hospital, police station, fire station, or emergency medical facility and to leave the infant with personnel of the facility, if the person leaving the infant does not express an intent to return for the infant or states that he or she will not return for the infant. In the case of a mother who gives birth to an infant in a hospital, the mother's act of leaving the new born infant at the hospital without expressing an intent to return for the infant or stating that she will not return for the infant is not a "relinquishment" under the Act. [325 ILCS 2/10]

"State Central ~~Register~~Registry" is the record of child abuse and/or neglect reports maintained by the Department pursuant to the Act.

"Subject of a report" means any child reported to the child abuse/neglect State Central Register, and his or her parent, personal guardian or other person responsible for the child's welfare who is named in the report.

"Temporary protective custody" means custody within a hospital or other medical facility or a place previously designated by the Department, subject to review by the Court. Temporary protective custody cannot exceed 48 hours, excluding Saturdays, Sundays and holidays.

"Undetermined report" means any report of child abuse or neglect made to the Department in which it was not possible to complete an investigation within 60 days on the basis of information provided to the Department.

"Unfounded report" means any report of child abuse or neglect for which it is determined, after an investigation, that no credible evidence of the alleged abuse or neglect exists.

(Source: Amended at 33 Ill. Reg. 7862, effective June 15, 2009)

[Section 300.180 Abandoned Newborn Infants](#)

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a) Parental Relinquishment of a Newborn Infant

- 1) In accordance with the Abandoned Newborn Infants Protection Act [325 ILCS 2], a parent of a newborn infant may relinquish the infant to hospital, police station, fire station or emergency medical facility personnel within 7 days after the child's birth. Relinquishment of a newborn infant in accordance with the Abandoned Newborn Infant Protection Act does not render the infant abused, neglected or abandoned solely because the newborn infant was relinquished to a hospital, police station, fire station or emergency medical facility.
- 2) If personnel of the hospital, police station, fire station or emergency medical facility to which the newborn infant is relinquished suspect child abuse or neglect that is not solely based on the newborn infant's relinquishment, they must report the suspected abuse or neglect to the Department's State Central Register. Hospital, police station, fire station and emergency medical facility personnel are mandated reporters under the Abused and Neglected Child Reporting Act.
- 3) Neither a child protective investigation nor a criminal investigation may be initiated solely because a newborn infant is relinquished in accordance with the Abandoned Newborn Infants Protection Act.
- 4) Newborn infants relinquished to a police station, fire station or emergency medical facility will be transported to the nearest hospital as soon as transportation can be arranged by the facility. If the parent of a relinquished infant returns to the facility to reclaim the infant within 72 hours, the facility must provide the parent with the name and location of the hospital to which the infant was transported.

b) Medical Examination

- 1) In accordance with the Abandoned Newborn Infants Protection Act, hospitals will have temporary protective custody of relinquished infants and will examine and perform medically reasonable tests that are appropriate to determine if the newborn infant has been abused or neglected. If the medical examination determines that there is no evidence of abuse or neglect and that the infant is no older than seven days, the

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relinquishing parent, if present, will be verbally notified by the facility that he or she can remain anonymous, and he or she will have to petition the court if he or she desires to prevent the termination of parental rights and regain custody of the child. The relinquishing parent will also be offered a packet of information that includes:

- A) Illinois Adoption Registry and Medical Information Exchange application;
 - B) Medical Information Exchange Questionnaire;
 - C) The Adoption Registry web site address and toll-free telephone number;
 - D) A resource list of providers of counseling services, including grief counseling, pregnancy counseling and counseling regarding adoption and other available infant placement options;
 - E) A notice that, no sooner than 60 days after the initial relinquishment of the infant, the child-placing agency or Department will commence proceedings to terminate parental rights and place the infant for adoption; and
 - F) A notice that failure of the parent to contact the placing agency or Department and petition for the return of custody of the infant before termination of parental rights bars any future action asserting legal rights with respect to the child.
- 2) If the medical examination of the relinquished child reveals that the child is abused or neglected or is not a newborn infant, the hospital and Department must proceed as if the child is an abused or neglected child.
- c) Notification to the Department's State Central Register (SCR)
Within 12 hours after a hospital accepts a newborn infant from a relinquishing parent, police, fire or emergency medical facility personnel, the hospital will report the infant in its custody to the State Central Register. The SCR will do the following:
- 1) Maintain a list of licensed child-placing agencies willing to take legal

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custody of relinquished newborn infants on a rotational basis;

- 2) Notify a licensed child-placing agency of the relinquished infant. If no licensed child-placing agency is able to accept the infant, the Department must assume responsibility for the infant as soon as practicable;
- 3) Request assistance from law enforcement officials to investigate the incident using the National Crime Information Center to ensure that the relinquished infant is not a missing child. The check will be requested within 24 hours after receiving notification from a hospital.

d) Child-Placing Agencies or the Department

- 1) Acceptance of Abandoned Newborn Infants
Child-placing agencies must accept an abandoned newborn infant, if the agency has the accommodations to do so, and place the infant in an adoptive home when possible. If no licensed child-placing agency is able to accept the infant, the Department must assume responsibility for the infant.
- 2) Petition for Legal Custody
Within three business days after assuming physical custody of the infant, the child-placing agency or Department shall file a petition in the division of the circuit court in which petitions for adoption are heard. The petition shall allege that the newborn infant has been relinquished in accordance with the Abandoned Newborn Infants Protection Act, and shall state that the child-placing agency intends to place the child in an adoptive home. The custody order issued shall remain in effect until a final adoption order based on the infant's best interests is issued in accordance with the Abandoned Newborn Infants Protection Act and the Adoption Act [750 ILCS 50].
- 3) Putative Father Registry
Within 30-days after the estimated date of birth of the relinquished newborn infant, the child-placing agency or Department must complete a search of the Department's Putative Father Registry in accordance with 89 Ill. Adm. Code 309 (Adoption Services for Children for Whom the Department of Children and Family Services is Legally Responsible).

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- 4) No sooner than 60 days following the initial relinquishment of the infant to a hospital, police station, fire station or emergency medical facility, the child-placing agency or Department shall initiate proceedings to:
 - A) Terminate the parental rights of the relinquished newborn infant's known or unknown parent;
 - B) Appoint a guardian for the infant; and
 - C) Obtain consent to the infant's adoption.
- e) Petition for Return of Custody

A parent of a newborn infant relinquished in accordance with the Abandoned Newborn Infants Protection Act may petition the court for the return of custody of the infant prior to the termination of the parental rights.

 - 1) A parent of a relinquished newborn infant must contact the SCR to obtain the name of the child-placing agency to determine if a petition for termination of parental rights is pending. The parent must then file a petition for the return of custody in the appropriate circuit court.
 - 2) The circuit court may hold the proceeding for the termination of parental rights in abeyance for a period not to exceed 60 days from the date that the petition for the return of custody was filed without a showing of good cause. During that period:
 - A) The court will order genetic testing to establish maternity or paternity, or both;
 - B) The Department shall conduct a child protective investigation and home study to develop recommendations to the court;
 - C) When indicated as a result of the Department's investigation and home study, the court may conduct other proceedings under the Juvenile Court Act of 1987 [705 ILCS 405] that the court determines appropriate.
 - 3) If a parent fails to file a petition for return of custody prior to the termination of parental rights, the parent is barred from any future action

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asserting his or her legal rights with respect to the infant unless the parent's act of relinquishment that led to the termination of his or her parental rights involved fraud perpetrated against and not stemming from or involving the parent. No action to void or revoke the termination of parental rights of a parent of a new born relinquished in accordance with the Act, including an action based on fraud, may be initiated after 12 months from the date that the newborn was initially relinquished to a hospital, police station, fire station or emergency medical facility.

- f) Report to the Governor and General Assembly
- 1) The Department shall collect and evaluate information concerning the effect of the Abandoned Newborn Infants Protection Act in the prevention of injury to or death of newborn infants. Child-placing agencies shall provide the following information to the Department:
 - A) The number of newborn infants served by the agency;
 - B) The services provided to the infants;
 - C) The outcome of the care for the infants;
 - D) The disposition of the newborn infant cases;
 - E) Other relevant information requested by the Department.
 - 2) The Department shall submit a report the Governor and General Assembly by January 1 of every year regarding the prevention of injury to or death of newborn infants and the effect of placements of infants under the Abandoned Newborn Infants Protection Act. The report shall include:
 - A) A summary of collected data;
 - B) Analysis of the data and conclusions regarding the effectiveness of the Abandoned Newborn Infant Protection Act;
 - C) A determination of whether the purposes of the Abandoned Newborn Infants Protection Act are being achieved;

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- D) Recommendations for changes necessary to improve administration and enforcement of the Abandoned Newborn Infants Protection Act; and
- E) Other information determined necessary by the Department.
- g) Public Information Program
The Department will initiate a public information program to promote safe placement alternatives for newborn infants and inform the public of the Abandoned Newborn Infants Protection Act. The Department may use any media elements appropriate for the dissemination of the information.
- h) Confidentiality
Personal information of persons relinquishing an infant in accordance with the Abandoned Newborn Infants Protection Act is confidential and shall not be released to the general public.

(Source: Added at 33 Ill. Reg. 7862, effective June 15, 2009)

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- 1) Heading of the Part: Department of Children and Family Services Scholarship Program
- 2) Code of Citation: 89 Ill. Adm. Code 312
- 3) Section Number: 312.90 Adopted Action:
Amended
- 4) Statutory Authority: 20 ILCS 505/8
- 5) Effective Date of Amendment: June 15, 2009
- 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 amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 17, 2008; 32 Ill. Reg. 16656
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: No changes have been made to the amendments other than editing and formatting changes recommended by the Joint Committee.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: The amendment address placement disruptions for youth that choose not to attend summer school or participate in an approved summer internship program.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Mr. Jeff Osowski

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65
Springfield, Illinois 62703-1498

Telephone: 217/524-1983
TDD: 217/524-3715
E-Mail: cfpolicy@idcfs.state.il.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER a: SERVICE DELIVERYPART 312
DEPARTMENT OF CHILDREN AND
FAMILY SERVICES SCHOLARSHIP PROGRAM

Section	
312.10	Purpose
312.20	Definitions
312.30	Description
312.40	Eligibility Requirements
312.50	Application
312.60	Selection
312.70	Service Planning and Living Arrangements
312.80	Ongoing Eligibility Requirements
312.90	Benefits
312.100	Discharge from the Scholarship Program

AUTHORITY: Implementing and authorized by Section 8 of the Children and Family Services Act [20 ILCS 505/8].

SOURCE: Adopted by emergency rulemaking at 20 Ill. Reg. 924, effective December 29, 1995, for a maximum of 150 days; emergency expired May 27, 1996; new Part adopted at 23 Ill. Reg. 6784, effective June 1, 1999; amended at 28 Ill. Reg. 8456, effective June 4, 2004; amended at 32 Ill. Reg. 1144, effective January 30, 2008; amended at 33 Ill. Reg. 7880, effective June 15, 2009.

Section 312.90 Benefits

- a) Tuition and Fee Waiver
The OETS Business Office will request a waiver of tuition and mandatory fees for scholarship youth that attend an Illinois State university or community college if the youth does not have a tuition and/or fee scholarship from another source.
- b) Monthly Grant

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- 1) Youth must provide their caseworkers with written verification of their acceptance/enrollment in a college or university and their school address prior to the beginning of their initial semester or quarter. Caseworkers will verify the information and forward it to the OETS Business Office. Youth that no longer have a legal relationship with the Department must forward the information directly to the OETS Business Office. The OETS Business Office will forward payment information to the Central Payment Unit (CPU). Grant payments will be effective the first day the youth is at school and continue throughout the school year. Youth will receive their first payments the following month. The amount will be prorated based on the day of the month the youth was first located at the school.
- 2) Caseworkers must provide youth with an explanation of the financial and security benefits of having their grant checks directly deposited and assist the youth with completing the C-95, Authorization for Deposit of Recurring Payments. Youth who do not choose direct deposit will have their grant checks mailed directly to them. Youth are required to report their address change immediately to the OETS Business Office (5415 N. University, Peoria IL 61615, 309/693-5150, facsimile 309/693-5433) and their caseworker to ensure timely receipt of correspondence and their grant payments.

A) Summer ~~Grant Payments~~School

- i) The OETS will ~~continuediscontinue~~ grant payments through the summer ~~when~~unless the youth is enrolled in summer school and taking a minimum of six college credit hours, or participating in an approved internship program. Youth that choose to continue their education through the summer months must submit an official class schedule or documentation of participation in an approved internship program to the OETS Business Office and their caseworker no later than the first Monday in May ~~so that their grant payments will not be disrupted~~.
- ii) Youth that choose not to attend summer school or participate in an approved internship program will continue to receive their grant payments through the summer months if the Department has guardianship of the youth or the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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Department's guardianship of the youth was terminated at age 21 after the youth entered the scholarship program and the youth has a grade point average of "C" or better, submits requested class schedules, has current contact information on file with OETS, and submits documentation of college or university enrollment for the fall semester to the OETS Business Office no later than June 1.

B) Terminating Payment

- i) When a youth no longer meets the requirements to remain in the DCFS Scholarship Program, the youth's caseworker will notify the OETS Business Office immediately. Youth who are no longer the legal responsibility of the Department shall notify the OETS Business Office when they no longer meet the requirements of the program. The OETS Business Office will notify the CPU of the effective payment termination date for the youth.
- ii) The OETS Business Office will notify the youth in writing 30 days prior to stopping grant payments for any reason other than summer breaks. If the youth has a legal relationship with the Department and resides in Cook County, the Cook County Public Guardian will also receive a copy of the termination notification. Youth may request a review of the decision to suspend or discharge them from the Scholarship Program in accordance with 89 Ill. Adm. Code 337 (Service Appeal Process). If the youth's grant does not continue during the appeals process, it will be issued retroactively if the youth's appeal is successful.

C) Marriage or Termination of Guardianship

Marriage or termination of guardianship does not terminate a Department scholarship. The Department will continue to make monthly grant payments to the youth, and the youth's medical needs will continue to be met under the Medicaid program.

c) Start-Up Grant

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This is a \$200 one time grant youth will receive upon entrance into the DCFS Scholarship Program. The purpose of the grant is to assist the youth with their initial college living expenses. Youth will receive the Start-Up Grant payment in July.

- d) Medical and Dental Payments
 - 1) Medical and dental services are available to DCFS scholarship youth for whom the Department is legally responsible. Medical and dental services are provided through the Department of Healthcare and Family Services Medical Assistance Program via the DCFS issued medical card.
 - 2) Medical case management services are provided to pregnant and parenting youth and their children, zero to five years of age, through the Department of Human Services.
- e) Mandatory Supplies and Book Payments

The Department may pay for required textbooks and supplies for youth that do not have sufficient resources to purchase the required items.

(Source: Amended at 33 Ill. Reg. 7880, effective June 15, 2009)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Cost Allocation for Large Local Exchange Carriers
- 2) Code Citation: 83 Ill. Adm. Code 711
- 3) Section Number: 711.8005 Adopted Action:
Amendment
- 4) Statutory Authority: : Implementing Sections 5-102, 5-103, and 7-206 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, 7-206, and 10-101]
- 5) Effective Date of Amendment: June 1, 2009
- 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 amendment, including any material incorporated by reference, is on file in the Commission's Springfield office and is available for public inspection.
- 9) Date Notice of Proposal Published in Illinois Register: August 29, 2008; 32 Ill. Reg. 13962
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were required.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: Part 711 requires carriers to file a cost allocation manual (CAM) with the Commission. Prior to adoption of these amendments, Part 711 provided that submission of the Federal Communications Commission (FCC) CAM in compliance with 47 CFR 64.903 is sufficient for compliance with Part 711, Subparts A through D. Changes at the federal level now allow subject carriers to submit an approved compliance plan with the FCC in lieu of the CAM required by 47 CFR 64.903. In order

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for AT&T Illinois and other large carriers that adopt this provision from the FCC to remain in compliance with Part 711, Part 711 had to be updated to allow for the provision of a compliance plan in lieu of the CAM, consistent with the FCC order. Part 711 also required carriers to have an attest engagement or financial audit conducted, and that submission of the audit required to comply with the FCC's 47 CFR 64.904 is sufficient for compliance with Section 711.8000. The FCC order allows for an annual certification under section 254(k) to replace the FCC audit requirement. In order for AT&T Illinois and other large carriers adopting this provision from the FCC to remain in compliance with Part 711, Part 711 must be updated to allow for the provision of an annual certification in lieu of the audit report, consistent with the FCC order.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Conrad S. Rubinkowski
Office of General Counsel
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

217/785-3922

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 711
COST ALLOCATION FOR LARGE LOCAL EXCHANGE CARRIERS

SUBPART A: APPLICATION

Section
711.5 Application

SUBPART B: PRELIMINARY MATERIALS

Section
711.10 Description of Nonregulated Activities
711.15 Incidental Activities

SUBPART C: CORPORATE ORGANIZATION AND AFFILIATE TRANSACTIONS

Section
711.20 Corporate Organization
711.25 Affiliate Transactions

SUBPART D: COST APPORTIONMENT METHODOLOGY AND
TIME REPORTING PROCEDURES

Section
711.100 Overview
711.105 Cost Apportionment
711.107 Time Reporting Procedures
711.110 Cost and Allocation Definitions (Repealed)
711.115 Cost Pools (Repealed)
711.200 Cost Pool Apportionment Bases (Repealed)
711.205 Cost Pool Account Transaction Analysis (Repealed)
711.210 Analysis of Leased Assets (Repealed)
711.215 Analysis of Motor Vehicle Records (Repealed)
711.220 Analysis of Information Management Projects (Repealed)
711.225 Analysis of Research and Development Projects (Repealed)
711.230 Analysis of Purchase Records (Repealed)

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711.235	Analysis of Tax Records (Repealed)
711.245	Computer Application Activity Analysis (Repealed)
711.250	Building/Floor Space Use Study (Repealed)
711.255	Direct Reporting (Repealed)
711.260	Flight Logs (Repealed)
711.265	Property Record Analysis (Repealed)
711.270	Relative Investment Value – Cost Pool Apportionment (Repealed)
711.275	Testing Activity Study (Repealed)
711.280	Regulated/Nonregulated Apportionment Bases (Repealed)
711.285	Account Transaction Analysis – Regulated/Nonregulated (Repealed)
711.290	Billing and Collection Study (Repealed)
711.305	Customer and Corporate Operations Wages and Salaries (Repealed)
711.309	Engineering Time Reporting (Repealed)
711.310	Engineering Wages and Salaries (Repealed)
711.315	General Allocator (Repealed)
711.320	Marketing Allocator (Repealed)
711.325	Network Plant Wages and Salaries (Repealed)
711.330	Plant Support Wages and Salaries (Repealed)
711.335	Projected Regulated/Nonregulated Shared Usage (Repealed)
711.340	Regulated/Nonregulated Actual Usage (Repealed)
711.345	Relative Investment Value – Regulated/Nonregulated (Repealed)
711.350	Relative Regulated/Nonregulated Pre-Tax Book Income (Repealed)
711.355	Relative Regulated/Nonregulated Revenues (Repealed)
711.360	Service Center Activity Study (Repealed)
711.365	Service Order Activity Analysis (Repealed)
711.370	Trouble Report Analysis (Repealed)
711.375	Total Company Wages and Salaries (Repealed)

SUBPART E: COST APPORTIONMENT – ACCOUNTS

Section	
711.1220	Account 1220 Materials and Supplies (Repealed)
711.1439	Account 1439 Deferred Charges (Repealed)
711.2002	Account 2002 Property Held for Future Telecommunications Use (Repealed)
711.2003	Account 2003 Telecommunications Plant Under Construction – Short Term (Repealed)
711.2004	Account 2004 Telecommunications Plant Under Construction – Long Term (Repealed)
711.2005	Account 2005 Telecommunications Plant Adjustment (Repealed)

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711.2111	Account 2111 Land (Repealed)
711.2112	Account 2112 Motor Vehicles (Repealed)
711.2113	Account 2113 Aircraft (Repealed)
711.2114	Account 2114 Special Purpose Vehicles (Repealed)
711.2115	Account 2115 Garage Work Equipment (Repealed)
711.2116	Account 2116 Other Work Equipment (Repealed)
711.2121	Account 2121 Buildings (Repealed)
711.2122	Account 2122 Furniture (Repealed)
711.2123	Account 2123 Office Equipment (Repealed)
711.2124	Account 2124 General Purpose Computers (Repealed)
711.2211	Account 2211 Analog Electronic Switching (Repealed)
711.2212	Account 2212 Digital Electronic Switching (Repealed)
711.2215	Account 2215 Electro-mechanical Switching (Repealed)
711.2220	Account 2220 Operator Systems (Repealed)
711.2231	Account 2231 Radio Systems (Repealed)
711.2232	Account 2232 Circuit Equipment (Repealed)
711.2311	Account 2311 Station Apparatus (Repealed)
711.2321	Account 2321 Customer Premises Wiring (Repealed)
711.2341	Account 2341 Large Private Branch Exchange (Repealed)
711.2351	Account 2351 Public Telephone Terminal Equipment (Repealed)
711.2362	Account 2362 Other Terminal Equipment (Repealed)
711.2411	Account 2411 Poles (Repealed)
711.2421	Account 2421 Aerial Cable (Repealed)
711.2422	Account 2422 Underground Cable (Repealed)
711.2423	Account 2423 Buried Cable (Repealed)
711.2424	Account 2424 Submarine Cable (Repealed)
711.2425	Account 2425 Deep Sea Cable (Repealed)
711.2426	Account 2426 Intrabuilding Network Cable (Repealed)
711.2431	Account 2431 Aerial Wire (Repealed)
711.2441	Account 2441 Conduit Systems (Repealed)
711.2681	Account 2681 Capital Leases (Repealed)
711.2682	Account 2682 Leasehold Improvements (Repealed)
711.2690	Account 2690 Intangibles (Repealed)
711.3100	Account 3100 Accumulated Depreciation (Repealed)
711.3200	Account 3200 Accumulated Depreciation – Held for Future Telecommunications Use (Repealed)
711.3410	Account 3410 Accumulated Amortization – Capitalized Leases (Repealed)
711.3420	Account 3420 Accumulated Amortization – Leasehold Improvements (Repealed)
711.3500	Account 3500 Accumulated Amortization – Intangibles (Repealed)

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711.3600	Account 3600 Accumulated Amortization – Other (Repealed)
711.4100	Account 4100 Net Current Deferred Operating Income Tax (Repealed)
711.4340	Account 4340 Net Noncurrent Deferred Operating Income Tax (Repealed)
711.6112	Account 6112 Motor Vehicle Expense (Repealed)
711.6113	Account 6113 Aircraft Expense (Repealed)
711.6114	Account 6114 Special Purpose Vehicle Expense (Repealed)
711.6115	Account 6115 Garage Work Equipment Expense (Repealed)
711.6116	Account 6116 Other Work Equipment Expense (Repealed)
711.6121	Account 6121 Land and Building Expense (Repealed)
711.6122	Account 6122 Furniture and Artworks Expense (Repealed)
711.6123	Account 6123 Office Equipment Expense (Repealed)
711.6124	Account 6124 General Purpose Computers Expense (Repealed)
711.6211	Account 6211 Analog Electronic Expense (Repealed)
711.6212	Account 6212 Digital Electronic Expense (Repealed)
711.6215	Account 6215 Electro-mechanical Expense (Repealed)
711.6220	Account 6220 Operators System Expense (Repealed)
711.6231	Account 6231 Radio Systems Expense (Repealed)
711.6232	Account 6232 Circuit Equipment Expense (Repealed)
711.6311	Account 6311 Station Apparatus Expense (Repealed)
711.6341	Account 6341 Large Private Branch Exchange Expense (Repealed)
711.6351	Account 6351 Public Telephone Terminal Equipment Expense (Repealed)
711.6362	Account 6362 Other Terminal Equipment Expense (Repealed)
711.6411	Account 6411 Poles Expense (Repealed)
711.6421	Account 6421 Aerial Cable Expense (Repealed)
711.6422	Account 6422 Underground Cable Expense (Repealed)
711.6423	Account 6423 Buried Cable Expense (Repealed)
711.6424	Account 6424 Submarine Cable Expense (Repealed)
711.6425	Account 6425 Deep Sea Cable Expense (Repealed)
711.6426	Account 6426 Intrabuilding Network Cable Expense (Repealed)
711.6431	Account 6431 Aerial Wire Expense (Repealed)
711.6441	Account 6441 Conduit Systems Expense (Repealed)
711.6511	Account 6511 Property Held for Future Telecommunications Use Expense (Repealed)
711.6512	Account 6512 Provisioning Expense (Repealed)
711.6531	Account 6531 Power Expense (Repealed)
711.6532	Account 6532 Network Administration Expense (Repealed)
711.6533	Account 6533 Testing Expense (Repealed)
711.6534	Account 6534 Plant Operations Administrative Expense (Repealed)
711.6535	Account 6535 Engineering Expense (Repealed)

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711.6540	Account 6540 Access Expense (Repealed)
711.6561	Account 6561 Depreciation Expense – Telecommunications Plant in Service (Repealed)
711.6562	Account 6562 Depreciation Expense – Property Held for Future Telecommunications Use (Repealed)
711.6563	Account 6563 Amortization Expense – Tangible (Repealed)
711.6564	Account 6564 Amortization Expense – Intangible (Repealed)
711.6565	Account 6565 Amortization Expense – Other (Repealed)
711.6611	Account 6611 Product Management Expense (Repealed)
711.6612	Account 6612 Sales Expense (Repealed)
711.6613	Account 6613 Product Advertising Expense (Repealed)
711.6621	Account 6621 Call Completion Services Expense (Repealed)
711.6622	Account 6622 Number Services Expense (Repealed)
711.6623	Account 6623 Customer Services Expense (Repealed)
711.6711	Account 6711 Executive Expense (Repealed)
711.6712	Account 6712 Planning Expense (Repealed)
711.6721	Account 6721 Accounting and Finance Expense (Repealed)
711.6722	Account 6722 External Relations Expense (Repealed)
711.6723	Account 6723 Human Resources Expense (Repealed)
711.6724	Account 6724 Information Management Expense (Repealed)
711.6725	Account 6725 Legal Expense (Repealed)
711.6726	Account 6726 Procurement Expense (Repealed)
711.6727	Account 6727 Research and Development Expense (Repealed)
711.6728	Account 6728 Other General and Administrative Expense (Repealed)
711.6790	Account 6790 Provision for Uncollectible Notes Receivable (Repealed)
711.7110	Account 7110 Income from Custom Work (Repealed)
711.7130	Account 7130 Return from Nonregulated Use of Regulated Facilities (Repealed)
711.7140	Account 7140 Gains and Losses from Foreign Exchange (Repealed)
711.7150	Account 7150 Gains and Losses from the Distribution of Land and Artwork (Repealed)
711.7160	Account 7160 Other Operating Gains and Losses (Repealed)
711.7210	Account 7210 Operating Investment Tax Credits – Net (Repealed)
711.7220	Account 7220 Operating Federal Income Taxes (Repealed)
711.7230	Account 7230 Operating State and Local Income Taxes (Repealed)
711.7240	Account 7240 Operating Other Taxes (Repealed)
711.7250	Account 7250 Provision for Deferred Operating Income Taxes – Net (Repealed)
711.7350	Account 7350 Gains or Losses from the Disposition of Certain Property (Repealed)
711.7370	Account 7370 Special Charges (Repealed)

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711.7400	Account 7400 Nonoperating Taxes (Repealed)
711.7510	Account 7510 Interest on Funded Debt (Repealed)
711.7520	Account 7520 Interest Expense – Capital Leases (Repealed)
711.7530	Account 7530 Amortization of Debt Issuance Expense (Repealed)
711.7540	Account 7540 Other Interest Deductions (Repealed)
711.7610	Account 7610 Extraordinary Income Credits (Repealed)
711.7620	Account 7620 Extraordinary Income Charges (Repealed)
711.7630	Account 7630 Current Income Tax Effects of Extraordinary Items – Net (Repealed)
711.7640	Account 7640 Provision for Deferred Income Tax Effect of Extraordinary Items – Net (Repealed)

SUBPART F: OTHER MATTERS

Section

711.8000	Audit Requirement
711.8005	Waivers

AUTHORITY: Implementing Sections 5-102, 5-103, and 7-206 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, 7-206, and 10-101].

SOURCE: Emergency rules adopted at 12 Ill. Reg. 1136, effective January 1, 1988, for a maximum of 150 days; adopted at 12 Ill. Reg. 9495, effective May 25, 1988; amended at 27 Ill. Reg. 12388, effective August 1, 2003; amended at 33 Ill. Reg. 7886, effective June 1, 2009.

SUBPART F: OTHER MATTERS

Section 711.8005 Waivers

- a) If the FCC requires a carrier to submit a cost allocation manual in compliance with 47 CFR 64.903 [or compliance plan](#), then the carrier shall file such manual [or compliance plan](#) with the Chief Clerk of the Commission with a copy to the Manager of Accounting. Such filing will result in compliance with Part 711, Subparts A through D.
- b) If the FCC requires a carrier to have an attest engagement or financial audit conducted in compliance with 47 CFR 64.904 [or annual certification in compliance with 47 USC Section 254\(k\), Subsidy of Competitive Services Prohibited](#), then the carrier shall file the report [or annual certification](#) from such

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engagement or audit with the Manager of Accounting within 30 days after completion. The associated workpapers shall be available to the Commission Staff for review. This audit report [or annual certification](#) submission shall result in compliance with [Section 711.8000](#).

(Source: Amended at 33 Ill. Reg. 7886, effective June 1, 2009)

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Moms and Babies Program
- 2) Code Citation: 20 Ill. Adm. Code 475
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
475.10	New
475.15	New
475.20	New
475.25	New
475.30	New
475.35	New
- 4) Statutory Authority: Implementing Sections 3-2-2 and 3-6-2 and authorized by Sections 3-2-2 and 3-6-2 of the Unified Code of Corrections [730 ILCS 5/3-2-2 and 3-6-2]
- 5) Effective Date of Rules: June 1, 2009
- 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 rule, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notices of Proposal Published in Illinois Register: 33 Ill. Reg. 3232; February 20, 2009
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Grammatical changes correspond with the draft originally submitted to the Secretary of State. Other changes were made as a result of JCAR requests for clarification.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency amendment, currently in effect? No
- 14) Are there any amendments pending on this Part? No

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

- 15) Summary and Purpose of Rules: In accordance with 730 ILCS 5/3-6-2, the following rulemaking delineates the Department of Corrections Moms and Babies Program, screening and placement criteria, child health care resources, and removal from the program rationale.
- 16) Information and questions regarding this adopted rule shall be directed to:

Beth Kiel
Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277

217/558-2200, extension 6511

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

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER d: PROGRAMS AND SERVICESPART 475
MOMS AND BABIES PROGRAM

Section

475.5	Applicability
475.10	Definitions
475.15	Responsibilities
475.20	Moms and Babies Program
475.25	Screening and Placement
475.30	Child Health Care Resources
475.35	Removal from the Program

AUTHORITY: Implementing and authorized by Sections 3-2-2 and 3-6-2 of the Unified Code of Corrections [730 ILCS 5/3-2-2 and 3-6-2].

SOURCE: Adopted at 33 Ill. Reg. 7895, effective June 1, 2009.

Section 475.5 Applicability

This Part applies to the Moms and Babies Program and to facilities in which this program is housed.

Section 475.10 Definitions

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Child Care Provider" means an offender who has been screened and trained to provide care for children within the Moms and Babies Program.

"Child Development Aide" means the individual who assists in coordinating the pregnant mothers' programs, infant programs, and Infant Development Center programs; delivery of pre-natal and post-natal programming; and monitoring the mothers' program participation and adjustment.

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

"Family Services Administrator" means the administrator of the family counseling service in the Moms and Babies Program that promotes and maintains family relationships for female offenders.

"Infant Development Administrator" means an individual who organizes, develops, and implements the Moms and Babies Program, infant programs, and Infant Development Center programs.

"Mental Health Professional" means a psychiatrist, psychiatric nurse, or clinically trained psychologist, or an individual who has clinical training and a master's degree in social work or psychology.

"Moms and Babies Program" or "Program" means the program established under 730 ILCS 5/3-6-2(g) and this Part.

Section 475.15 Responsibilities

- a) Unless otherwise specified, the Director or Chief Administrative Officer may delegate responsibilities stated in this Part to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties when this Part specifically states the Director or Chief Administrative Officer shall personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency.

Section 475.20 Moms and Babies Program

- a) Moms and Babies Program sites shall be recommended by the Deputy Director of Women and Family Services and approved by the Director.
- b) The Program shall be a voluntary program in female correctional facilities designed to provide healthy pregnant and post-natal offenders the opportunity to

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

develop and nurture a bond with their infants through programming and a safe supportive living environment.

- c) This Program is designed to be a well baby and healthy mom program. If the child requires more than normal well child health care or the offender requires more than normal pre- and post-natal care, the offender may no longer be eligible to be in the program and may be transferred. Medical concerns shall be addressed with the Agency Medical Director.
- d) While in this Program, the offender shall remain in the custody of the Department and the baby shall be in the custody of his or her mother.
- e) The Program offers programs and services in areas including, but not limited to: pre- and post-release needs, pre-natal and parenting education, caregiver training including pediatric CPR, education, mental health support, self-improvement, anger management, and substance abuse recovery.
- f) Offenders who participate in this Program shall be required to:
 - 1) Provide care for their children.
 - 2) Arrange for child care when they are unable to provide the care, such as when the offender is participating in programming, work assignments, classes, or writs. Child care shall only be provided by approved child care providers, Child Development Aides, or the Infant Development Administrator.
 - 3) Secure an outside guardian to ensure the child is cared for if the offender is removed from the program or if the offender can no longer care for the child.
 - 4) Apply for State, federal, county, and local social services such as the Illinois Department of Human Services Women, Infants, and Children (WIC) Program, Healthy Families in Illinois, Medicaid program, Food Stamp Program, and Clinic for Indigent Child.
 - 5) Where applicable, obtain consent from the father for the baby to participate in the Program.

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

Section 475.25 Screening and Placement

- a) All pregnant offenders shall be screened for eligibility for the Moms and Babies Program.
- b) The offender's master file, criminal history, and medical file shall be reviewed. Criteria used for consideration of Program eligibility shall include, but not be limited to, the offender's:
 - 1) Sentence, including factors such as the nature and class of the offense, length of sentence, and sentencing orders.
 - 2) History of violence, abuse, criminal neglect, sexual offenses, or crimes against children.
 - 3) Outstanding warrants or detainers.
 - 4) Court order prohibiting contact with children.
 - 5) Department of Children and Family Services involvement, including, but not limited to, present or past investigations or cases regarding the offender and her children.
 - 6) Affiliation with organized crime activities or narcotics trafficking.
 - 7) Mandatory supervised release date.
 - 8) Grade, security designation, and escape risk.
 - 9) Disciplinary history.
 - 10) Psychological evaluation.
 - 11) Medical or dental health.
 - 12) Known enemies or documented offenders from whom the offender is to be kept separate.

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

- c) If the screening indicates that the offender is eligible for participation in the Program, the offender must:
- 1) Complete an application.
 - 2) Consent to participate in the Program.
- d) Within 30 working days after receipt of the offender's application, the Family Services Administrator shall forward a referral packet that includes the information reviewed, the offender's application and consent, and other pertinent information such as the availability of an emergency contact, offender's criminal history, mental health evaluation, Department of Children and Family Services clearance, and father's consent to the Chief Administrative Officer of the facility operating the Program.
- e) Within 15 work days after receipt of the referral packet, the Chief Administrative Officer shall have the Screening Committee review the application. The Screening Committee shall be designated by the Deputy Director of Women and Family Services and shall include, but not be limited to:
- 1) From the Moms and Babies Program facility:
 - A) Assistant Chief Administrative Officer of Programs.
 - B) Infant Development Administrator.
 - C) Child Development Aide.
 - D) Mental Health Professional.
 - 2) From the facility housing the offender:
 - A) Assistant Chief Administrative Officer of Programs.
 - B) Family Services Administrator.
 - C) Mental Health Professional.

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED RULES

- f) Offenders approved to participate in the Program shall be transferred to a Moms and Babies Unit.
 - 1) If no space is available in the Program, the offender shall be placed on a wait list.
 - 2) Offenders who have not been admitted into the Program prior to the delivery of the child shall not be eligible to participate in the Program and shall be removed from the wait list.
- g) Offenders who are not accepted into the Program may grieve the denial in accordance with 20 Ill. Adm. Code 504, Subpart F.

Section 475.30 Child Health Care Resources

- a) Except in emergency situations, Department health care staff shall be prohibited from examining or treating sick or injured children.
- b) Whenever possible, well child and sick child medical visits shall be provided at the correctional facility by the local public health department.
- c) In the event that the public health medical staff cannot come to the facility, the offender shall be placed on day release in accordance with 20 Ill. Adm. Code 530, Subpart B. The offender, escorted by two unarmed staff members, shall take the child to an outside health care facility for examination and treatment.

Section 475.35 Removal from the Program

An offender may be removed from the Moms and Babies Program by the Chief Administrative Officer based upon matters including, but not limited to: the offender's inability to care for the child; the offender's request; disciplinary reasons; the health of the child; staff recommendations for reasons such as concern with the offender's ability to parent based on mental health status, non-compliance with Program policies and rules, negligence of the child's needs, and physical threat to the child; and safety, security, or administrative concerns.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Water Use Designations and Site Specific Water Quality Standards
- 2) Code Citation: 35 Ill. Adm. Code 303
- 3) Section Numbers: Adopted Action:
303.446 New Section
- 4) Statutory Authority: Implementing Section 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28]
- 5) Effective Date of Amendment: May 29, 2009
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of adopted amendment, including any materials incorporated by reference, is on file in the Board's Chicago office at the James R. Thompson Center, 100 W. Randolph, Suite 11-500 and are available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 10, 2008; 32 Ill. Reg. 16303
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version:

In the table of contents, deleted "Springfield Metro Sanitary District Spring Creek Treatment Plant Boron Discharge" and replaced with "Boron Water Quality Standard for Segments of the Sangamon River and the Illinois River".

In Section 303.446, deleted "Springfield Metro Sanitary District Spring Creek Treatment Plant Boron Discharge" from the title and replaced with "Boron Water Quality Standard for segments of the Sangamon River and the Illinois River".

In Section 303.446, the first line replaced "Section" with 35 Ill. Adm. Code 302.208(g). In Section 303.446, the second line after "shall not apply to" added "segments of the Sangamon River and the Illinois River (described below)".

In Section 303.446, the third line deleted "waters of the State: waters of the State".

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

In Section 303.446, the fifth line replaced "waters" with "river segments" and added "following" after "meet the"

In Section 303.446, the sixth line deleted "as set forth in this section"

In Section 303.446(a), the first line deleted "an area of dispersion within"

In Section 303.446(a) the second line added "(Latitude: 39° 51' 37.234" North, Longitude: 89° 38' 30.082" West)"

In Section 303.446(a), the last line added "(Latitude: 39° 51' 42.595" North, Longitude: 89° 38' 30.089" West)"

In Section 303.446(b), the first line after "4.5 mg/L" added "in the Sangamon River"

In Section 303.446(b) the second line after "Sangamon River" added "(Latitude: 39° 51' 42.595" North, Longitude: 89° 38' 30.089" West)"

In Section 303.446(b), the third line after "Sangamon" added "River (Latitude: 40° 7' 33.009" North, Longitude: 89° 49' 40.224" West)"

In Section 303.446(c), the first line after "1.6 mg/L" added "in the Sangamon River"

In Section 303.446 at the end of the first line added "River (Latitude: 40° 7' 33.009" North, Longitude: 89° 49' 40.224" West)"

In Section 303.446(c) in the third line after "Illinois River" added "(Latitude: 40° 1' 20.995" North, Longitude: 90° 25' 59.451" West)"

In Section 303.446(d) the second line removed "confluence of" and added after "Sangamon River" "(Latitude: 40° 1' 20.995" North, Longitude: 90° 25' 59.451" West)"

In Section 303.446(d) the last line after "Sangamon River" added "(Latitude: 40° 1' 20.197" North, Longitude: 90° 26' 3.205" West)"

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 13) Will this rulemaking replace any emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: For a more detailed description of this rulemaking see the Board's September 4, 2008 opinion and order in Proposed Site Specific Rule for City of Springfield, Illinois, Office of Public Utilities, City Water, Light and Power (CWLP) and Springfield Metro Sanitary District (District) From 35 Ill. Adm. Code Section 302.208(g). (R09-08) This site specific rule would authorize an alternative water quality standard for boron from the point of discharge at the District's Spring Creek Sanitary Treatment Plant to the Sangamon River and then to the confluence with the Illinois River, and in the Illinois River 100 yards downstream from the confluence with the Sangamon River. The rulemaking is proposed to enable the Spring Creek Sanitary Treatment Plant to accept a pretreated industrial effluent stream from the CWLP's power station. CWLP's power plant is a critical power supply for the City of Springfield and surrounding communities; the site-specific water quality standard for boron is necessary to enable CWLP to operate its power plant in compliance with its National Pollutant Discharge Elimination System Permit and State and Federal air pollution Regulations.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Marie Tipsord
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60601

312/814-4925

Copies of the Board's opinions and orders may be requested from the Clerk of the Board at the address listed in #8 above or by calling 312/814-3620. Please refer to the Docket number R09-08 in your request. The Board order is also available from the Board's Web site (www.ipcb.state.il.us)

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 303
WATER USE DESIGNATIONS AND SITE-SPECIFIC
WATER QUALITY STANDARDS

SUBPART A: GENERAL PROVISIONS

- Section
- 303.100 Scope and Applicability
- 303.101 Multiple Designations
- 303.102 Rulemaking Required

SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS

- Section
- 303.200 Scope and Applicability
- 303.201 General Use Waters
- 303.202 Public and Food Processing Water Supplies
- 303.203 Underground Waters
- 303.204 Secondary Contact and Indigenous Aquatic Life Waters
- 303.205 Outstanding Resource Waters
- 303.206 List of Outstanding Resource Waters

SUBPART C: SPECIFIC USE ~~DESIGNATIONS~~DESIGNATIONS AND SITE
SPECIFIC WATER QUALITY STANDARDS

- Section
- 303.300 Scope and Applicability
- 303.301 Organization
- 303.311 Ohio River Temperature
- 303.312 Waters Receiving Fluorspar Mine Drainage
- 303.321 Wabash River Temperature
- 303.322 Unnamed Tributary of the Vermilion River
- 303.323 Sugar Creek and Its Unnamed Tributary
- 303.326 Unnamed Tributary of Salt Creek, Salt Creek, and Little Wabash River
- 303.331 Mississippi River North Temperature

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

303.341	Mississippi River North Central Temperature
303.351	Mississippi River South Central Temperature
303.352	Unnamed Tributary of Wood River Creek
303.353	Schoenberger Creek; Unnamed Tributary of Cahokia Canal
303.361	Mississippi River South Temperature
303.400	Bankline Disposal Along the Illinois Waterway/River
303.430	Unnamed Tributary to Dutch Creek
303.431	Long Point Slough and Its Unnamed Tributary
303.441	Secondary Contact Waters
303.442	Waters Not Designated for Public Water Supply
303.443	Lake Michigan Basin
303.444	Salt Creek, Higgins Creek, West Branch of the DuPage River, Des Plaines River
303.445	Total Dissolved Solids Water Quality Standard for the Lower Des Plaines River
303.446	Boron Water Quality Standard for Segments of the Sangamon River and the Illinois River

SUBPART D: THERMAL DISCHARGES

Section	
303.500	Scope and Applicability
303.502	Lake Sangchris Thermal Discharges
303.APPENDIX A	References to Previous Rules
303.APPENDIX B	Sources of Codified Sections

AUTHORITY: Implementing Section 13 and authorized by Sections 11(b) and 27 of the Environmental Protection Act [415 ILCS 5/13, 11(b) and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221, effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill. Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill. Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective May 31, 1990; amended in R86-14 at 14 Ill. Reg. 20724, effective December 18, 1990; amended in R89-14(C) at 16 Ill. Reg. 14684, effective September 10, 1992; amended in R92-17 at 18 Ill. Reg. 2981, effective February 14, 1994; amended in R91-23 at 18 Ill. Reg. 13457, effective August 19, 1994; amended in R93-13 at 19 Ill. Reg. 1310, effective January 30, 1995; amended in R95-14 at 20 Ill. Reg. 3534, effective February 8, 1996; amended in R97-25 at 22 Ill. Reg.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

1403, effective December 24, 1997; amended in R01-13 at 26 Ill. Reg. 3517, effective February 22, 2002; amended in R03-11 at 28 Ill. Reg. 3071, effective February 4, 2004; amended in R06-24 at 31 Ill. Reg. 4440, effective February 27, 2007; amended in R09-8 at 33 Ill. Reg. 7903, effective May 29, 2009.

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE
SPECIFIC WATER QUALITY STANDARDS

Section 303.446 Boron Water Quality Standard for Segments of the Sangamon River and the Illinois River

The general use water quality standard for boron set forth in 35 Ill. Adm. Code 302.208(g) shall not apply to segments of the Sangamon River and the Illinois River (described below) that receive discharge from Outfall 007 of the Spring Creek Sewage Treatment Plant located at 3017 North 8th Street, Springfield, Illinois, owned by the Springfield Metro Sanitary District. Boron levels in those river segments must meet the following water quality standards for boron:

- a) 11.0 mg/L in the Sangamon River from Outfall 007 (Latitude: 39° 51' 37.234" North, Longitude: 89° 38' 30.082" West) to 182 yards downstream from the confluence of Spring Creek with the Sangamon River (Latitude: 39° 51' 42.595" North, Longitude: 89° 38' 30.089" West);
- b) 4.5 mg/L in the Sangamon River from 182 yards downstream of the confluence of Spring Creek with the Sangamon River (Latitude: 39° 51' 42.595" North, Longitude: 89° 38' 30.089" West) to the confluence of Salt Creek with the Sangamon River (Latitude: 40° 7' 33.009" North, Longitude: 89° 49' 40.224" West), a distance of 39.0 river miles;
- c) 1.6 mg/L in the Sangamon River from the confluence of Salt Creek with the Sangamon River (Latitude: 40° 7' 33.009" North, Longitude: 89° 49' 40.224" West) to the confluence of the Sangamon River with the Illinois River (Latitude: 40° 1' 20.995" North, Longitude: 90° 25' 59.451" West), a distance of 36.1 river miles; and
- d) 1.3 mg/L in the Illinois River from the confluence of the Illinois River with the Sangamon River (Latitude: 40° 1' 20.995" North, Longitude: 90° 25' 59.451" West) to 100 yards downstream of the confluence of the Illinois River with the Sangamon River (Latitude: 40° 1' 20.197" North, Longitude: 90° 26' 3.205" West).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

(Source: Added at 33 Ill. Reg. 7903, effective May 29, 2009)

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Practice and Procedure for Appeals Before the Property Tax Appeal Board
- 2) Code Citation: 86 Ill. Adm. Code 1910
- 3) Section Number: 1910.40 Adopted Action:
Amended
- 4) Statutory Authority: 35 ILCS 200/Art.7 and 16-180 through 16-195
- 5) Effective Date of Rulemaking: July 1, 2009
- 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 amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: February 27, 2009; 33 Ill. Reg. 3664
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: The only change made between the proposal and the final version of the rules was withdrawing proposed Section 1910.32 dealing with the adoption of filing fees.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking amends Section 1910.40 to increase the amount of time for the board of review to submit evidence in support of its position of the correct assessment of the property under appeal from 30 days to 90 days.

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENT

- 16) Information and questions regarding this adopted amendment shall be directed to:

Louis G. Apostol, Executive Director
Property Tax Appeal Board
Rm. 402, Stratton Office Bldg.
401 S. Spring St.
Springfield, IL 62706

Telephone: 217/782-6076
Fax: 217/785-4425
louis.apostol@illinois.gov

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

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 86: REVENUE
CHAPTER II: PROPERTY TAX APPEAL BOARDPART 1910
PRACTICE AND PROCEDURE FOR APPEALS
BEFORE THE PROPERTY TAX APPEAL BOARD

Section	
1910.5	Construction and Definitions
1910.10	Statement of Policy
1910.11	Rules of Order (Repealed)
1910.12	Meetings of the Board
1910.20	Board Information – Correspondence
1910.25	Computing Time Limits
1910.30	Petitions – Application
1910.31	Amendments
1910.40	Board of Review Response to Petition Application
1910.50	Determination of Appealed Assessment
1910.55	Stipulations
1910.60	Interested Parties – Intervention
1910.63	Burdens of Proof
1910.64	Motion Practice – Service of Papers
1910.65	Documentary Evidence
1910.66	Rebuttal Evidence
1910.67	Hearings
1910.68	Subpoenas
1910.69	Sanctions
1910.70	Representation at Hearings
1910.71	Ex Parte Communications
1910.72	Informal Settlement Conference
1910.73	Pre-hearing Conference – Formal Settlement Conference
1910.74	Administrative Review
1910.75	Access to Board Records – Freedom of Information Procedures
1910.76	Board Publications – Distribution
1910.77	Withdrawals and Substitutions of Attorneys
1910.78	Consolidation of Appeals
1910.79	Policy on Discovery
1910.80	Forms
1910.88	Use of Facsimile Machines

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENT

1910.90	Procedural Hearing Rules
1910.91	Business Records (Repealed)
1910.92	Rules of Pleading, Practice and Evidence
1910.93	Request for Witnesses
1910.94	Inspection of Subject Property – Effect of Denial by Taxpayer or Property Owner
1910.95	Service of Documents in Certain Cases
1910.96	Evidence Depositions
1910.98	Transcription of Hearings – Official Record
1910.99	Adoption of Evidence
1910.100	Severability

AUTHORITY: Implementing and authorized by Article 7 and Sections 16-180 through 16-195 of the Property Tax Code [35 ILCS 200/Art. 7 and 16-180 through 16-195].

SOURCE: Adopted at 4 Ill. Reg. 23, p. 106, effective May 27, 1980; codified at 8 Ill. Reg. 19475; amended at 13 Ill. Reg. 16454, effective January 1, 1990; amended at 21 Ill. Reg. 3706, effective March 6, 1997; amended at 21 Ill. Reg. 11949, effective August 13, 1997; amended at 21 Ill. Reg. 14551, effective October 27, 1997; amended at 22 Ill. Reg. 957, effective December 19, 1997; amended at 22 Ill. Reg. 16533, effective September 2, 1998; amended at 24 Ill. Reg. 1233, effective January 5, 2000; amended at 29 Ill. Reg. 13574, effective August 19, 2005; amended at 29 Ill. Reg. 21046, effective December 16, 2005; amended at 30 Ill. Reg. 1419, effective January 20, 2006; amended at 30 Ill. Reg. 2640, effective February 15, 2006; amended at 30 Ill. Reg. 7965, effective April 14, 2006; amended at 30 Ill. Reg. 10103, effective May 16, 2006; expedited correction at 30 Ill. Reg. 14633, effective May 16, 2006; amended at 30 Ill. Reg. 12280, effective June 30, 2006; amended at 30 Ill. Reg. 14148, effective August 11, 2006; amended at 30 Ill. Reg. 16311, effective September 29, 2006; amended at 31 Ill. Reg. 16222, effective November 26, 2007; amended at 32 Ill. Reg. 16864, effective October 1, 2008; amended at 33 Ill. Reg. 7910, effective July 1, 2009.

Section 1910.40 Board of Review Response to Petition Application

- a) Upon receipt of the completed petition from the contesting party, the Clerk of the Property Tax Appeal Board shall notify the board of review of the filing of the appeal. Upon notification of the filing of the appeal, the board of review shall submit its completed Board of Review Notes on Appeal disclosing the final assessment of the subject property. The Board of Review Notes on Appeal shall also reflect the application of a local township multiplier where applicable. The board of review shall also submit a copy of the property record card of the subject property. The property record card should contain, if where possible, a schematic

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENT

drawing of all structural improvements to the land, a completed cost analysis, and an indication of the basis of the land value. The Board of Review Notes on Appeal and all written and documentary evidence supporting the board of review's position must be submitted to the Property Tax Appeal Board within ~~90~~³⁰ days after the date ~~of the~~^{and/or} postmark of the notice of the filing of an appeal unless the board of review objects to the jurisdiction of the Property Tax Appeal Board over the assessment appeal. In every case ~~in which~~^{where} a change in assessed valuation of less than \$100,000 is sought, all written and documentary evidence must be submitted in duplicate. In every case ~~in which~~^{where} a change in assessed valuation of \$100,000 or more is sought, all written and documentary evidence must be submitted in triplicate.

- b) If the board of review objects to the Board's jurisdiction, it must submit a written request for dismissal of the petition prior to the submission of the Board of Review Notes on Appeal and accompanying documentation. The request for dismissal must set forth the basis of the board of review's objections to the Property Tax Appeal Board's jurisdiction over the appeal. In such cases, the Property Tax Appeal Board shall transmit a copy of the request for dismissal to the contesting party and secure a written response to the request for dismissal from the contesting party within 30 days after the postmark date of the notice of the filing of the motion to dismiss. A copy of the response shall be transmitted to the board of review. Upon receipt of the request for dismissal and the response, the Property Tax Appeal Board shall issue a decision determining if it has jurisdiction in the matter.
- c) If the board of review objects to the Board's jurisdiction and the Property Tax Appeal Board subsequently determines that it has jurisdiction over the parties and the subject matter of the appeal, the board of review shall submit its Board of Review Notes on Appeal, the subject's property record card and all written and documentary evidence within 30 days after the Board's decision determining jurisdiction.
- d) If the board of review is unable to submit the additional written or documentary evidence with the Notes on Appeal, it must submit a letter requesting an extension of time with the Board of Review Notes on Appeal. Upon receipt of ~~the~~^{sueh-a} request, the Board shall grant a 30 day extension of time. The Board shall grant additional or longer extensions for good cause shown. Good cause may include, but is not limited to, ~~the~~^{the} inability to submit evidence for a cause beyond the control of the board of review, such as the pendency of court action affecting the

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENT

assessment of the property or the death or serious illness of a valuation witness. Without a written request for an extension, no evidence will be accepted after the Board of Review Notes on Appeal is filed.

- e) The Clerk shall cause the board of review's evidence to become a part of thesueh appeal proceeding and record, and shall send a copy of the evidencesame to the contesting party or his or her attorney.
- f) Pursuant to Section 16-180 of the Property Tax Code, in every case in whichwhere a change in assessed valuation of \$100,000 or more is sought, the board of review shall, within 30 days after the receipt of the notice of the filing of an appeal with the Board, serve a copy of the petition on all taxing districts as shown on the last available tax bill. The board of review shall also serve a certificate of service on the Property Tax Appeal Board, within 30 days after the receipt of the notice of the filing of an appeal with the Board, affirming that all taxing districts have been notified of the appeal. The certificate of service shall be signed by a member of the board of review or the clerk of the board of review.

(Source: Amended at 33 Ill. Reg. 7910, effective July 1, 2009)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Temporary Relocation Expenses
- 2) Code Citation: 23 Ill. Adm. Code 145
- 3) Section Number: 145.50 Adopted Action:
Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.77
- 5) Effective Date of Amendment: June 1, 2009
- 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 amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 13, 2009; 33 Ill. Reg. 3127
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreements letter was issued.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Amendment: This amendment represents technical updating only. The reference to Part 110 of the State Board's rules (Program Accounting Manual) needs to be updated because that Part has recently been repealed.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Debbie Vespa

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

School Business and Support Services Division
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/785-8779

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCEPART 145
TEMPORARY RELOCATION EXPENSES

Section

145.10	Definitions
145.20	General Requirements
145.30	Allowable Expenses
145.40	Documentation (Repealed)
145.50	Accounting Requirements
145.60	Determination of Loan and Grant Amounts
145.TABLE A	Accounting Entries (Repealed)

AUTHORITY: Implementing and authorized by Section 2-3.77 of the School Code [105 ILCS 5/2-3.77].

SOURCE: Adopted at 10 Ill. Reg. 15060, effective August 28, 1986; amended at 22 Ill. Reg. 19777, effective October 30, 1998; amended at 29 Ill. Reg. 10126, effective June 30, 2005; amended at 33 Ill. Reg. 7916, effective June 1, 2009.

Section 145.50 Accounting Requirements

When money appropriated for temporary relocation expenses is received by a school district, the money shall be deposited in the funds fund(s) from which those such expenses were or will be paid and shall be accounted for in accordance with the applicable provisions of 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) Program Accounting Manual (23 Ill. Adm. Code 110).

(Source: Amended at 33 Ill. Reg. 7916, effective June 1, 2009)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: School Construction Program
- 2) Code Citation: 23 Ill. Adm. Code 151
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
151.20	Amendment
151.50	Amendment
151.140	Amendment
- 4) Statutory Authority: 105 ILCS 230/5-55
- 5) Effective Date of Amendments: June 1, 2009
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 13, 2009; 33 Ill. Reg. 3130
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreements letter was issued.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Amendments: This set of amendments represents technical updating only. A reference to Part 110 of the rules (Program Accounting Manual) was replaced by a reference to the new rules covering the same topics (Part 100; Requirements for Accounting, Budgeting, Financial Reporting, and Auditing). Similarly, where the Fall Enrollment and Housing Report was mentioned by name, the enrollment

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

count as of September 30 has been referenced instead. This reflects the elimination of the separate reporting requirement due to the advent of the Student Information System.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Debbie Vespa
School Business and Support Services Division
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/785-8779

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER c: FINANCE

PART 151

SCHOOL CONSTRUCTION PROGRAM

SUBPART A: SCHOOL CONSTRUCTION PROJECT GRANTS

Section

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

SUBPART B: SCHOOL MAINTENANCE PROJECT GRANTS

Section

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

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

SOURCE: Emergency rules adopted at 22 Ill. Reg. 2616, effective January 16, 1998, for a maximum of 150 days; emergency rules modified in response to JCAR objection at 22 Ill. Reg. 4500; emergency rules expired June 15, 1998; emergency rules adopted at 22 Ill. Reg. 6238,

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

SUBPART A: SCHOOL CONSTRUCTION PROJECT GRANTS

Section 151.20 Eligible Applicants

School districts that meet the requirements of the School Construction Law and this Subpart are eligible to apply for school construction project grant entitlements. A district's eligibility for a school construction project grant under the minimum enrollment requirements of Section 5-25(a) of the School Construction Law shall be determined using the district's enrollment in prekindergarten through grade 12 as [of the last school day in September of the most recent school year shown on the district's most recent Fall Enrollment/Housing Report](#).

(Source: Amended at 33 Ill. Reg. 7919, effective June 1, 2009)

Section 151.50 Priority Ranking of Construction Grant Entitlements

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

- a) Districts holding grant entitlements shall be eligible for grant awards in the order of:
 - 1) the six levels of priority described in Section 5-30 of the School Construction Law; and
 - 2) the district's ranking within its level of priority, determined according to subsections (b) through (d) of this Section.
- b) A district's ranking within a level of priority shall be determined by multiplying the district's needed capacity as determined under subsection (c) of this Section by

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the ratio of the district's needed capacity to the district's enrollment as of the last school day in September of the most recent school year recorded on the district's most recent Fall Enrollment/Housing Report. The resulting figure shall constitute the district's ranking, with the largest figure having the highest ranking.

c) Needed Capacity

- 1) For each priority other than priority five, the district's needed capacity shall be calculated by subtracting its currently available capacity as determined under subsection (d) of this Section from its current enrollment or its projected enrollment, whichever is greater.
 - A) Projected enrollment shall be calculated by multiplying the district's current enrollment by the ratio of the district's current enrollment to the district's enrollment two years before.
 - B) For purposes of calculating needed capacity, projected enrollment shall not include any increase in enrollment attributable to a change in the district's boundaries.
- 2) For priority five, the district's needed capacity shall be the number of qualified individuals with disabilities who require a school construction project.

d) Determination of Available Capacity

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

Type of Room or Space	Loading Factor
Prekindergarten Classroom	40
Kindergarten Classroom	40
Elementary General Classroom	35
Elementary Art Classroom	40
Elementary Music Classroom	30

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Elementary Computer Classroom	35
Middle School General Classroom	35
Middle School Art Classroom	40
Middle School Family and Consumer Sciences Classroom	50
Middle School Music Classroom	25
Middle School Computer Classroom	40
Middle School Science Laboratory	40
Middle School Science Laboratory/Classroom	50
Middle School Industrial Technology Laboratory/Shop Not Classified Elsewhere	40
High School General Classroom	30
High School Art Classroom	35
High School Music Classroom	25
High School Computer Classroom	40
High School Family and Consumer Sciences Classroom	60
High School Science Laboratory	35
High School Industrial Technology Laboratory/Shop	75
High School Laboratory Not Classified Elsewhere	35
Special Education Classroom	50

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

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

- 3) As used in this subsection (d), "permanent building" means a building mounted on a slab or a permanent foundation. A permanent foundation is

STATE BOARD OF EDUCATION

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a closed-perimeter formation consisting of materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the frost line which may include but not be limited to cellars, basements, or crawlspaces but does not include the sole use of piers.

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

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

- e) A new order of priority ranking shall be established among the applicants for each fiscal year. If a district is not awarded a construction grant in a fiscal year for which it has received an entitlement, the district must update its application to establish its priority ranking for the following fiscal year.

(Source: Amended at 33 Ill. Reg. 7919, effective June 1, 2009)

SUBPART B: SCHOOL MAINTENANCE PROJECT GRANTS

Section 151.140 Terms of the Grant

- a) Grants shall be subject to the Illinois Grant Funds Recovery Act [30 ILCS 705]. Any grant funds not expended or legally obligated within two years after disbursement by the State shall be returned to the State Board of Education within 45 days.
- b) Grant funds may only be used for the project described in the approved application and shall be accounted for in compliance with applicable accounting rules set forth at 23 Ill. Adm. Code [100 \(Requirements for Accounting, Budgeting, Financial Reporting, and Auditing\)](#)~~110 (Program Accounting Manual)~~. The applicant must provide local matching funds in an amount equal to the grant. If actual project expenditures are less than expected so that the amount of the grant is greater than 50 percent of the total project expenditures, the applicant shall refund the amount of the grant that is in excess of 50 percent of

STATE BOARD OF EDUCATION

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actual project expenditures. The applicant shall file a final expenditure report with the State Board of Education that describes the use of the grant funds.

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

(Source: Amended at 33 Ill. Reg. 7919, effective June 1, 2009)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF CORRECTION TO NOTICE ONLY

- 1) Heading of the Part: Licensing Standards for Group Homes
- 2) Code Citation: 89 Ill. Adm. Code 403
- 3) The Notice of Proposed Amendments being corrected appeared at 33 Ill. Reg. 5600, dated April 17, 2009.
- 4) The information being corrected is as follows: The Department omitted information pertaining to small businesses in its response to question #13 on the original notice. The corrected information is as follows:
 - 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: This rulemaking pertains to group homes.
 - B) Reporting, bookkeeping, or other procedures required for compliance: This rulemaking does not any additional reporting or recordkeeping requirements.
 - C) Types of professional skills necessary for compliance: No professional skills beyond those currently required to operate a day care center will be required.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 AM
JUNE 16, 2009

NOTICE: *It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706*

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGS

Central Management Services

44-1-09-02874 MR

1. Standard Procurement (44 Ill. Adm. Code 1)
 - First Notice Published: 33 Ill. Reg. 2874 – 2/13/09
 - Expiration of Second Notice: 6/18/09

80-310-09-04588 ES

2. Pay Plan (80 Ill. Adm. Code 310)
 - First Notice Published: 33 Ill. Reg. 4588 – 4/3/09
 - Expiration of Second Notice: 7/9/09

Education

23-140-09-03973 MC

3. Calculation of Excess Cost Under Section 18-3 of the School Code (23 Ill. Adm. Code 140)

- First Notice Published: 33 Ill. Reg. 3973 – 3/6/09
- Expiration of Second Notice: 7/15/09

23-240-09-03982 MC

4. Alternative Learning Opportunities Program (23 Ill. Adm. Code 240)
 - First Notice Published: 33 Ill. Reg. 3982 – 3/6/09
 - Expiration of Second Notice: 7/15/09

Employment Security

56-2712-08-10687 MR

5. General Application (56 Ill. Adm. Code 2712)
 - First Notice Published: 32 Ill. Reg. 10687 – 7/18/08
 - Expiration of Second Notice: 6/25/09

56-2725-08-10711 MR

6. Administrative Hearings and Appeals (56 Ill. Adm. Code 2725)
 - First Notice Published: 32 Ill. Reg. 10711 – 7/18/08
 - Expiration of Second Notice: 6/25/09

56-2732-08-10716 MR

7. Employment (56 Ill. Adm. Code 2732)
 - First Notice Published: 32 Ill. Reg. 10716 – 7/18/08
 - Expiration of Second Notice: 6/25/09

56-2760-08-10722 MR

8. Notices, Records, Reports (56 Ill. Adm. Code 2760)
 - First Notice Published: 32 Ill. Reg. 10722 – 7/18/08
 - Expiration of Second Notice: 6/25/09

56-2765-08-10728 MR

9. Payment of Unemployment Contributions, Interest and Penalties (56 Ill. Adm. Code 2765)
 - First Notice Published: 32 Ill. Reg. 10728 – 7/18/08
 - Expiration of Second Notice: 6/25/09

56-2815-08-10744 MR

10. Employees' General Rights and Duties (56 Ill. Adm. Code 2815)
 - First Notice Published: 32 Ill. Reg. 10744 – 7/18/09
 - Expiration of Second Notice: 6/25/09

Healthcare and Family Services

89-140-08-13761 ES

11. Medical Payment (89 Ill. Adm. Code 140)
-First Notice Published: 32 Ill. Reg. 13761 – 8/22/09
-Expiration of Second Notice: 7/6/09

89-140-08-10782 ES

12. Medical Payment (89 Ill. Adm. Code 140)
-First Notice Published: 32 Ill. Reg. 10782 – 7/18/08
-Expiration of Second Notice: 7/10/09

89-146-09-03822 ES

13. Specialized Health Care Delivery Systems (89 Ill. Adm. Code 146)
-First Notice Published: 33 Ill. Reg. 3822 – 3/6/09
-Expiration of Second Notice: 7/12/09

Natural Resources

17-3703-08-14445 BT

14. Dam Safety Requirements (17 Ill. Adm. Code 3703)
-First Notice Published: 32 Ill. Reg. 14445 – 9/5/08
-Expiration of Second Notice: 7/3/09

17-550-09-04064 BT

15. Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting (17 Ill. Adm. Code 550)
-First Notice Published: 33 Ill. Reg. 4064 – 3/13/09
-Expiration of Second Notice: 6/26/09

17-570-09-04075 BT

16. Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)
-First Notice Published: 33 Ill. Reg. 4075 – 3/13/09
-Expiration of Second Notice: 6/26/09

17-730-09-04086 BT

17. Dove Hunting (17 Ill. Adm. Code 730)
-First Notice Published: 33 Ill. Reg. 4086 - 3/13/09
-Expiration of Second Notice: 6/26/09

17-740-09-04103 BT

18. Crow, Woodcock, Snipe, Rail and Teal Hunting (17 Ill. Adm. Code 740)

- First Notice Published: 33 Ill. Reg. 4103 – 3/13/09
- Expiration of Second Notice: 6/26/09

Secretary of State

92-1030-09-04559 AC

19. Issuance of Licenses (92 Ill. Adm. Code 1030)
- First Notice Published: 33 Ill. Reg. 4559 – 3/27/09
 - Expiration of Second Notice: 6/25/09

92-1040-09-04283 AC

20. Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill. Adm. Code 1040)
- First Notice Published: 33 Ill. Reg. 4283 – 3/20/09
 - Expiration of Second Notice: 6/25/09

State Universities Retirement System

80-1600-09-02125 MR

21. Universities Retirement (80 Ill. Adm. Code 1600)
- First Notice Published: 33 Ill. Reg. 2125 – 2/6/09
 - Expiration of Second Notice: 7/15/09

EMERGENCY RULEMAKINGS

Healthcare and Family Services

89-120-09-06712E ES

22. Medical Assistance Programs (89 Ill. Adm. Code 120)
- Notice Published: 33 Ill. Reg. 6712 – 5/15/09

Human Services

89-112-09-07320E AC

23. Temporary Assistance for Needy Families (89 Ill. Adm. Code 112)
- Notice Published: 33 Ill. Reg. 7320 – 6/5/09

89-113-09-07337E AC

24. Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)
- Notice Published: 33 Ill. Reg. 7337 – 6/5/09

89-114-09-07355E AC

25. General Assistance (89 Ill. Adm. Code 114)

-Notice Published: 33 Ill. Reg. 7355 – 6/5/09

89-686-09-07017E AC

26. Provider Requirements, Type Services, and Rates of Payment (89 Ill. Adm. Code 686)

-Notice Published: 33 Ill. Reg. 7017 – 5/22/09

Public Health

77-820-09-07177E DC

27. Illinois Swimming Pool and Bathing Beach Code (77 Ill. Adm. Code 820)

-Notice Published: 33 Ill. Reg. 7177 – 5/29/09

PEREMPTORY RULEMAKING

Central Management Services

80-310-09-06724P ES

28. Pay Plan (80 Ill. Adm. Code 310)

-Notice Published: 33 Ill. Reg. 6724 – 5/15/09

AGENCY RESPONSE

Public Health

77-580-08-14455 DC

29. Loan Repayment Assistance for Dentists (77 Ill. Adm. Code 580)

-Notice Published: 32 Ill. Reg. 14455 – 9/5/08

-Objection Date: 4/21/09

-Agency Response: Agreement

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 26, 2009 through June 1, 2009 and have been scheduled for review by the Committee at its June 16, 2009 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>
7/10/09	<u>Department of Healthcare and Family Services,</u> Medical Payment (89 Ill. Adm. Code 140)	7/18/08 32 Ill. Reg. 10782	6/16/09
7/12/09	<u>Department of Healthcare and Family Services,</u> Specialized Health Care Delivery Systems (89 Ill. Adm. Code 146)	3/6/09 33 Ill. Reg. 3822	6/16/09
7/15/09	<u>State Universities Retirement System,</u> Universities Retirement (80 Ill. Adm. Code 1600)	2/6/09 33 Ill. Reg. 2125	6/16/09

ILLINOIS ATTORNEY GENERAL

NOTICE OF PUBLIC INFORMATION

NOTICE OF LODGING OF PARTIAL CONSENT DECREES PURSUANT TO THE
COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY
ACT

Notice is hereby given that in the case of People of the State of Illinois, *ex rel.*, Lisa Madigan, Attorney General of the State of Illinois v. Swift Transportation Company, Inc. Civil Action No. 09-CV-00392 (S.D. Illinois), on May 27, 2009, a proposed Consent Decree was lodged with the United States District Court for the Central District of Illinois.

This action under Section 311(f) of the Clean Water Act, 33 U.S.C. 1321(f) and Section 107(a) of the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9607(a), involves a release of hazardous substances into waters of the State of Illinois near Champaign, Champaign County, Illinois. Under the Complaint, Illinois seeks recovery of past costs and other relief from the Defendant.

Under the Consent Decree, the Settling Defendant agrees to make certain payments to resolve the State's claims relating to the release.

The Illinois Attorney General's Office will accept, for a period of thirty days from the date of publication of this Notice, comments relating to the Partial Consent Decrees. Comments should be addressed to James L. Morgan, Senior Assistant Attorney General, Environmental Bureau, 500 South Second Street, Springfield, Illinois, 62706, and should refer to case of People of the State of Illinois, *ex rel.*, Lisa Madigan, Attorney General of the State of Illinois v. Swift Transportation Company, Inc., Civil Action No. 09-CV-02120. A copy of the Consent Decree may be obtained by mailing a request to James Morgan at the address in the paragraph above, by faxing the request to 217-524-7740, or by e-mailing the request to jmorgan@atg.state.il.us. The Consent Decree may also be examined at the Office of the Attorney General, 3000 Montvale Avenue, Springfield, Illinois.

PROPERTY TAX APPEAL BOARD

JULY 2009 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Practice and Procedure for Hearings Before the Property Tax Appeal Board, 86 Ill. Adm. Code 1910.
- 1) Rulemaking
- A) Description: No rulemaking is anticipated.
- B) Statutory Authority: 35 ILCS 200/Art.7 and 35 ILCS 200/16-160 through 16-195
- C) Scheduled meeting/hearing dates: None
- D) Date agency anticipates First Notice: None
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Louis G. Apostol, Executive Director
Property Tax Appeal Board
Rm. 402, Stratton Office Bldg.
401 S. Spring St.
Springfield, IL 62706
- Telephone: 217/782-6076
Fax: 217/785-4425
louis.apostol@illinois.gov
- G) Related rulemaking and other pertinent information: The Property Tax Appeal Board is in the process of adopting an amendment to Section 1910.40 in connection with a rulemaking that can be found at Volume 33, Issue 9, page 3664, of the *2009 Illinois Register*, February 27, 2009.

PROCLAMATIONS

2009-176**Peace Officers Memorial Day**

WHEREAS, all citizens owe a tremendous debt of gratitude to the dedicated men and women of law enforcement who selflessly serve to protect our lives and keep our families and communities safe; and

WHEREAS, every day, the men and women who work in law enforcement face great risks and, in many cases, put their safety on the line to perform their duties; and

WHEREAS, peace officers are skilled professionals who must act as counselors, communicators and experts at crisis intervention. They must preserve the safety of our lives and property, and maintain professional demeanor in stressful situations; and

WHEREAS, these officers must possess an intuitive sense to resolve conflicts and save lives; and

WHEREAS, we could not live safely and comfortably in our communities without the hard work and sacrifices made each day by our peace officers; and

WHEREAS, the State of Illinois is pleased to recognize peace officers for their hard work to ensure the safety of our communities:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare May 15, 2009 as **PEACE OFFICERS MEMORIAL DAY** in Illinois, and order all State facilities to fly their flags at half-staff from sunrise to sunset on May 15, 2008 in honor of the heroism of all our law enforcement officers, especially those who have given their lives so that others might live.

Issued by the Governor May 11, 2009

Filed by the Secretary of State May 29, 2009

2009-177**Specialist Lukasz S. Saczek**

WHEREAS, on Sunday, May 10, Specialist Lukasz S. Saczek from Lake in the Hills died at age 23 of injuries sustained from a non-combat related incident in Nangarhar Province, Afghanistan, where Specialist Saczek was serving in support of Operation Enduring Freedom; and

PROCLAMATIONS

WHEREAS, Specialist Saczek was assigned to D Company, 1st Battalion, 178th Infantry Regiment, Army National Guard, based in Woodstock, Illinois; and

WHEREAS, Specialist Saczek enlisted in the Illinois Army National Guard in July 2006. He was on his first deployment; and

WHEREAS, a funeral will be held on Monday, May 18 for Specialist Saczek, who is survived by his parents, his wife, and a daughter:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all State facilities to fly their flags at half-staff from sunrise until sunset on May 18, 2009 in honor and remembrance of Specialist Saczek, whose selfless service and sacrifice is an inspiration.

Issued by the Governor May 17, 2009

Filed by the Secretary of State May 29, 2009

2009-178**Missing Children's Day**

WHEREAS, there are 1,842 pending missing children under the age of 18 in the state of Illinois, which represents only a small percentage of children that are estimated to be missing nationwide as reported through a national study conducted by the United States Department of Justice; and

WHEREAS, the Missing Children Act of 1982 was the first federal law to address this issue, and in 1983, President Ronald Reagan proclaimed the first National Missing Children's Day; and

WHEREAS, May 25 has annually been declared National Missing Children's Day; and

WHEREAS, locating and safely returning missing children to their homes is a statewide, national, and international objective; and

WHEREAS, on August 29, 1985 in Chicago, Illinois, Governors from the states of Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin signed the "Interstate Agreement on Missing and Exploited Children," and since then, the states of Ohio, Kansas, Michigan, Minnesota, North Dakota, South Dakota, and Nebraska have also joined in the initiative. This agreement was the beginning of the development of an interstate network established to improve the process of identifying and recovering missing children in our communities; and

PROCLAMATIONS

WHEREAS, in 2002, the Illinois State Police implemented the America's Missing: Broadcast Emergency Response (AMBER) Alert Notification Plan. AMBER Alert was developed as a quick and efficient way to notify the public and city, town, village, county, state, and federal law enforcement agencies in Illinois, of specific information regarding the abduction of a child whose life may be in danger. To date, AMBER Alert has been instrumental in recovering 29 missing children in Illinois; and

WHEREAS, teaching your children to run away from danger, never letting your children go places alone, knowing where and with whom your children are at all times, talking openly with your children about safety and having a list of family members who can be contacted in case of an emergency, are among the list of preventative tips that will help keep your children safe from kidnapping and abductions:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 25, 2009 as **MISSING CHILDREN'S DAY** in Illinois, and encourage all citizens to observe this day by turning on porch lights and vehicle headlights to "**LIGHT THE WAY HOME**" for all missing children throughout the country.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-179**Azerbaijan National Day**

WHEREAS, the Republic of Azerbaijan was proclaimed on May 28, 1918, stretching from the Caucasus mountains in the north to the Araxes river in the south, Caspian Sea in the east to Kerki in the west, and became the first secular Muslim parliamentary democratic republic in the history of the world, and was recognized as such by other democratic nations of the time, including the United States of America; and

WHEREAS, the modern Republic of Azerbaijan, situated in the South Caucasus region of southeastern Europe, has an area of 33,440 square miles, including the exclave of Naxcivan and the Karabakh region; and

WHEREAS, the territorial integrity, state sovereignty and independence of the Republic of Azerbaijan is unconditionally supported by the United States; and

WHEREAS, every year for the last 91 years, an estimated 40 million Azerbaijanis around the globe observe May 28 as the National Day of Azerbaijan and remember the

PROCLAMATIONS

contribution of their forefathers to the spread of freedom and democracy in the Caucasus and the greater region:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 28, 2009 as **AZERBAIJAN NATIONAL DAY** in Illinois, in recognition of the 91st anniversary of the founding of the Republic of Azerbaijan, and in tribute to all Azerbaijani-Americans who call Illinois home.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-180**Ride of Silence Day**

WHEREAS, on May 20, 2009, at 7:00 PM, the Ride of Silence will begin in North America and roll across the globe. Cyclists will take to the roads in a silent procession to honor cyclists who have been killed or injured while cycling on public roadways; and

WHEREAS, in 2003, Chris Phelan organized the first Ride of Silence in Dallas after endurance cyclist Larry Schwartz was hit by the mirror of a passing bus and was killed; and

WHEREAS, millions of Americans engage in cycling because it is a viable and environmentally sound form of transportation and an excellent form of physical exercise; and

WHEREAS, there is a need to promote alternative forms of transportation such as walking and bicycling in order to reduce pollution, reduce America's dependence on fossil fuels, and improve the health and well-being of all people; and

WHEREAS, although cyclists have a legal right to share the road with motorists, the motoring public often isn't aware of these rights, and sometimes not aware of the cyclists themselves; and

WHEREAS, held during Bike Safety Month, the Ride of Silence is a free ride that asks its cyclists to ride no faster than 12 mph and remain silent during the ride; and

WHEREAS, the Ride of Silence aims to raise the awareness of motorists, police and city officials that cyclists have a legal right to the public roadways; and

PROCLAMATIONS

WHEREAS, the ride is also a chance to honor those who have been killed or injured while bicycling on public roadways; and

WHEREAS, the State of Illinois is proud to promote bicycling as an alternative means of public mobility, and is committed to providing a safe and responsible bicycling environment for all of its residents; and

WHEREAS, on May 20, communities across the State of Illinois will host Rides of Silence to show respect for fallen cyclists and to raise awareness of the importance of sharing our public roadways:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 20, 2009 as **RIDE OF SILENCE DAY** in Illinois, in remembrance of cyclists who have been killed or injured while bicycling on public roadways and to raise awareness that cyclists have a right to share the road.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-181**National CPR and AED Awareness Week**

WHEREAS, heart disease affects men, women, and children of every age and race in the United States, and it continues to be the leading cause of death in the United States; and

WHEREAS, approximately 295,000 emergency medical services-treated out-of-hospital cardiac arrests occur annually nationwide. Roughly 92 percent of sudden cardiac arrest victims die before arriving at the hospital. Sudden cardiac arrest results from an abnormal heart rhythm in most adults, often ventricular fibrillation. Unfortunately, only 31.4 percent of out-of-hospital cardiac arrest victims receive bystander cardiopulmonary resuscitation (CPR); and

WHEREAS, prompt delivery of CPR more than doubles the victim's chance of survival by helping to maintain vital blood flow to the heart and brain, increasing the amount of time in which an electric shock from a defibrillator can be effective; and

WHEREAS, moreover, an automated external defibrillator (AED), even when used by a bystander, is safe, easy to operate, and, if used immediately after the onset of sudden cardiac arrest, highly effective in terminating ventricular fibrillation so the heart can resume a normal, effective rhythm; and

PROCLAMATIONS

WHEREAS, for every minute without bystander CPR, survival from witnessed cardiac arrest decreases 7-10 percent. The interval between the 911 telephone call and the arrival of Emergency Medical Services personnel is usually longer than five minutes, therefore a cardiac arrest victim's survival is likely to depend on on a public trained in CPR and AED use and access to these lifesaving devices; and

WHEREAS, the American Red Cross, the American Heart Association, and the National Safety Council are preparing a public awareness and training campaign on CPR and AED use to be held during the first week of June:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 1-7, 2009 as **NATIONAL CPR AND AED AWARENESS WEEK** in Illinois, in recognition of the good work of the American Red Cross, the American Heart Association and the National Safety Council, and to encourage all Americans to become properly trained in CPR and AED usage.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-182**National Adolescent and Young Adult HIV/AIDS Awareness Month**

WHEREAS, the global spread of HIV/AIDS necessitates a worldwide effort to increase awareness, communication, education and action to stop this epidemic; and

WHEREAS, the number of those diagnosed with HIV and AIDS in the United States continues to rise; and

WHEREAS, today, more than 1 million Americans are infected, including nearly 35,000 in Illinois alone; and

WHEREAS, distressingly, a growing number of the newly infected are between the ages of 13 and 24; and

WHEREAS, rates of HIV and AIDS infection among the African and Hispanic American populations are especially troubling; and

WHEREAS, although African and Hispanic Americans represent less than one third of Illinois' population, they comprise more than 60 percent of those diagnosed with HIV and AIDS; and

PROCLAMATIONS

WHEREAS, unfortunately, silence among many schools and communities on this issue continues to impede progress. There is good news however. Many teens and young adults are growing increasingly concerned with the spread of HIV/AIDS and are taking proactive steps to address the problem; and

WHEREAS, the month of May is recognized as National Adolescent and Young Adult HIV/AIDS Awareness Month throughout the country; and

WHEREAS, throughout the month of May, the Division of Adolescent and Young Adult Medicine at Stroger Hospital of Cook County, the University of Chicago Department of Pediatrics, Comer Children's Hospital, Children's Memorial Hospital, Howard Brown Health Center, Beyond Care Inc. NFP, Comprehensive Quality Care, Inc., and the Chicago-based Metropolitan Area Group for Igniting Civilization (MAGIC), will launch an annual community-based initiative intended to raise awareness across the state about HIV and AIDS, and their growing impact on the youth of our nation, as well as provide information, tools and resources targeting the adolescent and young adult population:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2009 as **NATIONAL ADOLESCENT AND YOUNG ADULT HIV/AIDS AWARENESS MONTH** in Illinois, in support of the aforementioned coalition's community education initiative, and to raise awareness about HIV and AIDS, and their growing impact on the youth of our state.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-183**Chiropractic Healthcare Month**

WHEREAS, every year, more than 30 million Americans throughout the country, including 2 million in Illinois, visit chiropractors, who locate and help correct joint and spinal problems; and

WHEREAS, chiropractic physicians have long stressed that exercise, good posture, and balanced nutrition are essential to proper growth, development, and health maintenance; and

WHEREAS, Illinois chiropractic physicians are dedicated to protecting and promoting patient rights, the practice of chiropractic medicine, and fostering the growth of chiropractic through ongoing training and a commitment to safe and ethical practice; and

PROCLAMATIONS

WHEREAS, the science of chiropractic and the physicians who practice it have contributed greatly to the health and wellbeing of the people of Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2009 as **CHIROPRACTIC HEALTHCARE MONTH** in Illinois, to raise awareness about chiropractic care.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-184

MDA Firefighter Appreciation Month

WHEREAS, firefighters are our unsung heroes – each day risking their lives to save the lives of others; and

WHEREAS, when these heroes are not battling life-threatening situations, they are unselfishly contributing to their communities in other ways, including raising money for local charities and volunteering with agencies such as the Muscular Dystrophy Association (MDA); and

WHEREAS, the MDA combats neuromuscular diseases through programs of worldwide research, comprehensive medical and community services, and far-reaching professional and public health education; and

WHEREAS, the Illinois firefighters who have pledged their lives to saving the lives of others, have also pledged their efforts to help find cures for devastating diseases by supporting MDA's fight against neuromuscular diseases; and

WHEREAS, in pursuit of this goal, the departments and districts of the Illinois firefighters are conducting "Fill the Boot" fundraising drives; and

WHEREAS, the State of Illinois is proud to recognize Illinois firefighters as they conduct fundraising projects in our state for the MDA:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2009 as **MDA FIREFIGHTER APPRECIATION MONTH** in Illinois, and encourage all citizens to acknowledge the ongoing contributions of these brave men and women.

Issued by the Governor May 19, 2009

PROCLAMATIONS

Filed by the Secretary of State May 29, 2009

2009-185**Atherosclerosis Awareness Day**

- WHEREAS, the State of Illinois strives to improve the health and well-being of its citizens in recognizing the importance of fighting chronic diseases, such as coronary heart disease; and
- WHEREAS, diseases of the heart, including acute rheumatic fever, chronic rheumatic fever, hypertensive diseases, ischemic heart disease, pulmonary heart disease, diseases of pulmonary circulation, and other forms of heart disease are a leading cause of death in the State of Illinois, killing 28,226 people in 2005, according to the Centers for Disease Control and Prevention; and
- WHEREAS, together, coronary heart disease and stroke kill more Americans every year than all cancers combined; and
- WHEREAS, atherosclerosis, the progressive buildup of plaque in the arteries, is a leading cause of coronary heart disease and stroke according to the American Heart Association; and
- WHEREAS, atherosclerosis may have no symptoms until the artery becomes completely blocked or severely narrowed; and
- WHEREAS, each year, atherosclerosis is linked to nearly 1 in 4 deaths in the United States, and yet most people may not know if they're at risk; and
- WHEREAS, it is important that Illinois citizens talk to their physicians to identify controllable and uncontrollable risk factors that contribute to the progressions of atherosclerosis; and
- WHEREAS, leading members of the cardiovascular community, including more than fifteen national not-for-profit organizations dedicated to improving cardiovascular health, are supporting the national campaign US AGAINST ATHERO and its tour throughout the country; and
- WHEREAS, these advocates aim to raise awareness about atherosclerosis and encourage Illinois citizens to become advocates for their own health and for the health of others:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 23, 2009 as **ATHEROSCLEROSIS AWARENESS DAY** in Illinois, in order to increase awareness and understanding of atherosclerosis and to encourage all citizens to educate themselves about its risk factors and consequences.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-186**Ride With the Forty Heroes of Flight 93 Day**

WHEREAS, the forty passengers and crew members of Flight 93 defeated terrorists in the skies above western Pennsylvania by thwarting a certain attack on the nation's capital on September 11, 2001; and

WHEREAS, the forty brave Heroes of Flight 93 gave their lives in a common field that is now, and forever, a field of honor; and

WHEREAS, the story of Flight 93 is enduring and deserving of a permanent national memorial that will not only honor those on board, but educate future generations on the historic events of September 11 through oral histories, exhibits and public programs; and

WHEREAS, the Flight 93 National Memorial Partners seek to raise the necessary funds to build the Flight 93 National Memorial, with its dedication planned for September 11, 2011, the tenth anniversary of 9/11; and

WHEREAS, in honor of the Heroes of Flight 93 and in support of the Flight 93 National Memorial Campaign, five family members and friends of Flight 93 passenger Louis Joseph Nacke II will embark on a motorcycle ride to complete the cross-country journey of Flight 93, departing from Newark International Airport on September 3, 2009 and arriving in San Francisco, California on September 11 at the flight's scheduled arrival time; and

WHEREAS, the riders of the "Ride with the Forty" will visit Illinois on September 4, bringing with them the story of Flight 93 – one of honor, remembrance, and patriotism – as well as a mobile memorial which will later be archived at the Flight 93 National Memorial:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 4, 2009 as **RIDE WITH THE FORTY HEROES OF FLIGHT 93 DAY** in Illinois, and

PROCLAMATIONS

encourage all citizens to remember and honor the collective acts of heroism demonstrated by the passengers and crew members of Flight 93.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-187**Chicago International Children's Film Festival Days**

WHEREAS, 2009 marks the 26th annual Chicago International Children's Film Festival (CICFF); and

WHEREAS, CICFF is a project of Facets Multi-Media, a nonprofit organization dedicated to the exhibition and distribution of foreign, independent, and classic films; and

WHEREAS, Facets Muti-Media has received support for CICFF and other children's programs from over 500 corporations and businesses, national and international organizations, and print and broadcast media; and

WHEREAS, receiving over 700 entries, CICFF operates a dynamic market for domestic and foreign buyers, distributors, and festival programmers, welcoming representatives from over 20 international media organizations; and

WHEREAS, additionally, CICFF is the only children's film festival to be named by the Academy of Motion Picture Arts and Sciences as an Academy Qualifying Festival; and

WHEREAS, this year, CICFF will be held from October 22 to November 1, and more than 26,000 Chicago children, adults, and educators are expected to attend the screenings, in addition to more than 150 celebrities and filmmakers from around the world:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 22 – November 1, 2009 as **CHICAGO INTERNATIONAL CHILDREN'S FILM FESTIVAL DAYS** in Illinois, in celebration of the Chicago International Children's Film Festival, which has become an annual tradition anticipated by citizens from all around the state.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-188

PROCLAMATIONS

Tire Safety Week

WHEREAS, the week of June 7-13, 2009 has been designated as National Tire Safety Week; and

WHEREAS, simple, regular tire care and maintenance is critical to ensuring the safety of drivers and their families on our roadways; and

WHEREAS, despite the importance of regular tire care and maintenance, a 2007 survey found that only 15 percent of drivers check tire pressure properly; and

WHEREAS, other data collected by the National Highway Traffic Safety Administration found that at least one in four passenger cars and one in three light trucks, sport utility vehicles and minivans had one or more significantly underinflated tires; and

WHEREAS, there are four essential elements of tire care and maintenance: checking tire inflation pressure (including the spare) once a month and before long trips, periodic wheel alignment, rotation of tires every 5,000 to 8,000 miles, and checking tire tread regularly; and

WHEREAS, in addition to the safety benefits, proper tire care also helps the environment and saves consumers money by improving fuel economy and extending the life of tires; and

WHEREAS, Illinois is proud to partner with cities, towns and villages, and traffic safety organizations in an effort to make our roads and streets safer by promoting proper tire care and maintenance:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 7-13, 2009 as **TIRE SAFETY WEEK** in Illinois, and encourage citizens to check their tires and drive safely for the sake of their own lives and the lives of others.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-189**Blood Pressure Awareness Days**

WHEREAS, one-in-three American adults, or 73 million people, have high blood pressure. Generally, elevated blood pressure is asymptomatic, meaning that as many as 22

PROCLAMATIONS

percent of people with high blood pressure may be unaware that they have an abnormal blood pressure; and

WHEREAS, although high blood pressure usually cannot be cured, it can often be delayed and controlled. Managing high blood pressure starts with healthy lifestyle habits along with taking blood pressure medication as prescribed by one's doctor; and

WHEREAS, high blood pressure that remains uncontrolled has a tremendous effect on the overall health of the African American population in particular. Not only are African Americans disproportionately affected by high blood pressure, but high blood pressure often begins at an earlier age and is usually more severe in the African American population; and

WHEREAS, complications from high blood pressure, like heart attack, stroke and kidney disease are also much worse for African Americans. In fact, complications of uncontrolled high blood pressure account for nearly one quarter of all deaths among African Americans.

WHEREAS, if high blood pressure among African Americans was better controlled, more than 7,500 deaths from heart disease alone could be prevented each year; and

WHEREAS, there still remains a strong need to educate and increase the awareness among citizens of Illinois on these important health facts related to the prevention and treatment of high blood pressure; and

WHEREAS, in Illinois, the Association of Black Cardiologists, through their "Spirit of the Heart" initiative will hold events June 10, 27-28 and July 10-12 to provide cardiovascular risk assessment and heart health education:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim June 10, 27-28, and July 10 – 12 as **BLOOD PRESSURE AWARENESS DAYS** in Illinois, to increase awareness of high blood pressure and its treatment, and to encourage all citizens to see their healthcare provider to have their blood pressure checked on a regular basis.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-190
Youth Democracy Day

PROCLAMATIONS

WHEREAS, the essence of American Democracy is a government of the people, by the people and for the people, and that democracy reflects the engagement of the citizenry and the premise that everyone can serve; and

WHEREAS, "civic engagement" includes opportunities to pursue meaningful roles through lifelong learning, service and work; and

WHEREAS, Youth Democracy Day 2009 is the culmination of yearlong youth educational projects aimed at empowering young people through civic engagement; and

WHEREAS, Youth Democracy Day emphasizes and recognizes young people as resources and partners in building a brighter future for all of our citizens; and

WHEREAS, leading up to Youth Democracy Day, young people throughout the state have been engaged in learning about local, state and federal government, the electoral processes, decision making and its impact on their communities, the making of laws and community services project development and their roles in improving neighborhoods; and

WHEREAS, Illinois Department of Human Services' and Illinois Department of Public Health funding supports Community Youth Services through Chicago Area Project, a not-for-profit organization with a history of nearly 75 years of work in delinquency prevention and service in disadvantaged, urban neighborhoods, and the Illinois Council of Area Projects, established in 1990 to unite, promote, and support local area projects involved in the prevention of juvenile delinquency through indigenous efforts; and

WHEREAS, on May 28, Youth Democracy Day 2009 will bring together over 3,000 youth, and their supporters, from across the state to engage in a large-scale youth forum with legislators and senior administration figures:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 28, 2009 as **YOUTH DEMOCRACY DAY** in Illinois, and encourage all young people to actively involve themselves in educational and civic engagement opportunities today to become the active and involved citizens of Illinois tomorrow.

Issued by the Governor May 19, 2009

Filed by the Secretary of State May 29, 2009

2009-191
Memorial Day

PROCLAMATIONS

WHEREAS, throughout the history of this great country, millions of brave men and women have answered the call to duty and served in the United States Armed Forces in times of war and peace; and

WHEREAS, sadly, many of those soldiers have made the ultimate sacrifice in defense of our country; and

WHEREAS, it is a great tragedy when a member of the Armed Forces is killed in the line of duty; and

WHEREAS, as the last Monday in May each year, the commemoration of Memorial Day gives Americans the opportunity to remember the soldiers that have given their lives in the name of freedom and democracy; and

WHEREAS, formerly known as Decoration Day, and first enacted to honor the Union soldiers of the Civil War, then later expanded after World War I to include American casualties of any war or military action, Memorial Day is set aside across the country as a day to commemorate U.S. men and women who died in the course of military service; and

WHEREAS, through every American conflict, Illinoisans have served in the Armed Forces with great honor and distinction; and

WHEREAS, those who have put their lives on the line for our country deserve the utmost respect and appreciation of all Americans; and

WHEREAS, those who have died will be forever remembered as true American Heroes, and the State of Illinois is proud to recognize each and every one of these fallen heroes on this Memorial Day 2009:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby recognize May 25, 2009 as **MEMORIAL DAY** in Illinois, and order all State facilities to fly their flags at half-staff from sunrise to noon on this day, and encourage all citizens to honor our fallen service members and to reflect on the great sacrifices they have made to protect our freedom.

Issued by the Governor May 20, 2009

Filed by the Secretary of State May 29, 2009

2009-192

Cultural Month of Michoacan

PROCLAMATIONS

WHEREAS, Michoacáños represent the largest group of Mexican immigrants living in the United States; and

WHEREAS, of the 500,000 Michoacáños living in the Midwest, 250,000 have chosen the State of Illinois to be their newly adopted home; and

WHEREAS, the Federación de Clubes Michoacáños en Illinois is a not for profit organization that promotes the well-being and advancement of Michoacáños in the Midwest, as well as Mexico, through education, cultural, civic and social projects in a bi-national context to promote the formation of proactive citizens that seek full participation in the societies in which they live; and

WHEREAS, Casa Michoacán, headquarters of the Federación de Clubes Michoacáños en Illinois, has been a focus of social, educational and cultural enrichment, as well as a beacon for the March 10 and May 1 immigration rights rallies in 2006 that put Chicago and Illinois at the forefront of the national immigration debate; and

WHEREAS, The Honorable Leonel Godoy Rangel, Governor of the Mexican State of Michoacán, will be present on June 27 to participate in the annual PRESENCIA MICHOCÁNA 2009, a cultural and civic event that since 2000 has gathered Michoacáños from all over the region to celebrate their culture and history, and strengthen their presence in the Midwest:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2009 as **CULTURAL MONTH OF MICHOCÁCAN** in Illinois, to promote greater awareness and appreciation of the Michoacán culture, and in recognition of all Michoacáños who call Illinois home.

Issued by the Governor May 20, 2009

Filed by the Secretary of State May 29, 2009

2009-193**National Safe Boating Week**

WHEREAS, on average, 700 people die each year in boating-related accidents in the U.S. and nearly 70 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment, and not by the boat, equipment or environmental factors; and

PROCLAMATIONS

WHEREAS, between 1993 and 2005, the State of Illinois registered 4,521,660 recreational boats. During these years 1,783 boating accidents were reported that resulted in 230 fatalities and 1,117 injuries; and

WHEREAS, a significant number of lives could have been saved if the boaters involved had worn their life jackets; and

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 16 – 22, 2009 as **NATIONAL SAFE BOATING WEEK** in Illinois, and encourage all citizens to practice safe boating habits, including always wearing a life jacket.

Issued by the Governor May 22, 2009

Filed by the Secretary of State May 29, 2009

2009-194**George Strait Day**

WHEREAS, for nearly three decades, George Strait has thrilled audiences with his talent and no-nonsense western swing music style; and

WHEREAS, George Strait served our country proudly in the United States Army; and

WHEREAS, George Strait started out performing with the "Ace in the Hole Band" while a student at Southwest Texas State University; and

WHEREAS, George Strait has earned countless accolades during his musical career, including Country Music Association (CMA) Entertainer of the Year in 1989 and 1990 and Academy of Country Music (ACM) Entertainer of the Year in 1990; and

WHEREAS, a member of the Country Music Hall of Fame, George Strait has won more CMA and ACM awards than any other artist; and

WHEREAS, George Strait has released an incredible 38 hit albums, with 57 singles that have gone straight to the top of the charts; and

WHEREAS, on Saturday, May 23, 2009, George Strait will bring his legendary musical stylings to the people of the state of Illinois by performing at the First Midwest Bank Amphitheatre in Tinley Park:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby recognize George Strait – one of my musical heroes – and proclaim May 23, 2009 as GEORGE STRAIT DAY in Illinois.

Issued by the Governor May 22, 2009

Filed by the Secretary of State May 29, 2009

2009-195**Specialist David A. Schaefer, Jr.**

WHEREAS, on Saturday, May 16, Specialist David A. Schaefer, Jr. from Smithton died at age 27 of injuries sustained when an improvised explosive device detonated in Baghdad, Iraq, where Specialist Schaefer was serving in support of Operation Iraqi Freedom; and

WHEREAS, Specialist Schaefer was assigned to C Company, 1st Battalion, 2nd Infantry Regiment, 172nd Infantry Brigade, based in Schweinfurt, Germany; and

WHEREAS, Specialist Schaefer enlisted in the Army shortly after attending Freeburg High School; and

WHEREAS, a funeral will be held on Tuesday, May 26 for Specialist Schaefer, who is survived by his wife and three children:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all State facilities to fly their flags at half-staff from sunrise on May 24, 2009 until sunset on May 26, 2009 in honor and remembrance of Specialist Schaefer, whose selfless service and sacrifice is an inspiration.

Issued by the Governor May 23, 2009

Filed by the Secretary of State May 29, 2009

2009-196**AmeriCorps Week**

WHEREAS, service to others is part of the American character, and throughout our history citizens have risen to meet our challenges by volunteering in their communities; and

PROCLAMATIONS

- WHEREAS, the current economic downturn means more Americans are facing hardships, and volunteering and national service is needed more than ever; and
- WHEREAS, the AmeriCorps national service program has proven to be a highly effective way to engage Americans of all ages and backgrounds in meeting a wide range of community needs and promote the ethic of service and volunteering since its creation in 1994; and
- WHEREAS, each year AmeriCorps, including AmeriCorps*VISTA and AmeriCorps*NCCC, provides opportunities for 75,000 citizens across the nation, including around 2,320 in Illinois, to give back in an intensive way to our communities, our state, and our country; and
- WHEREAS, more than 574,000 men and women across the nation, including more than 20,800 from Illinois, have taken the AmeriCorps pledge to "get things done for America" by becoming AmeriCorps Members since 1994; and
- WHEREAS, those AmeriCorps Members have served a total of more than 718 million hours nationwide, including nearly 28 million served by residents from Illinois, which equates to more than \$590 million in service, helping to improve the lives of our state's most vulnerable citizens, strengthen our educational system, protect our environment, and contribute to our public safety; and
- WHEREAS, AmeriCorps was designed to give a key role to states in deciding where resources should be directed to meet state and local needs through the work of Governor-appointed state service commissions, including the Serve Illinois Commission on Volunteerism and Community Service; and
- WHEREAS, AmeriCorps has strengthened America's independent sector by investing more than \$5.7 billion to support the efforts of tens of thousands of nonprofit, community, educational, and faith-based community groups nationwide; and those grants have leveraged hundreds of millions of additional funds and in-kind donations from others sources; and
- WHEREAS, AmeriCorps Members last year recruited and supervised more than 2.2 million community volunteers, demonstrating AmeriCorps' value as a catalyst and force multiplier; and
- WHEREAS, AmeriCorps Members nationwide, in return for their service, have earned nearly \$1.6 billion in Segal AmeriCorps Education Awards to further their own

PROCLAMATIONS

educational advancement at colleges and universities—including more than \$59 million that has been earned by residents of Illinois; and

WHEREAS, AmeriCorps Members, after their terms of service end, remain engaged in our communities as volunteers, teachers, public servants, and nonprofit leaders in disproportionately high levels; and

WHEREAS, Congress recently passed the Edward M. Kennedy Serve America Act to reauthorize the Corporation for National and Community Service and engage more Americans in service, including a major expansion of AmeriCorps to focus on critical national issues of education, health, clean energy, veterans, and economic opportunity; and

WHEREAS, the week of May 9-16 is recognized as AmeriCorps Week, a time for the people of Illinois to salute AmeriCorps Members and alums for their powerful impact, thank all of AmeriCorps' community partners in Illinois who make the program possible, and bring more Americans into service:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 9-16, 2009 as **AMERICORPS WEEK** in Illinois, and urge all citizens to thank AmeriCorps Members and alumni for their service and to find ways to give back to their communities.

Issued by the Governor May 27, 2009

Filed by the Secretary of State May 29, 2009

2009-197**Interior Design Week**

WHEREAS, interior design is a multi-faceted profession which applies creative and technical solutions within a structure to achieve a functional, safe, and aesthetically pleasing interior environment; and

WHEREAS, interior design is concerned with anything found inside a space - walls, windows, doors, finishes, textures, light, furnishings and furniture; and

WHEREAS, interior designers are responsible for planning the spaces of almost every type of building and must be attuned to architectural detailing, including floor plans, home renovations, as well as regulations set forth by construction and building codes; and

PROCLAMATIONS

WHEREAS, the interior design profession is also becoming increasingly concerned with encouraging the principles of environmental sustainability; and

WHEREAS, interior designers must also comply with strict licensing requirements, such as those embodied by the Interior Design Title Act in Illinois, which is critical in keeping the interior design profession at its highest level and serves to protect the public's health, safety and welfare by qualifying registered design professionals based on education, experience, and testing; and

WHEREAS, in the interest of promoting the highest levels of excellence in the interior design profession, on June 15-17, the NeoCon World's Trade Fair will be held at the Merchandise Mart in Chicago; and

WHEREAS, returning for its 41st year, NeoCon is the country's largest conference and exhibition of contract furnishings for the design and management of the built environment; and

WHEREAS, NeoCon features the latest trends, products, and concepts in office, healthcare, hospitality, residential, institutional, and government environments, and offers the most comprehensive conference schedule in the industry, with more than 150 seminars, forums, and presentations; and

WHEREAS, encompassing 1.2 million square feet of exhibition space on 10 floors, NeoCon will host more than 1,200 exhibitors showcasing thousands of new products from hundreds of the world's top manufacturers, and is expected to draw more than 50,000 trade professionals:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 15-22, 2009 as **INTERIOR DESIGN WEEK** in Illinois, in support of the interior design profession and in recognition of the contributions interior designers make to our state.

Issued by the Governor May 28, 2009

Filed by the Secretary of State May 29, 2009

ILLINOIS ADMINISTRATIVE CODE
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