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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 peremptory 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 2012

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 27, 2011	January 6, 2012
2	January 3, 2012	January 13, 2012
3	January 9, 2012	January 20, 2012
4	January 17, 2012	January 27, 2012
5	January 23, 2012	February 3, 2012
6	January 30, 2012	February 10, 2012
7	February 6, 2012	February 17, 2012
8	February 14, 2012	February 24, 2012
9	February 21, 2012	March 2, 2012
10	February 27, 2012	March 9, 2012
11	March 5, 2012	March 16, 2012
12	March 12, 2012	March 23, 2012
13	March 19, 2012	March 30, 2012
14	March 26, 2012	April 6, 2012
15	April 2, 2012	April 13, 2012
16	April 9, 2012	April 20, 2012
17	April 16, 2012	April 27, 2012
18	April 23, 2012	May 4, 2012
19	April 30, 2012	May 11, 2012
20	May 7, 2012	May 18, 2012
21	May 14, 2012	May 25, 2012
22	May 21, 2012	June 1, 2012
23	May 29, 2012	June 8, 2012

24	June 4, 2012	June 15, 2012
25	June 11, 2012	June 22, 2012
26	June 18, 2012	June 29, 2012
27	June 25, 2012	July 6, 2012
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39	September 17, 2012	September 28, 2012
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43	October 15, 2012	October 26, 2012
44	October 22, 2012	November 2, 2012
45	October 29, 2012	November 9, 2012
46	November 5, 2012	November 16, 2012
47	November 13, 2012	November 26, 2012
48	November 19, 2012	November 30, 2012
49	November 26, 2012	December 7, 2012
50	December 3, 2012	December 14, 2012
51	December 10, 2012	December 21, 2012
52	December 17, 2012	December 28, 2012

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 1st to July 2nd, 2012.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Energy Conservation Code
- 2) Code Citation: 71 Ill. Adm. Code 600
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
600.100	Amendment
600.110	Amendment
600.200	Amendment
600.300	Amendment
600.400	Amendment
600.APPENDIX A	New
- 4) Statutory Authority: Implementing and authorized by the Capital Development Board Act [20 ILCS 3105] and the Energy Efficient Commercial Building Act [20 ILCS 3125]
- 5) A Complete Description of the Subjects and Issues Involved: The Energy Efficient Building Act requires the adoption of latest published edition of the International Code Council's International Energy Conservation Code (IECC) as the energy code for Illinois. This rulemaking updates the version of the Code from the 2009 IECC to the 2012 IECC.

The Act allows the CDB to appropriately adapt the IECC for economic, geographical, climate, etc. considerations. The Board, through the addition of Appendix A in this Part, is recommending adaptations to various sections of the 2012 IECC. This Appendix supplants and adds sections on administration, definitions and ventilation requirements for residential buildings.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an 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 does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views or arguments concerning this proposed rulemaking in writing for a period of 45 days following publication of this Notice. All comments must be in writing and should be addressed to:

Lisa Mattingly
Administrator of Professional Services
Capital Development Board
401 S. Spring Street
3rd Floor Stratton Building
Springfield, Illinois 62706

Telephone: 217/524-6408
E-Mail: lisa.mattingly@illinois.gov
Facsimile: 217/524-4208

Comments submitted by small business should be identified as such.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Those that are constructing, renovating or adding to commercial and residential building structures or issuing build permit applications
 - B) Reporting, bookkeeping or other procedures required for compliance: Those necessary for regulatory compliance
 - C) Types of Professional skills necessary for compliance: Licensed Design Professionals
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: the matter that is the subject of this rulemaking was not known at the time the agendas were submitted.

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

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY

CHAPTER I: CAPITAL DEVELOPMENT BOARD

SUBCHAPTER d: ENERGY CODES

PART 600

ILLINOIS ENERGY CONSERVATION CODE

SUBPART A: GENERAL

Section

- 600.100 Definitions
- 600.110 Adoption and Modification of the Code
- 600.120 Illinois Energy Conservation Advisory Council
- 600.130 Revisions to the Code

SUBPART B: STATE FUNDED FACILITIES

Section

- 600.200 Standards for State Funded Facilities
- 600.210 Request for Variance
- 600.220 Compliance

SUBPART C: PRIVATELY FUNDED COMMERCIAL FACILITIES

Section

- 600.300 Standards for Privately Funded Commercial Facilities
- 600.310 Exemptions
- 600.320 Local Jurisdiction
- 600.330 Compliance
- 600.340 Application to Home Rule Units

SUBPART D: RESIDENTIAL BUILDINGS

Section

- 600.400 Standards for Residential Buildings
- 600.410 Exemptions
- 600.420 Local Jurisdiction
- 600.430 Compliance
- 600.440 Application to Home Rule Units

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

600.APPENDIX A Supplanted and Additional 2012 International Energy Conservation Code Sections

AUTHORITY: Implementing and authorized by the Capital Development Board Act [20 ILCS 3105] and the Energy Efficient Building Act [20 ILCS 3125].

SOURCE: Adopted by emergency rulemaking at 28 Ill. Reg. 11355, effective July 26, 2004, for a maximum of 150 days; emergency rules expired December 22, 2004; adopted at 29 Ill. Reg. 777, effective January 1, 2005; new Part adopted by emergency rulemaking at 29 Ill. Reg. 5736, effective April 8, 2005, for a maximum of 150 days; emergency expired September 4, 2005; emergency rulemaking repealed at 29 Ill. Reg. 6093, effective April 18, 2005, for a maximum of 150 days; emergency expired September 14, 2005; old Part repealed at 29 Ill. Reg. 16414 and new Part adopted at 29 Ill. Reg. 14790, effective April 8, 2006; amended at 31 Ill. Reg. 14422, effective October 9, 2007; emergency amendment at 33 Ill. Reg. 12407, effective August 18, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 16702, effective November 23, 2009; emergency rulemaking at 34 Ill. Reg. 2582, effective January 29, 2010, for a maximum of 150 days; emergency expired June 27, 2010; amended at 34 Ill. Reg. 11398, effective July 26, 2010; amended at 36 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 600.100 Definitions

Definitions of terms in the International Energy Conservation Code, incorporated by reference in Subpart C of this Part, apply, as do the following definitions:

"Act" means the Capital Development Board Act [20 ILCS 3105].

"Authority Having Jurisdiction" or "AHJ" means the organization, office or individual responsible for approving equipment, materials, an installation or procedure.

"CDB" or "Board" means the Illinois Capital Development Board.

"Commercial Facility" means any building except a building that is classified as a residential building. [20 ILCS 3125/10]

CAPITAL DEVELOPMENT BOARD

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"Council" means the Illinois Energy Conservation Advisory Council appointed under Subpart B of this Part and whose purpose it is to recommend modifications to the *Illinois Energy Conservation Code*.

"EEB Act" means the Energy Efficient Building Act [20 ILCS 3125].

"IECC" means the International Energy Conservation Code.

"Illinois Energy Conservation Code" or "Code" means:

With respect to the State facilities covered by Subpart B:

This Part, all additional requirements incorporated within Subpart B (including ASHRAE 90.1 Standards), and any statutorily authorized adaptations to the incorporated standards adopted by CDB;

With respect to the privately funded commercial facilities covered by Subpart C:

This Part, all additional requirements incorporated within Subpart C (including the ~~2012~~2009 International Energy Conservation Code, including all published errata but excluding published supplements, which encompasses ASHRAE 90.1), and any statutorily authorized adaptations to the incorporated standards adopted by CDB; and

With respect to the residential buildings covered by Subpart D:

This Part, all additional requirements incorporated within Subpart D (including the ~~2012~~2009 International Energy Conservation Code, including all published errata but excluding published supplements) and any statutorily authorized adaptations to the incorporated standards adopted by CDB.

"Local Exhaust" means an exhaust system that uses one or more fans to exhaust air from a specific room or rooms within a dwelling.

"Municipality" means any city, village or incorporated town. [20 ILCS 3125/10]

CAPITAL DEVELOPMENT BOARD

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"Professional Services Agreement" means the contract for services entered into by CDB and design professionals.

"Residential Building" means a detached one-family or 2-family dwelling or any building that is 3 stories or less in height above grade that contains multiple dwelling units, in which the occupants reside on a primarily permanent basis, such as a townhouse, a row house, an apartment house, a convent, a monastery, a rectory, a fraternity or sorority house, a dormitory, and a rooming house; provided, however, that when applied to a building located within the boundaries of a municipality having a population of 1,000,000 or more, the term "residential building" means a building containing one or more dwelling units, not exceeding 4 stories above grade, where occupants are primarily permanent. [20 ILCS 3125/10]

"State Funded Building" means and includes buildings under the jurisdiction of each officer, department, board, commission, institution and body politic and corporate of the State, including the Illinois Building Authority, school districts, and any other person expending or encumbering State or federal funds by virtue of an appropriation or other authorization by the General Assembly or federal authorization or grant. This includes State funded *housing, hospitals, penitentiaries, laboratories, educational facilities, administrative facilities, recreational facilities, environmental equipment and parking facilities* [20 ILCS 3105/4.01].

"Using Agency" means the State agency using facilities described in Section 4.01 of the Act.

"Whole House Mechanical Ventilation System" means an exhaust system, supply system or combination thereof that is designed in accordance with Section R403.5 of the IECC to mechanically exchange indoor air for outdoor air when operating continuously or through a programmed intermittent schedule to satisfy the whole house ventilation rate. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 600.110 Adoption and Modification of the Code

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- a) The purpose of the Illinois Energy Conservation Code is to implement Section 10.09-5 of the Capital Development Board Act [20 ILCS 3105/10.09-5], which requires CDB to adopt rules implementing a statewide Energy Code. Additionally, Section 15 of the Energy Efficient ~~Commercial~~-Building Act [20 ILCS 3125/15] requires CDB to officially adopt, as a minimum requirement, the ~~2012~~2009 International Energy Conservation Code, including all published errata but excluding any published supplements, to apply that Code to all commercial structures in Illinois, and to assist local code officials with enforcing the requirements of the Code.
- b) This Code as described in Subpart B (State facilities) is effective July 26, 2004. This Code as described in Subpart C (privately-funded commercial facilities) is effective April 8, 2007. The Code as described in Subpart D (residential buildings) is effective January 29, 2010.
- c) Application of the Code
- 1) State Facilities. The Code as described in Subpart B of this Part applies to all State facilities for which money has been appropriated or authorized by the General Assembly.
 - 2) Privately Funded Commercial Facilities and Residential Buildings. The Code as described in Subparts C and D of this Part applies *to any new building or structure in this State for which a building permit application is received by a municipality or county.* [20 ILCS 3125/20]
 - A) *Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of the Code as they relate to new construction without requiring the unaltered portion of the existing building or building system to comply with the Code.* [20 ILCS 3125/20(c)]
 - B) All exceptions listed in the Code related to additions, alterations, renovations or repairs to an existing building are acceptable provided the energy use of the building is not increased.
- d) This Code, together with the standards incorporated by reference in this Part, has the force of a building code and is administrative law applicable in the State of Illinois.

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(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART B: STATE FUNDED FACILITIES

Section 600.200 Standards for State Funded Facilities

- a) ANSI/ASHRAE/IESNA Standard 90.1, Energy Standard for Buildings Except Low-Rise Residential Buildings (~~2010~~2007), available from ASHRAE at 1791 Tullie Circle, N.E., Atlanta GA 30329, is hereby incorporated into the Illinois Energy Conservation Code, as described in this Subpart as applicable to State funded facilities, with the modifications outlined in subsection (c).
- b) All incorporations by reference in this Section are of the cited standards as they existed on the date specified. These incorporations include no later editions or amendments.
- c) Modifications to ASHRAE 90.1
ASHRAE 90.1 is incorporated by this Section, but with the following modifications:
 - 1) ASHRAE 90.1 Section 3.2

The terms "adopting authority" and "authority having jurisdiction" shall both be read to mean the Capital Development Board.
 - 2) Replace Exception to 9.4.1.2c with the following:

Exceptions to 9.4.1.2c:
 - A) Remote location shall be permitted for reasons of safety or security when the remote control device has an indicator pilot light as part of or next to the control device and ~~the light is it shall be~~ clearly labeled to identify the controlled lighting.
 - B) Spaces not subject to partial occupancy, such as gymnasiums, cafeterias, lecture halls, etc., shall not be required to have more than one control device.

CAPITAL DEVELOPMENT BOARD

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(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 600.220 Compliance

- a) Compliance with the Illinois Energy Conservation Code for State facilities as described by this Subpart B shall mean meeting the requirements of ASHRAE 90.1. Compliance shall be demonstrated by submission of:
- 1) the compliance forms published in the ASHRAE 90.1 User's Manual; or
 - 2) Compliance Certificates generated by the U.S. Department of Energy's COMCheck code compliance tool ~~(version 3.4.2)~~; or
 - 3) the seal of the Architect/Engineer as required by Section 14 of the Illinois Architecture Practice Act [225 ILCS 305], Section 12 of the Structural Engineering Licensing Act [225 ILCS 340] and Section 14 of the Illinois Professional Engineering Practice Act [225 ILCS 325].
- b) For CDB projects, final compliance forms shall be submitted to CDB with the 100% design review package required by the Professional Services Agreement. An in-progress set of compliance forms shall be submitted at the 50% submittal required by the Professional Services Agreement.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART C: PRIVATELY FUNDED COMMERCIAL FACILITIES

Section 600.300 Standards for Privately Funded Commercial Facilities

- a) The ~~2012~~2009 International Energy Conservation Code (IECC), **including published errata but** excluding published supplements, available from the International Code Council at 500 New Jersey Avenue NW, 6th Floor, Washington DC 20001, phone: 1-888-ICC-SAFE (422-7233), is hereby incorporated into the Illinois Energy Conservation Code, as described in this Subpart as applicable to privately funded commercial facilities, with the modifications outlined in subsection (c).

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- b) All incorporations by reference in this Section are of the cited standards as they existed on the date specified. These incorporations include no later editions or amendments.
- c) Modifications to IECC
Under Section 15 of the EEB Act, when applying the Code to privately funded commercial facilities, CDB may modify the incorporated standards to respond to the unique economy, population distribution, geography and climate of Illinois, as long as the objectives of the Act are maintained pursuant to that statutory authority. Modifications, additions or omissions to IECC are specified in Appendix A and are rules of the CDB and are not requirements of the IECC.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART D: RESIDENTIAL BUILDINGS

Section 600.400 Standards for Residential Buildings

- a) The ~~2012~~2009 International Energy Conservation Code (IECC), including published errata but excluding published supplements, available from the International Code Council at 500 New Jersey Avenue NW, 6th Floor, Washington DC 20001, phone: 1-888-ICC-SAFE (422-7233), is hereby incorporated into the Illinois Energy Conservation Code, as described in this Subpart as applicable to residential buildings, with the modifications outlined in subsection (c).
- b) All incorporations by reference in this Section are of the cited standards as they existed on the date specified. These incorporations include no later editions or amendments.
- c) Modifications to IECC
Under Section 15 of the EEB Act, when applying the Code to residential buildings, CDB may modify the incorporated standards to respond to the unique economy, population distribution, geography and climate of Illinois, as long as the objectives of the Act are maintained pursuant to that statutory authority. Modifications, additions or omissions to IECC are specified in Appendix A and are rules of the CDB and are not requirements of the IECC.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 1060.APPENDIX A Supplanted and Additional 2012 International Energy Conservation Code Sections

The following Code sections shall be referenced in place of the corresponding 2012 IECC sections.

**CHAPTER 1 [CE]
SCOPE AND ADMINISTRATION****SECTION C101
SCOPE AND GENERAL REQUIREMENTS**

C101.1 Title. This Code shall be known as the Illinois Energy Conservation Code or this Code and shall mean:

With respect to the State facilities covered by 71 Ill. Adm. Code 600.Subpart B:

This Part, all additional requirements incorporated within Subpart B (including ASHRAE 90.1 Standards, including all published errata and excluding published supplements that encompass ASHRAE 90.1), and any statutorily authorized adaptations to the incorporated standards adopted by CDB are effective January 29, 2010.

With respect to the privately funded commercial facilities covered by 71 Ill. Adm. Code 600.Subpart C:

This Part, all additional requirements incorporated within Subpart C (including the 2012 International Energy Conservation Code, including all published errata and excluding published supplements that encompass ASHRAE 90.1), and any statutorily authorized adaptations to the incorporated standards adopted by CDB are effective January 29, 2010.

C101.1.2 Adoption. The Board shall adopt this Code within 9 months after its publication. This Code shall take effect within 3 months after it is adopted by the Board and shall apply to any new building or structure in this State for which a building permit application is received by a municipality or county, except as otherwise provided by the EEB Act.

C101.1.3 Adaptation. The Board may appropriately adapt the International Energy Conservation Code to apply to the particular economy, population distribution, geography and

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climate of the State and construction within the State, consistent with the public policy objectives of the EEB Act.

C101.5 Compliance. Commercial buildings shall meet the provisions of the Illinois Energy Conservation Code covered by 71 Ill. Adm. Code 600. Subpart C. The local authority having jurisdiction (AHJ) shall establish its own procedures for enforcement of the Illinois Energy Conservation Code. Minimum compliance shall be demonstrated by submission of:

1. The compliance forms published in the ASHRAE 90.1 User's Manual; or
2. Compliance Certificates generated by the U.S. Department of Energy's COMCheck Code compliance tool; or
3. Other comparable compliance materials that meet or exceed, as determined by the AHJ, the compliance forms published in the ASHRAE 90.1 User's Manual or the U.S. Department of Energy's COMcheck code compliance tool; or
4. The seal of the architect/engineer as required by Section 14 of the Illinois Architectural Practice Act [225 ILCS 305], Section 12 of the Structural Engineering Licensing Act [225 ILCS 340] and Section 14 of the Illinois Professional Engineering Practice Act [225 ILCS 325].

C102.1.1 Above Code Program. No unit of local government, including any home rule unit, may apply energy efficient building standards to privately funded commercial facilities in a manner that is less stringent than this Code as described in Subpart C. However, nothing in the EEB Act or that Subpart prevents a unit of local government from adopting an energy efficiency code or standards that are more stringent than the Illinois Energy Conservation Code. The requirements identified as "mandatory" in Chapter 4 shall be met.

SECTION C109
BOARD OF APPEALS

C109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this Code, there may be created a board of appeals. The code official shall be an ex-officio member of the board of appeals but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

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C109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training.

CHAPTER 2 [CE]**SCOPE AND APPLICATION****SECTION R101****SCOPE AND GENERAL REQUIREMENTS**

R101.1 Title. This Code shall be known as the Illinois Energy Conservation Code or this Code, and shall mean:

With respect to the residential buildings covered by 71 Ill. Adm. Code 600.Subpart D:

This Part, all additional requirements incorporated within Subpart D (including the 2012 International Energy Conservation Code, including all published errata but excluding published supplements) and any statutorily authorized adaptations to the incorporated standards adopted by CDB are effective January 29, 2010.

R101.1.2 Adoption. The Board shall adopt this Code within 9 months after its publication. This Code shall take effect within 3 months after it is adopted by the Board and shall apply to any new building or structure in this State for which a building permit application is received by a municipality or county, except as otherwise provided by the EEB Act.

R101.1.3 Adaptation. The Board may appropriately adapt the International Energy Conservation Code to apply to the particular economy, population distribution, geography, and climate of the State and construction within the State, consistent with the public policy objectives of the EEB Act.

R101.4.3 Additions, Alterations, Renovations or Repairs. Additions, alterations, renovations or repairs to an existing building, building system or portion of a building shall conform to the provisions of this Code as they relate to new construction without requiring the unaltered portion of the existing building or building system to comply with this Code. In the case of any addition, alteration, renovation or repair to an existing residential structure, this Code applies only to the portions of the structure that are being added, altered, renovated or repaired. (See 20 ILCS 3125/20(a).) Additions, alterations, renovations or repairs shall not create unsafe or hazardous conditions or overload existing building systems. An addition shall be deemed to comply with

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this Code if the addition alone complies or if the existing building and addition comply with this Code as a single building.

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction, provided that these cavities are filled with insulation.
4. Construction with the existing roof, wall or floor cavity not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and with the sheathing or insulation exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate conditioned space from the exterior shall not require the installation of a vestibule or revolving door; provided, however, that an existing vestibule that separates a conditioned space from the exterior shall not be removed.
7. Alterations that replace less than 50 percent of the luminaires in a space, provided that the alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaires in a space, provided that the alteration does not increase the installed interior lighting power.

R101.5 Compliance. Residential buildings shall meet the provisions of the Illinois Energy Conservation Code covered by 71 Ill. Adm. Code 600.Subpart D. The local authority having jurisdiction (AHJ) shall establish its own procedures for enforcement of the Illinois Energy Conservation Code. Minimum compliance shall be demonstrated by submission of:

1. Compliance Certificates generated by the U.S. Department of Energy's RESCheck Code compliance tool; or

CAPITAL DEVELOPMENT BOARD

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2. [Other comparable compliance materials that meet or exceed, as determined by the AHJ, U.S. Department of Energy's RESCheck code compliance tool; or](#)
3. [The seal of the architect/engineer as required by Section 14 of the Illinois Architectural Practice Act \[225 ILCS 305\], Section 12 of the Structural Engineering Licensing Act \[225 ILCS 340\] and Section 14 of the Illinois Professional Engineering Practice Act \[225 ILCS 325\].](#)

SECTION R102
ALTERNATIVE MATERIALS – METHOD
OF CONSTRUCTION, DESIGN
OR INSULATING SYSTEMS

R102.1.1 Above Code Programs. [No unit of local government, including any home rule unit, may regulate energy efficient building standards for residential buildings in a manner that is either less or more stringent than the standards established pursuant to this Code. The requirements identified as "mandatory" in Chapter 4 shall be met.](#)

[However, the following entities may regulate energy efficient building standards for residential buildings in a manner that is more stringent than the provisions contained in this Code:](#)

1. [A unit of local government, including a home rule unit, that has, on or before May 15, 2009, adopted or incorporated by reference energy efficient building standards for residential buildings that are equivalent to or more stringent than the 2006 International Energy Conservation Code;](#)
2. [A unit of local government, including a home rule unit, that has, on or before May 15, 2009, provided to the Capital Development Board, as required by Section 55 of the Illinois Building Commission Act, an identification of an energy efficient building code or amendment that is equivalent to or more stringent than the 2006 International Energy Conservation Code; and](#)
3. [A municipality with a population of 1,000,000 or more.](#)

SECTION R109
BOARD OF APPEALS

R109.1 General. [In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this Code, there may be](#)

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created a board of appeals. The code official shall be an ex-officio member of the board of appeals but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

R109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training.

CHAPTER 4 [RE]
RESIDENTIAL ENERGY EFFICIENCY

SECTION R402
BUILDING THERMAL ENVELOPE

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour (ACH) in Climate Zones 4 and 5. The building or dwelling unit shall be provided with a whole-house mechanical ventilation system as designed in accordance with Section R403.5. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). When required by the code official, a testing shall be conducted by an approved third party. A written report of the results of the test, indicating the ACH, shall be signed by the party conducting the test and provided to the code official. Testing shall be performed at any time after all penetrations of the building thermal envelope have been sealed. During testing:

1. Exterior windows and doors and fireplace and stove doors shall be closed, but not sealed, beyond the intended weatherstripping or other infiltration control measures;
2. Dampers, including exhaust, intake, makeup air, backdraft and flue dampers, shall be closed but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

R402.4.1.3 Visual Inspection Option for Additions, Alterations, Renovations or Repairs. Building envelope tightness and insulation installation shall be considered acceptable when the items in Table R402.4.1.1, applicable to the method of construction, are field verified. When required by the code official, an approved third party, independent from the installer, shall inspect air barrier and insulation installation.

R403.5 Mechanical Ventilation (Mandatory). The building shall be provided with ventilation that meets the requirements of this Section or the International Mechanical Code, as applicable. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

R403.5.2 Recirculation of Air. Exhaust air from bathrooms and toilet rooms shall not be recirculated within a residence or to another dwelling unit and shall be exhausted directly to the outdoors. Exhaust air from bathrooms and toilet rooms shall not discharge into an attic, crawl space or other areas inside the building.

R403.5.3 Whole-house Mechanical Ventilation System. Whole-house mechanical ventilation systems shall be designed in accordance with Sections R403.5.4 through R403.5.6.

R403.5.4 System Design. The whole-house ventilation system shall consist of one or more supply or exhaust fans, or a combination, and associated ducts and controls. Local exhaust or supply fans are permitted to serve as such a system. Outdoor air ducts connected to the return side of an air handler shall be considered to provide supply ventilation.

R403.5.5 System Controls. The whole-house mechanical ventilation system shall be provided with controls that enable manual override.

R403.5.6 Mechanical Ventilation Rate. The whole house mechanical ventilation system shall provide outdoor air at a continuous rate of not less than that determined in accordance with Table R403.5.6(1).

Exception: The whole-house mechanical ventilation system is permitted to operate intermittently when the system has controls that enable operation for not less than 25 percent of each 4-hour segment and the ventilation rate prescribed in Table R403.5.6(1) is multiplied by the factor determined in accordance with Table R403.5.6(2).

R403.5.7 Local exhaust rates. Local exhaust systems shall be designed to have the capacity to exhaust the minimum air flow rate determined in accordance with Table R403.5.7.

CAPITAL DEVELOPMENT BOARD

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TABLE R403.5.7
MINIMUM REQUIRED LOCAL EXHAUST RATES FOR
ONE- AND TWO-FAMILY DWELLINGS

<u>AREA TO BE EXHAUSTED</u>	<u>EXHAUST RATES</u>
<u>Kitchens</u>	<u>100 cfm intermittent or 25 cfm continuous</u>
<u>Bathrooms-Toilet Rooms</u>	<u>Mechanical exhaust capacity of 50 cfm intermittent or 20 cfm continuous</u>

For SI: 1 cubic foot per minute = 0.0004719 m³/s.

TABLE R403.5.6(1)
CONTINUOUS WHOLE-HOUSE MECHANICAL VENTILATION
SYSTEM AIRFLOW RATE REQUIREMENTS

<u>DWELLING UNIT</u> <u>FLOOR AREA</u> <u>(square feet)</u>	<u>NUMBER OF BEDROOMS</u>				
	<u>0 - 1</u>	<u>2 - 3</u>	<u>4 - 5</u>	<u>6 - 7</u>	<u>> 7</u>
	<u>Airflow in CFM</u>				
<u>< 1,500</u>	<u>30</u>	<u>45</u>	<u>60</u>	<u>75</u>	<u>90</u>
<u>1,501 - 3,000</u>	<u>45</u>	<u>60</u>	<u>75</u>	<u>90</u>	<u>105</u>
<u>3,001 - 4,500</u>	<u>60</u>	<u>75</u>	<u>90</u>	<u>105</u>	<u>120</u>
<u>4,501 - 6,000</u>	<u>75</u>	<u>90</u>	<u>105</u>	<u>120</u>	<u>135</u>
<u>6,001 - 7,500</u>	<u>90</u>	<u>105</u>	<u>120</u>	<u>135</u>	<u>150</u>
<u>> 7,500</u>	<u>105</u>	<u>120</u>	<u>135</u>	<u>150</u>	<u>165</u>

For SI: 1 square foot = 0.0929 m², 1 cubic foot per minute = 0.0004719 m³/s.

TABLE R403.5.6(2)
INTERMITTENT WHOLE-HOUSE MECHANICAL
VENTILATION RATE FACTORS^{a, b}

<u>RUN-TIME PERCENTAGE IN</u> <u>EACH 4-HOUR SEGMENT</u>	<u>25%</u>	<u>33%</u>	<u>50%</u>	<u>66%</u>	<u>75%</u>	<u>100%</u>
<u>Factor^a</u>	<u>4</u>	<u>3</u>	<u>2</u>	<u>1.5</u>	<u>1.3</u>	<u>1.0</u>

^a For ventilation system run time values between those given, the factors are permitted to be determined by interpolation.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

^b Extrapolation beyond the table is prohibited.

SECTION R405
SIMULATED PERFORMANCE ALTERNATIVE
(PERFORMANCE)

REVISE Table R405.5.2(1), entry for "air exchange rate" as follows:

STANDARD REFERENCE DESIGN. Air leakage rate of 5 air changes per hour in Climate Zones 4 and 5 at a pressure of 0.2 inches w.g. (50 Pa). The mechanical ventilation rate shall be in addition to the air leakage rate and the same as in the proposed design, but no greater than $0.01 \times CFA + 7.5 \times (Nbr + 1)$ where:

CFA = conditioned floor area

Nbr = number of bedrooms

Energy recovery shall not be assumed for mechanical ventilation.

(Source: Added at 36 Ill. Reg. _____, effective _____)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Procedures For Collection Of Air Pollution Site Fees
- 2) Code Citation: 35 Ill. Adm. Code 251
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
251.103	Amendment
251.201	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 9.6 of the Environmental Protection Act. [415 ILCS 5/9.6]
- 5) Effective Date of Amendments: April 20, 2012
- 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 Illinois Environmental Protection Agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: October 14, 2011; 35 Ill. Reg. 16172
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The following change was made in response to comments and suggestions of JCAR:

Section 251.201(a) changed "below" to "as follows".
- 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

ENVIRONMENTAL PROTECTION AGENCY

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- 15) Summary and Purpose of Amendments: The amendments update fee amounts in response to changes made to Section 9.6 of the Environmental Protection Act [415 ILCS 5/9.6]. The amendments update the fee schedule and stipulate that greenhouse gases do not incur fees.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Charles Matoesian, Assistant Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19726
Springfield, Illinois 62794-9276

217-782-5544

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

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCYPART 251
PROCEDURES FOR COLLECTION OF AIR POLLUTION SITE FEES

SUBPART A: INTRODUCTION

Section	
251.101	Purpose
251.103	Definitions

SUBPART B: PROCEDURES FOR BILLING AND COLLECTION
OF AIR POLLUTION SITE FEES

Section	
251.201	Amount of Air Pollution Site Fee
251.202	Withdrawal of Permits
251.203	Agency Billing Procedures
251.208	Time and Method of Payment
251.210	Form of Payment
251.212	Return of Site Fee (Repealed)
251.215	Prohibition Against Refund

SUBPART C: RESOLUTION OF DISPUTES

Section	
251.301	Request for Reconsideration
251.305	Effect of Request for Reconsideration
251.308	Agency Response
251.310	Appeal of Final Agency Action

AUTHORITY: Implementing and authorized by Section 9.6 of the Environmental Protection Act [415 ILCS 9.6.].

SOURCE: Adopted at 10 Ill. Reg. 19968, effective November 14, 1986; emergency amendments at 13 Ill. Reg. 955, effective January 1, 1989 for a maximum of 150 days; amended at 13 Ill. Reg. 8867, effective May 30, 1989; amended at 22 Ill. Reg. 6652, effective March 31,

ENVIRONMENTAL PROTECTION AGENCY

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1998; amended at 28 Ill. Reg. 1370, effective January 7, 2004; amended at 34 Ill. Reg. 19007, effective November 22, 2010; amended at 36 Ill. Reg. 6803, effective April 20, 2012.

SUBPART A: INTRODUCTION

Section 251.103 Definitions

"Act": the Environmental Protection Act [415 ILCS 5].

"Agency": The Environmental Protection Agency established by the Act.

"Annual": Of the period of one year commencing on the original billing date of a particular air pollution site fee.

"Annual Fee": The air pollution site fee prescribed by Section 9.6 of the Act and collected by the Agency pursuant to this Part.

"Greenhouse Gas" or "GHG" means the air pollutant defined in 40 CFR 86.1818-12(a) as the aggregate group of 6 greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride.

"Permitted to Emit": The sum of allowable emissions of regulated pollutants at a site from all emission sources which have received an operating permit from the Agency's Bureau of Air.

"Regulated Air Pollutant": Any contaminant which is emitted to the atmosphere and which is regulated under the Act or the regulations of the Illinois Pollution Control Board and receives an air pollution operating permit after January 1, 1986.

"Site": Any location, place, tract of land, and facilities, including but not limited to, buildings and improvements used for purposes subject to regulation or control by the Environmental Protection Act or regulations thereunder.

(Source: Amended at 36 Ill. Reg. 6803, effective April 20, 2012)

**SUBPART B: PROCEDURES FOR BILLING AND COLLECTION
OF AIR POLLUTION SITE FEES**

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENTS

Section 251.201 Amount of Air Pollution Site Fee

- a) Except as provided in Section 39.5 of the Act, an annual air pollution site fee shall be paid by the owner or operator of an air pollution site, in accordance with the requirements of this Part, in the amounts set forth as follows~~below~~:
- 1) For any site permitted to emit less than 25 tons per year of any combination of regulated air pollutants except greenhouse gases, the annual site fee shall be \$200, increasing, beginning January 1, 2012, to \$235 per year for lifetime operating permits and \$235 per year for federally enforceable State operating permits.
 - 2) For any site permitted to emit at least 25 tons per year but less than 100 tons per year of any combination of regulated air pollutants, except greenhouse gases, the annual site fee shall be \$1,800 and increases, beginning January 1, 2012, to \$2,150 per year.
 - 3) For any site permitted to emit at least 100 tons per year but not more than 191+94 tons per year of any combination of regulated air pollutants, except greenhouse gases, the annual site fee shall be \$18.00 per ton, increasing January 1, 2012 to \$21.50 per ton.
 - 4) For any site permitted to emit more than 191+94 tons per year of any combination of regulated air pollutants, except greenhouse gases, the annual site fee shall be \$3,500, increasing to \$4,112 beginning January 1, 2012.
 - 5) The provisions of this Section shall not apply to a site permitted solely as a retail liquid dispensing facility that has air pollution control equipment.
- b) The Agency shall annually assess the amount of the air pollution site fee due based upon its records of permitted sites and allowable emissions from those sites.
- c) It shall be the obligation of the owner or operator to notify the Agency's Bureau of Air, in writing, of the cessation of or reduction in the operation at the site and to request revision or withdrawal of all appropriate operating permits. Notification and requests shall be sent to:

Illinois Environmental Protection Agency

ENVIRONMENTAL PROTECTION AGENCY

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Bureau of Air, Permit Section
Attention: Records Unit
P.O. Box 19276
Springfield, Illinois 62794-9276

(Source: Amended at 36 Ill. Reg. 6803, effective April 20, 2012)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Annual Emissions Report
- 2) Code Citation: 35 Ill. Adm. Code 254
- 3) Section Number: 254.102 Adopted Action: Amended
- 4) Statutory Authority: Implementing and authorized by Section 4(b) of the Illinois Environmental Protection Act. [415 ILCS 5/4/(b)]
- 5) Effective Date of Amendment: April 20, 2012
- 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 Illinois Environmental Protection Agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: October 14, 2011; 35 Ill. Reg. 16178
- 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 agreements issued by JCAR? No agreements were necessary.
- 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: This rulemaking amends the regulations to declare that the type of Annual Emission Report an entity files will not be based upon the entity's greenhouse gas emissions. Instead, the criteria pollutant emissions will continue to control whether the entity files the long or short form.

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- 16) Information and questions regarding this adopted amendment shall be directed:

Charles Matoesian, Assistant Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19726
Springfield, Illinois 62794-9276

217-782-5544

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

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCYPART 254
ANNUAL EMISSIONS REPORT

SUBPART A: GENERAL PROVISIONS

Section	Purpose
254.101	Purpose
254.102	Applicability
254.103	Definitions
254.104	Actual Emissions (Repealed)
254.105	Annual Process Rate (Repealed)
254.106	Certifying Individual (Repealed)
254.107	Emission Determination Method (Repealed)
254.108	Emissions Summary (Repealed)
254.109	Inventory Edit Summary (Repealed)
254.110	Peak Ozone Season (Repealed)
254.111	Source Inventory Report (Repealed)
254.112	Typical Ozone Season Day (Repealed)
254.120	Applicable Pollutants for Annual Emissions Reporting
254.130	Minimum Contents of Annual Emissions Report (Repealed)
254.131	Methods of Filing Annual Emissions Report (Repealed)
254.132	Failure to File a Complete Report
254.133	Voluntary Submittal of Data
254.134	Retention of Records
254.135	Reporting of Errors
254.136	Confidentiality and Trade Secret Protection
254.137	Reporting Schedule
254.138	Issuance of Source Inventory Report

SUBPART B: REPORTING REQUIREMENTS FOR LARGE SOURCES

Section	Purpose
254.201	Annual Emissions Report (Repealed)
254.202	Reporting Schedule (Repealed)
254.203	Contents of Subpart B Annual Emissions Report
254.204	Complete Reports

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENT

SUBPART C: REPORTING REQUIREMENTS FOR OTHER SOURCES

Section

- 254.301 Annual Emissions Report (Repealed)
- 254.302 Reporting Schedule (Repealed)
- 254.303 Contents of Subpart C Annual Emissions Report
- 254.304 Transition to Full Reporting by Large Sources (Repealed)
- 254.305 Continuing Requirements for Other Sources (Repealed)
- 254.306 Complete Reports

SUBPART D: REPORTING REQUIREMENTS FOR SMALL SOURCES

Section

- 254.401 Annual Emissions Report (Repealed)
- 254.402 Reporting Schedule (Repealed)
- 254.403 Contents of Subpart D Annual Emissions Report (Repealed)
- 254.404 Complete Reports (Repealed)

SUBPART E: SEASONAL EMISSIONS REPORT UNDER ERMS

Section

- 254.501 Contents of a Seasonal Emissions Report

AUTHORITY: Authorized by Section 4(b) of the Environmental Protection Act [415 ILCS 5/4(b)].

SOURCE: Adopted at 17 Ill. Reg. 7782, effective May 14, 1993; amended at 25 Ill. Reg. 9856, effective July 17, 2001; amended at 36 Ill. Reg. 6809, effective April 20, 2012.

SUBPART A: GENERAL PROVISIONS

Section 254.102 Applicability

- a) Subpart B of this Part applies to:
 - 1) Owners or operators of any source required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is permitted to emit 25 tons per year or more of any combination of regulated air pollutants, [excluding greenhouse gases](#);

ENVIRONMENTAL PROTECTION AGENCY

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- 2) Owners or operators of any source required to have an operating permit in accordance with Section 39.5 of the Environmental Protection Act [415 ILCS 5/39.5]; and
 - 3) Owners or operators of sources in ozone nonattainment areas that have a potential to emit 25 tons per year or more of either VOM or NO_x from all emission units.
- b) Subpart C of this Part applies to the owner or operator of any source of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is not subject to subsection (a) of this Section.
 - c) The provisions of Subpart E of this Part apply to the owner or operator of any source that is subject to the seasonal reporting requirements for ERMS required by 35 Ill. Adm. Code 205.300, as specified under Section 254.501 of Subpart E.

(Source: Amended at 36 Ill. Reg. 6809, effective April 20, 2012)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Bank Branches and Subsidiaries
- 2) Code Citation: 38 Ill. Adm. Code 305
- 3)

<u>Section Number:</u>	<u>Adopted Action:</u>
305.10	Amendment
305.20	Amendment
305.100	New Section
- 4) Statutory Authority: Implementing Section 5(15) and authorized by Section 48(6) of the Illinois Banking Act [205 ILCS 5/5(15) and 48(6)]
- 5) Effective Date of Rulemaking: May 4, 2012
- 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 principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 35 Ill. Reg. 15863; October 7, 2011
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

The main authority note has been rewritten, as follows: "Implementing Section 5(12) and (15) as authorized by Section 48(6) of the Illinois Banking Act [205 ILCS 5/5(12), 5(15) and 48(6)]."

Section 305.10, in the definition of "Eligible Bank", on the first line, add "as defined in 38 Ill. Adm. Code 380.2." following "bank" and strike "that:". Also delete the next three subparagraphs.

Section 305.10, in the definition of "Notice", on the first line, add "written notice pursuant to Section 5(12) of the Act." following "bank's" and strike all remaining text on line 73-74.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 12) Have all 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 Rulemaking: These amendments eliminate the filing of a notice of intent to establish a branch within the United States for "eligible banks". The Department concluded that due to the fact that the bank's primary federal regulator approves the establishment of a new branch, for a well rated bank the notice is an added regulatory burden to the bank. Therefore, the Department will only seek such notice from institutions that are not considered "eligible banks" in order to establish that the branch is safe and sound considering the bank's current condition. These amendments also modified the filing of a notice of intent to establish a subsidiary pursuant to Section 5/5(12) of the Act, to be accomplished by mailing notice to the Department for any bank intending to establish a subsidiary in order to manage, market, and dispose of real estate obtained in satisfaction of "debt previously contracted." The Department has concluded that mailing of a notice will reduce administrative costs associated with filing of the notice and increase the operational efficiency of the Department.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786

217/785/0813 Fax: 217/557-4451

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS

CHAPTER II: [DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION](#)
[OFFICE OF BANKS AND REAL ESTATE](#)

PART 305

BANK BRANCHES [AND SUBSIDIARIES](#)[SUBPART A: GENERAL](#)

Section

305.10

Definitions

[SUBPART B: BRANCHES](#)[Section](#)

305.20

Procedure to Establish and Maintain a Bank Branch

305.30

Acknowledgment by the Office of Banks and Real Estate (Repealed)

305.40

Date a Branch is Established and Maintained (Repealed)

[SUBPART C: SUBSIDIARIES](#)[Section](#)[305.100](#)[Procedure to Establish and Maintain a Subsidiary to Manage Real Estate Obtained in Satisfaction of Debt Previously Contracted](#)

AUTHORITY: Implementing Section 5(12) and (15) as authorized by Section 48(6) of the Illinois Banking Act [205 ILCS 5/5(12), 5(15) and 48(6)].

SOURCE: Adopted at 12 Ill. Reg. 11178, effective August 8, 1988; recodified from Chapter II, Commissioner of Banks and Trust Companies, to Chapter II, Office of Banks and Real Estate, pursuant to P.A. 89-508, at 20 Ill. Reg. 12645; amended at 21 Ill. Reg. 8367, effective June 24, 1997; amended at 36 Ill. Reg. 6814, effective May 4, 2012.

[SUBPART A: GENERAL](#)**Section 305.10 Definitions**

"Act" means the Illinois Banking Act [205 ILCS 5].

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

"Appropriate ~~Federal Banking Agency~~ ~~federal banking agency~~" means the Federal Deposit Insurance Corporation, the Federal Reserve Bank of Chicago or the Federal Reserve Bank of St. Louis.

"Controlling Interest" means at least 50% plus 1 share, or more than 50% membership interest for a limited liability company.

"Debt Previously Contracted" means real estate, including capitalized and operating leases, acquired by a state bank through any means in full or partial satisfaction of a debt.

"Department" means the Department of Financial and Professional Regulation.

"Director" means the Director of the Division of Banking with the authority delegated by the Secretary.

"Division" means the Department of Financial and Professional Regulation-Division of Banking with the authority delegated by the Secretary.

"Eligible Bank" means a state bank as defined in 38 Ill. Adm. Code 380.20.

"Notice" means a copy of the state bank's written notice pursuant to Section 5(12) of the Act ~~application to its appropriate federal banking agency for approval to establish a branch.~~

~~"Office" means the Office of Banks and Real Estate.~~

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

"State ~~Bank~~bank" means a bank that has a banking charter issued under the Act.

(Source: Amended at 36 Ill. Reg. 6814, effective May 4, 2012)

SUBPART B: BRANCHES**Section 305.20 Procedure to Establish and Maintain a Bank Branch**

A state bank that is not an eligible bank as defined in Section 305.10 and that seeks ~~seeking~~ to

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

establish and maintain a bank branch inside the United States or any state bank that seeks to establish a branch outside the United States must file a Notice with the Division Office of Banks and Real Estate not less than 30 calendar days before the bank enters into any contract or expends funds on a temporary or permanent branch facility~~branch begins doing business.~~

(Source: Amended at 36 Ill. Reg. 6814, effective May 4, 2012)

SUBPART C: SUBSIDIARIES**Section 305.100 Procedure to Establish and Maintain a Subsidiary to Manage Real Estate Obtained in Satisfaction of Debt Previously Contracted**

A state bank that seeks to establish and maintain a subsidiary in order to manage, market and dispose of real estate obtained in satisfaction of debt previously contracted may establish a subsidiary upon mailing of notice of intent to establish a subsidiary to the Division pursuant to Section 5(12) of the Act when the bank has a controlling interest in the subsidiary. Once mailed, the notice is deemed received by the Department.

(Source: Added at 36 Ill. Reg. 6814, effective May 4, 2012)

STATE BOARD OF EDUCATION

NOTICE ADOPTED AMENDMENTS

- 1) Heading of the Part: Programs for the Preparation of Principals in Illinois
- 2) Code Citation: 23 Ill. Adm. Code 30
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
30.20	Amendment
30.45	Amendment
- 4) Statutory Authority: 105 ILCS 5/21-7.6
- 5) Effective Date of Amendments: April 23, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes; see Section 30.45.
- 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: December 30, 2011; 35 Ill. Reg. 21005
- 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 Amendments: These amendments address two Sections of Part 30 to incorporate newly enacted legislation and to update a reference to a set of national standards used by candidates in principal preparation programs.

Section 30.20 has been amended in accordance with P.A. 97-607, effective August 26, 2011, to state that institutions of higher education can no longer entitle principals with a

STATE BOARD OF EDUCATION

NOTICE ADOPTED AMENDMENTS

general administrative endorsement after August 31, 2014. Previous to this legislative change, the effective date had been June 30, 2014.

Section 30.45 has been amended to reflect the updated standards for staff development published by Learning Forward (previously, the National Staff Development Council (NSDC)) in 2011. Previously called 'Standards for Staff Development', they are now titled 'Standards for Professional Learning,' and the website link has been changed.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Vicki Phillips
Educator and School Development Division
Illinois State Board of Education
100 North First Street, E-310
Springfield, Illinois 62777-0001

217/782-2948

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

STATE BOARD OF EDUCATION

NOTICE ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 30

PROGRAMS FOR THE PREPARATION OF PRINCIPALS IN ILLINOIS

Section

30.10	Definitions
30.20	Purpose and Applicability
30.30	General Program Requirements
30.40	Internship Requirements
30.45	Assessment of the Internship
30.50	Coursework Requirements
30.60	Staffing Requirements
30.70	Candidate Selection
30.80	Program Approval and Review
30.APPENDIX A	Internship Assessment Rubric

AUTHORITY: Implementing and authorized by Section 21-7.6 of the School Code [105 ILCS 5/21-7.6].

SOURCE: Old Part repealed at 29 Ill. Reg. 18439, effective October 31, 2005; new Part adopted at 35 Ill. Reg. 9060, effective June 1, 2011; amended at 36 Ill. Reg. 6819, effective April 23, 2012.

Section 30.20 Purpose and Applicability

- a) This Part sets forth the requirements for the approval of programs to prepare individuals *to be highly effective in leadership roles to improve teaching and learning and increase academic achievement and the development of all students* [105 ILCS 5/21-7.6].
- b) Requirements of this Part are in addition to the requirements for the approval of new educator preparation programs set forth in 23 Ill. Adm. Code 25.Subpart C. *Any program offered in whole or in part by a not-for-profit entity also must be approved by the Board of Higher Education* [105 ILCS 5/21-7.1].

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- c) *Candidates successfully completing a principal preparation program shall obtain a principal endorsement on an administrative certificate and are eligible to work as a principal, assistant principal, assistant or associate superintendent, and junior college dean* (Section 21-7.1 of the School Code; also see 23 Ill. Adm. Code 25.337).
- d) No later than ~~September~~~~July~~ 1, 2014, all programs for the preparation of principals shall meet the requirements set forth in this Part.
- e) Beginning September 1, 2012, institutions or not-for-profit entities may admit new candidates only to principal preparation programs that have been approved under this Part.

(Source: Amended at 36 Ill. Reg. 6819, effective April 23, 2012)

Section 30.45 Assessment of the Internship

- a) The principal preparation program shall rate each candidate's level of knowledge and abilities gained and dispositions demonstrated as a result of the candidate's participation in the internship required under Section 30.40 of this Part. The candidate shall demonstrate competencies listed in subsections (a)(1) through (4) of this Section by the completion during the course of the internship of the tasks specified.
- 1) The candidate conveys an understanding of how the school's mission and vision affect the work of the staff in enhancing student achievement. He or she understands and is able to perform activities related to data analysis and can use the results of that analysis to formulate a plan for improving teaching and learning. As evidence of meeting this competency, the candidate shall:
- A) review school-level data, including, but not limited to, State assessment results or, for nonpublic schools, other standardized assessment results; use of interventions; and identification of improvement based on those results;
- B) participate in a school improvement planning (SIP) process, including a presentation to the school community explaining the SIP and its relationship to the school's goals; and

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- C) present a plan for communicating the results of the SIP process and implementing the school improvement plan.
- 2) The candidate demonstrates a comprehensive understanding of the process used for hiring staff who will meet the learning needs of the students. The candidate presents knowledge and skills associated with clinical supervision and teacher evaluation, including strong communication, interpersonal and ethics skills. The candidate can apply [Learning Forward's](http://www.learningforward.org/standards/index.cfm) ~~the National Staff Development Council's~~ Standards for [Professional Learning \(2011\)](http://www.learningforward.org/standards/index.cfm) ~~Staff Development (2001)~~ posted at www.learningforward.org/standards/index.cfm ~~http://www.nsde.org/standards/index.cfm~~. No later amendments to or editions of these standards are incorporated by this Section. As evidence of meeting this competency, the candidate shall:
- A) create a job description, including development of interview questions and an assessment rubric, participate in interviews of candidates, make recommendations for hiring (i.e., rationale for action and supporting data), and prepare letters for candidates not selected;
- B) participate in a model evaluation of a teacher, to include at least notes, observations, student achievement data, and examples of interventions and support, as applicable, based on the evaluation results, with the understanding that no candidate will participate in the official evaluation process for any particular teacher; and
- C) create a professional development plan for the school to include the data used to develop the plan, the rationale for the activities chosen, options for participants, reasons why the plan will lead to higher student achievement, and a method for evaluating the effect of the professional development on staff.
- 3) The candidate demonstrates the ability to understand and manage personnel, resources and systems on a schoolwide basis to ensure adequacy and equity, including contributions of the learning environment to a culture of collaboration, trust, learning and high expectations; the impact of the budget and other resources on special-needs students, as well

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as the school as a whole; and management of various systems (e.g., curriculum, assessment, technology, discipline, attendance, transportation) in furthering the school's mission. As evidence of meeting this competency, the candidate shall:

- A) investigate two areas of the school's learning environment (i.e., professional learning community, school improvement process, professional development, teacher leadership, school leadership teams, cultural proficiency, curriculum, and school climate), to include showing connections among areas of the learning environment, identification of factors contributing to the environment's strengths and weaknesses, and recommendations for improvement of areas determined to be ineffective;
 - B) analyze the school's budget, to include a discussion of how resources are used and evaluated for adequacy and effectiveness; recommendations for improvement; and the impact of budget choices, particularly on low-income students, students with disabilities, and English language learners; and
 - C) review the mission statement for the school, to include an analysis of the relationship among systems that fulfill the school's mission, a description of two of these systems (i.e., curriculum, instruction, assessment, discipline, attendance, maintenance, and transportation) and creation of a rating tool for the systems, and recommendations for system improvement to be discussed with the school's principal.
- 4) The candidate demonstrates a thorough understanding of the requirements for, and development of, individualized education programs pursuant to 23 Ill. Adm. Code 226.Subpart C (The Individualized Education Program (IEP)), individual family service plans (IFSP) pursuant to 23 Ill. Adm. Code 226 and 34 CFR 300.24 (2006), and plans under Section 504 of the Rehabilitation Act of 1973 (29 USC 794), including the ability to disaggregate student data, as well as employ other methods for assisting teachers in addressing the curricular needs of students with disabilities. The candidate can work with school personnel to identify English language learners (ELLs) and administer the appropriate program and services, as specified under Article 14C of the School Code [105 ILCS

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5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) to address the curricular and academic needs of English language learners. As evidence of meeting this competency, the candidate shall:

- A) use student data to work collaboratively with teachers to modify curriculum and instructional strategies to meet the needs of each student, including ELLs and students with disabilities, and to incorporate the data into the School Improvement Plan;
- B) evaluate a school to ensure the use of a wide range of printed, visual, or auditory materials and online resources appropriate to the content areas and the reading needs and levels of each student (including ELLs, students with disabilities, and struggling and advanced readers);
- C) in conjunction with special education and bilingual education teachers, identify and select assessment strategies and devices that are nondiscriminatory to be used by the school, and take into consideration the impact of disabilities, methods of communication, cultural background, and primary language on measuring knowledge and performance of students leading to school improvement;
- D) work with teachers to develop a plan that focuses on the needs of the school to support services required to meet individualized instruction for students with special needs (i.e., students with IEPs, IFSPs, or Section 504 plans, ELLs, and students identified as gifted);
- E) proactively serve all students and their families with equity and honor and advocate on their behalf, ensuring an opportunity to learn and the well-being of each child in the classroom;
- F) analyze and use student information to design instruction that meets the diverse needs of students and leads to ongoing growth and development of all students; and
- G) recognize the individual needs of students and work with special education and bilingual education teachers to develop school

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support systems so that teachers can differentiate strategies, materials, pace, levels of complexity, and language to introduce concepts and principles so that they are meaningful to students at varying levels of development and to students with diverse learning needs.

- 5) A principal preparation program shall rate a candidate's demonstration of having achieved the competencies listed in this subsection (a)(1) through (3) as "meets the standards" or "does not meet the standards" in accordance with Section 30.Appendix A of this Part.
 - A) A candidate must achieve a "meets the standards" on each competency in order to successfully complete the internship.
 - B) A candidate who fails to achieve a "meets the standards" on any of the three areas of competency may repeat the tasks associated with the failed competency at the discretion of the principal preparation program.
- b) Each candidate shall participate in, and demonstrate mastery of, the 36 activities listed in Appendix 3 of the document referenced in Section 30.30(b)(3) of this Part. The principal preparation program shall implement a process to assess both the candidate's understanding of school practices that foster student achievement and his or her ability to provide effective leadership. The assessment process and any rubrics to be used shall be submitted as part of the program's application for approval under Section 30.80 of this Part.
 - 1) Programs shall ensure that each candidate demonstrates the participation level in 100 percent of the activities associated with the critical success factors described and defined in Section 30.30(b)(3) of this Part.
 - 2) The assessment shall at least determine at what point a candidate demonstrates leadership in conducting the activities. Each candidate must demonstrate leadership in at least 80 percent of the activities associated with the critical success factors described and defined in Section 30.30(b)(3) of this Part in order to successfully complete the internship.

(Source: Amended at 36 Ill. Reg. 6819, effective April 23, 2012)

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- 1) Heading of the Part: Early Childhood Block Grant
- 2) Code Citation: 23 Ill. Adm. Code 235
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
235.20	Amendment
235.30	Amendment
235.40	Amendment
235.50	Amendment
235.60	Amendment
235.70	Amendment
235.APPENDIX A	Amendment
235.APPENDIX B	Amendment
- 4) Statutory Authority: 105 ILCS 5/1C-2
- 5) Effective Date of Amendments: April 18, 2012
- 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: October 28, 2011; 35 Ill. Reg. 17365
- 10) Has JCAR issued a Statement of Objection to these amendments? Yes; see Section 235.20(c)(3).
- 11) Differences between proposal and final version: References to and criteria for the Tiered Quality Rating and Improvement System have been removed (see Table of Contents and Sections 235.20(c)(2)(B), 235.30(a) (subsection (7) removed), 235.45 (removed), 235.50(d) (removed), and 235.60(a) (subsections (2) and (3) removed)).

The implementation date for registration in the "Gateways to Opportunity" registry was moved from July 1, 2012, to September 1, 2012, in Section 235.20(c)(9)(E).

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The 0-3 developmental standards have been removed from the rulemaking (see Table of Contents and Sections 235.20(c)(3) and 235.Appendix C, Program Goal II).

Section 235.70(o) has been removed from the rulemaking.

- 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 rulemaking resulted from the State Board of Education's application for funding under the American Recovery and Reinvestment Act of 2009 (ARRA) to design and implement early learning and development systems that are comprehensive in scope and coordinated among the various state agencies charged with administering the programs. The State Board of Education served as the lead agency for the application. Agency staff worked with outside consultants, early childhood education advocates and staff from the Department of Human Services (DHS), Department of Children and Family Services (DCFS) and the Illinois Early Learning Council to prepare the application. Unfortunately, Illinois was not successful in this effort and did not receive the grant.

The lack of funding now available for the initiatives set forth in Part 235, coupled with the public comment received, have resulted in certain initiatives being removed from the rulemaking or their implementation dates being delayed.

Briefly, the amendments address several significant changes that relate to the core focus areas of the federal grant. In particular, efforts were made to coordinate the State Board's Preschool for All Children (PFA) and Prevention Initiative grant programs with those offered through or licensed by DHS or DCFS. In particular, the proposed amendments required any recipient of these grants to use the DHS' Tiered Quality Rating and Improvement System (a requirement that has since been removed from the rulemaking) and continue to require that grantees register certain staff in DHS' Gateways to Opportunity staff registry and credentialing system.

Additionally, a portion of the federal grant was to be used to continue the agency's efforts to develop and implement a kindergarten readiness tool to gauge a student's progress

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during the school year. Under the rules as proposed any school district that offers kindergarten (whether full or half day) would be required to administer the Kindergarten Individual Development Survey, or KIDS. While this requirement was placed in 23 Ill. Adm. Code 1 (to be adopted later this spring), Section 235.70(o) of early childhood rules had required that all school districts with PFA grants participate in the limited statewide implementation of KIDS in the 2013-14 school year.

Part 235 amendments include expansion of program standards to address initiatives serving children ages 3 to 5 (see Section 235.Appendix B). While developmental guidelines for infants and toddlers have been removed from the rules due to public comment, the existing learning and developmental standards for children ages 3 to 5 have been updated and now align to the recently adopted Illinois Learning Standards for English language arts and mathematics, commonly referred to as the common core standards.

Other changes in Part 235 include the following:

- requesting in Section 235.20(c)(4) that applicants provide information about other similar programs operating in the same service area, including the number of children estimated to be served, if that figure is known;
- setting in Section 235.30(a)(1)(C) minimum criteria for procedures used to assess the progress of children enrolled in a PFA program; and
- clarifying in Section 235.50(a)(1)(A) that consideration in the proposal review process will be given to applicants serving areas where the need for services exceeds the available resources, when that information is available to an applicant.

16) Information and questions regarding these adopted amendments shall be directed to:

Cindy Zumwalt, Division Administrator
Early Childhood Division
Illinois State Board of Education
100 North First Street, E-225
Springfield, Illinois 62777

217/524-4835

The full text of the Adopted 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 f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 235

EARLY CHILDHOOD BLOCK GRANT

SUBPART A: PRESCHOOL EDUCATION AND PREVENTION INITIATIVE PROGRAMS

Section

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

SUBPART B: PRESCHOOL FOR ALL CHILDREN PROGRAM

Section

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

SUBPART C: SOCIAL AND EMOTIONAL CONSULTATION SERVICES

Section

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

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- 235.APPENDIX A Illinois Early Learning and Development Standards – Children Age 3 to Kindergarten Enrollment Age
- 235.APPENDIX B Illinois Birth to Five-Three Program Standards

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

SOURCE: Adopted at 16 Ill. Reg. 10181, effective June 10, 1992; expedited correction at 16 Ill. Reg. 15186, effective June 10, 1992; amended at 26 Ill. Reg. 903, effective January 15, 2002; old Part repealed at 30 Ill. Reg. 4618 and new Part adopted at 30 Ill. Reg. 4620, effective February 28, 2006; emergency amendment adopted at 30 Ill. Reg. 11793, effective June 26, 2006, for a maximum of 150 days; emergency expired November 22, 2006; amended at 30 Ill. Reg. 19383, effective November 28, 2006; amended at 32 Ill. Reg. 13357, effective July 25, 2008; amended at 33 Ill. Reg. 4027, effective February 23, 2009; amended at 34 Ill. Reg. 11615, effective July 26, 2010; amended at 35 Ill. Reg. 3742, effective February 17, 2011; amended at 36 Ill. Reg. 6827, effective April 18, 2012.

SUBPART A: PRESCHOOL EDUCATION AND
PREVENTION INITIATIVE PROGRAMS

Section 235.20 Application Procedure and Content for New or Expanding Programs

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

- a) Grants for new or expanded programs shall be offered in years in which the level of available funding is such that one or more new or expanded programs can be supported, along with those currently funded programs that seek continuation funding in accordance with Section 235.60 of this Part.
- b) When sufficient funding is available, the State Superintendent of Education shall issue one or more Requests for Proposals (RFP) specifying the information that applicants shall include in their proposals, informing applicants of any bidders' conferences, and requiring that proposals be submitted no later than the date

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specified in the RFP. The RFP shall provide at least 45 calendar days in which to submit proposals.

- c) All proposals submitted in response to an RFP shall include the following components:
- 1) A cover page completed on a form supplied by the State Board of Education and signed by the school district superintendent or official authorized to submit the proposal or, in the case of a joint application, by the superintendent from each of the school districts and each authorized official of other eligible entities participating in the joint proposal.
 - 2) For applicants other than public school districts, a description that includes the following:
 - A) the applicant's mission statement, organizational structure, and goals or policies regarding early childhood programs;
 - B) the applicant's existing competencies to provide early childhood education programs, to include a list of any early childhood accreditations that have been achieved; and
 - C) in the case of a joint application, the goals and objectives of the collaboration and a brief description of each partner's experience in providing services similar to those to be provided under the Early Childhood Block Grant program.
 - 3) A description of how the comprehensive services to be provided are aligned with:
 - A) the applicable Illinois Early Learning and Development Standards, as set forth in Appendix A of this Part;
 - B) the Illinois Birth to Five Program Standards as set forth in Appendix B of this Part; and
 - C) for proposed preschool education programs that will serve English language learners, the "English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade

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12" (2007), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at <http://www.wida.us/standards/elp.aspx>. No later amendments to or editions of these standards are incorporated by this Section.

- ~~4)3)~~ A description of the need for the program, which shall include:
- A) current demographic or descriptive information regarding the community in which the families and children reside (including information on the prevalence of homelessness); and
 - B) the process that was used to determine the need for the program in the community in relation to other similar services that may be operating in the same geographic area; this description must list, to the extent known, the other services offered and an estimate of the number of children being served.
- ~~5)4)~~ A description of the population to be served, as defined in Section 235.10(a) of this Part, for each program to be funded under the Early Childhood Block Grant. This description shall include:
- A) how the eligible population will be recruited;
 - B) the geographic area to be served; and
 - C) the estimated number of children and/or families to be enrolled.
- ~~6)5)~~ A description of the procedures to be used to screen children and their families to determine their need for services. Results of the screening shall be made available to the program staff and parents of the children screened. All screening procedures shall include:
- A) research-based criteria to determine at what point performance on the screening instrument indicates that children are at risk of academic failure as well as to assess other environmental, economic and demographic information that indicates a likelihood that the children would be at risk;
 - B) screening instruments/activities that are:

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- i) related to and able to measure the child's development in at least the following areas (as appropriate for the age of the child): vocabulary, visual-motor integration, language and speech development, English proficiency, fine and gross motor skills, social skills and cognitive development; and
 - ii) formally validated with evidence that the instruments/activities reliably and accurately detect children who are at risk for developmental delays and do not incorrectly identify children disproportionately as being at risk of academic failure;
 - C) written parental permission for the screening;
 - D) parent interview (to be conducted in the parents' home language, if necessary), including at least the following:
 - i) for preschool education programs, a summary of the child's health history and social development; or
 - ii) for prevention initiative programs, information about the parents, such as age, educational achievement and employment history;
 - E) vision and hearing screening, in accordance with 77 Ill. Adm. Code 685 (Vision Screening) and 675 (Hearing Screening); and
 - F) where practicable, provision for the inclusion of program teaching staff in the screening process.
- 7)6) A description of the parent education and involvement component that will be provided, which shall include activities in each of the following areas:
- A) communication between the home and the preschool education program that is regular, two-way and meaningful;
 - B) parenting skills are promoted and supported;

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- C) recognition that parents play an integral role in assisting student learning;
- D) parents are welcome in the program, and their support and involvement are sought; and
- E) parents are full partners in the decisions that affect children and families.

~~8)7)~~ A description of how the program will coordinate with other programs, as specified in the RFP, that are in operation in the same area and that are concerned with the education, welfare, health and safety needs of young children. A copy of the written agreement between the program and any Head Start program operating in the same area shall be executed by the date and contain the information specified in Section 2-3.71(a)(4.5) of the School Code. If the Head Start program is either unable or unwilling to enter into a written agreement, the program shall notify the State Board of Education of this fact no later than December 31 of each fiscal year.

~~9)8)~~ A description of the full-time and part-time professional and nonprofessional staff to be paid by the program, indicating that program administrators, early childhood teachers, counselors, psychologists, psychiatrists and social workers are appropriately qualified.

- A) Teachers of children ages 3 to 5 years must hold an initial, initial alternative, standard, master, provisional, provisional alternative, resident teacher, or visiting international teacher early childhood certificate. (See Section 2-3.71(a)(3) of the School Code and 23 Ill. Adm. Code 1.Appendix A.)
- B) By July 1, 2014, noncertificated staff employed to assist in instruction provided to children ages 3 to 5 years shall meet the requirements set forth in 23 Ill. Adm. Code 25.510(c).
- C) Teachers of children ages 3 to 5 years who are assigned to a transitional bilingual program or a transitional program of instruction that is administered by a school district, either in an attendance center or a non-school-based facility, shall meet the

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requirements set forth in 23 Ill. Adm. Code 228.35 (Transitional Bilingual Education), as applicable.

- D) By July 1, 2017, directors of child care centers offering preschool programs funded under Section 2-3.71 of the School Code and this Part shall have a minimum of a baccalaureate degree in child development or early childhood education or the equivalent and a Gateways to Opportunity Level II Illinois Director Credential issued pursuant to Section 10-70 of the Department of Human Services Act [20 ILCS 1305/10-70] (see <http://ilgateways.com/en/illinois-director-credential>). As used in this subsection (c)(9)(D), equivalent to baccalaureate degree in child development or early childhood education is defined as a baccalaureate in any discipline with a minimum of 24 semester hours of credit in child development, early childhood education, or early childhood special education, including relevant field experience.
- E) Beginning September 1, 2012, an applicant must submit an assurance that each staff member who will provide services to children enrolled in an early childhood classroom funded under this Part and who does not hold a certificate or approval issued by the State Board of Education pursuant to Article 21 of the School Code [105 ILCS 5/Art. 21] and 23 Ill. Adm. Code 25 (Certification) has registered in the Illinois Department of Human Services' "Gateways to Opportunity" registry (see <http://registry.ilgateways.com>).
- 10)9) A description of staff development assessment procedures and ongoing professional development activities to be conducted.
- 11)40) A description of the required program components, as set forth in either Section 235.30 or 235.40 of this Part.
- 12)44) Other information, as specified in the RFP, such as daily schedules (including the number of hours per day and days per week the program will operate), classroom locations, facility information (e.g., owner's name, terms of lease arrangement, size of classrooms and other areas to be used by the program), if applicable.

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- ~~13)12)~~ The plan for ensuring that the program provides either a snack, in the case of a half-day program, or a meal, in the case of a full-day program, for participating children.
- ~~14)13)~~ A budget summary and payment schedule, as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure. The budget shall specify that no more than 5 percent of the total grant award shall be used for administrative and general expenses not directly attributed to program activities, except that a higher limit not to exceed 10 percent may be negotiated with an applicant that has provided evidence that the excess administrative expenses are beyond its control and that it has exhausted all available and reasonable remedies to comply with the limitation.
- ~~15)14)~~ A description of how the applicant will ensure that no fees will be charged of parents or guardians and their children who are enrolled and participate in Early Childhood Block Grant programs.
- ~~16)15)~~ A plan for evaluating the proposed programs and activities to be included in the Early Childhood Block Grant, which shall correspond to the applicable specifications set forth in the RFP.
- ~~17)16)~~ Such certifications, assurances and program-specific terms of the grant as the State Superintendent of Education may require, to be signed by each applicant that is a party to the application and submitted with the proposal. (Also see Section 235.70 of this Part.)

- d) Applicants may be requested to clarify various aspects of their proposals. The contents of the approved proposal shall be incorporated into a grant agreement to be signed by the State Superintendent of Education or designee and the school district superintendent or, in the case of an entity that is not the school district, the person legally authorized to submit the proposal and bind the applicant to its contents.

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

Section 235.30 Additional Program Components for Preschool Education Proposals

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- a) In addition to the requirements set forth in Section 235.20, applications for funding for preschool education programs and activities, as defined in Section 235.10(a)(1) of this Part, must provide:
- ~~1)~~ ~~a description of how the comprehensive services to be provided are aligned with the Illinois Early Learning Standards as set forth in Appendix A of this Part;~~
 - ~~1)2)~~ a description of how the proposed educational program is developmentally appropriate for each child, which shall:
 - A) be accepted based upon evidence in the proposal that the results of the individualized assessment profile for each child will be the basis for determining that child's educational program;
 - B) address the domains of development specified in Section ~~235.20(c)(6)235.20(e)(5)(B)~~ and how a language and literacy development program shall be implemented for each child based on that child's individual assessment; and
 - C) address how student progress will be assessed and documented to ensure that the educational program meets the needs of the student and provides a system whereby that student's parents are routinely advised of their child's progress; beginning July 1, 2013, the procedures to assess student progress shall be formally validated with evidence that the procedures reliably and accurately assess a child's progress relative to his or her individual needs and the standards set forth in Section 235. Appendix A of this Part.
 - ~~2)3)~~ the maximum number of children to be screened for program eligibility and, for those children that are screened, the maximum to be served by the educational program. The maximum number must be served in each classroom if, following completion of screening, the program has a waiting list of eligible children;
 - ~~3)4)~~ the child/staff ratio for each classroom, which shall not exceed a ratio of 10 children to one adult, with no more than 20 children being served in each classroom;

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- ~~4)5)~~ a description of how the program will ensure that those children who are age-eligible for kindergarten are enrolled in school upon leaving the preschool education program;
- ~~5)6)~~ for school district applicants, a description of the steps to be taken to ensure that the provisions of Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) are met; and
- ~~6)7)~~ a description of the provisions to be made to allow for the participation of children with disabilities in the program.
- b) Each applicant also shall describe whether the program qualifies as a program serving primarily at-risk children or a program serving primarily children whose families meet the income guidelines set forth in Section 2-3.71(a)(4.5) of the School Code.
- 1) A program serving "primarily at-risk children" is one that:
- A) has 80 percent or more of the enrolled children identified as being at risk of academic failure (see Sections 235.10(a)(3) and ~~235.20(c)(6)235.20(e)(5)~~ of this Part);
- B) gives priority for enrollment to academically at-risk students over those students who have not been identified as academically at risk; and
- C) has taken specific proactive measures to ensure that parents of children who may be at risk of academic failure are aware of the opportunity to enroll in the preschool education program.
- 2) A program serving "primarily children whose families meet income guidelines" is one that has 80 percent or more of the enrolled children from families meeting the income guidelines and does not qualify under subsection (b)(1) of this Section as serving primarily academically at-risk children.

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- 3) Each applicant shall estimate the percentage of children to be enrolled who are considered to be at risk of academic failure or whose families meet income guidelines, as applicable.
- c) Programs serving primarily at-risk children shall describe:
 - 1) the process to ensure that, if the program has a waiting list of children to be enrolled, all children identified as being at risk of academic failure are enrolled before other children not identified as being at risk; and
 - 2) the specific proactive measures the program has taken or will take to ensure that parents of children who may be at risk of academic failure are made aware of the opportunity to participate in the preschool education program.

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

Section 235.40 Additional Program Components for Prevention Initiative Proposals

In addition to the requirements set forth in Section 235.20, applications for funding for prevention initiative programs and activities, as defined in Section 235.10(a)(2) of this Part, must provide:

- a) evidence that the program is derived from research on successful prevention services for at-risk families, including specific references to research that discusses the types of services and strategies to be offered by the program as effective in addressing the needs of the families to be served;
- ~~b) a description of how the comprehensive services to be provided are aligned with the Illinois Birth to Three Program Standards set forth in Appendix B of this Part;~~
- ~~b)e)~~ the steps to be taken to ensure that the program will serve those children and families most in need of prevention initiative activities and services;
- ~~c)d)~~ the steps to be taken to coordinate services in the area, including a description of how the community will be involved and how case management services will be used;

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- d)e) a description of how services will be targeted to family needs, to include how a family needs assessment will be conducted and used to implement an individual family service plan for each family served in the program;
- e)f) a description of the intensity of services that will be offered (e.g., the number of hours that are available for families to participate in activities and services);
- f)g) the steps to be taken to encourage families to attend regularly and remain in the program a sufficient time to make sustainable changes; and
- g)h) a referral system that ensures that to place 3-year-old children are placed into other early childhood education programs that meet their specific developmental needs and the services to be provided to ensure a successful transition into those other programs.

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

Section 235.50 Proposal Review and Approval for New or Expanding Programs

- a) Proposals submitted for funding to establish a new program or expand an existing program shall be evaluated in accordance with the following criteria.
 - 1) Population to be Served (30 points)
 - A) The proposal clearly indicates that the area to be served has a high number of children and families determined to be the most in need of the services provided by the Early Childhood Block Grant program, as indicated by high levels of poverty, illiteracy, unemployment, limited-English proficiency, or other need-related indicators, such as the school district's rate of dropouts, retention, truancy, teenage pregnancies and homeless students, high rates of infant mortality, birth trauma, low birth weight or prematurity, and high rates of child abuse and neglect, and that there exists in the area to be served an insufficient number of other programs and services to fully serve all children and families who potentially could be at risk.
 - B) Criteria and indicators for identifying children and families who are eligible for the program are clearly established and likely to target those children and families most in need of services.

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- C) Effective recruitment strategies are proposed that are likely to ensure that the maximum number of eligible children and families are enrolled in the program.
- 2) Quality of Proposed Program (40 points)
- A) The proposed program and activities will sufficiently meet the identified needs of the population to be served and include child and parent activities designed to enhance child development and parent effectiveness and, ultimately, school readiness.
 - B) The program proposal provides for effective linkages among parents, education, health and social service agencies, and child care providers and includes a plan for coordination of services with other educational programs serving young children and their families.
 - C) The proposed program is built upon effective research about early childhood education and aligned to the applicable Illinois early learning standards (see Appendices A and B of this Part).
 - D) The evaluation strategies include measurable outcomes for children and families that are designed to effectively gauge the success of the program and yield sufficient data that can be used to improve the program.
- 3) Experience and Qualifications (20 points)
- A) Proposed staff hold the appropriate certifications and/or licenses for their positions and have the qualifications and experience necessary to successfully implement a high-quality early childhood program.
 - B) The staff development plan adequately addresses the needs of the project staff, offers a varied and full range of staff development experiences and provides sufficient opportunities for learning so as to allow staff to incorporate the training into program delivery activities.

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- C) In addition, an eligible applicant other than a school district has presented evidence that it:
- i) holds the appropriate licensure to operate as a day care facility;
 - ii) holds early childhood accreditations or has other relevant experience that demonstrates success in implementing and administering programs similar to the ones funded under the Early Childhood Block Grant Program; and
 - iii) has a successful track record with similar grants or contracts.
- 4) The program is cost-effective as evidenced by the cost of proposed services in relation to the numbers to be served and the services to be provided. (10 points)
- b) The selection of proposals for funding may be based in part on geographic distribution and/or the need to provide resources to school districts and communities with varying demographic characteristics.
- c) Priority consideration may be given to proposals with specific areas of emphasis, as identified by the State Superintendent of Education in a particular RFP.
- d) The State Superintendent of Education shall determine the amount of individual grant awards. The final award amounts shall be based upon:
- 1) the total amount of funds available for the Early Childhood Block Grant; and
 - 2) the resources requested in the top-ranked proposals, as identified pursuant to subsections (a), (b) and (c) of this Section.

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

Section 235.60 Application Content and Approval for Continuation Programs

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The requirements of this Section shall apply to those applicants seeking funding to continue preschool education and prevention initiative programs beyond the initial grant period.

- a) In order to continue to operate an Early Childhood Block Grant Program, a grantee each year shall electronically submit an application for continuation. The application shall include at least the following:
 - 1) an overview of the program, addressing the program components outlined in Section 235.20 of this Part and either Section 235.30 or Section 235.40 of this Part, as applicable for preschool education or prevention initiative programs;
 - 2) budget summary and payment schedule, as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure; and
 - 3) the certifications and assurances referred to in Section ~~235.20(c)(17)~~235.20(e)(16) of this Part applicable to the renewal period.
- b) An Early Childhood Education Block Grant Program shall be approved for continuation provided that:
 - 1) a need continues to exist for the program, as evidenced by the number or proportion of children and families to be served;
 - 2) the program components proposed will be effective in assisting at-risk children and families;
 - 3) the proposed budget is cost-effective, as evidenced by the cost of proposed services in relation to the numbers to be served and the services to be provided; and
 - 4) in the year previous to the continuation application, the applicant complied with the terms and conditions of any grant it received pursuant to this Subpart A.

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

Section 235.70 Terms of the Grant

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- a) Expenditure reports must be filed electronically with the Division of Funding and Disbursements four times a year.
- b) Each grantee shall submit evaluation information and other reports containing program-related data in a format specified on forms provided by the State Board of Education, providing specifying:
 - 1) descriptive statistics on the population served, eligibility, screening procedures and staff qualifications and training, including any social and emotional consultation services provided pursuant to Subpart C of this Part;
 - 2) descriptive information, including type and quality of the educational program, amount and extent of interagency collaboration, and parent education and involvement;
 - 3) the extent to which program objectives have been accomplished; and
 - 4) any similar program-related information that the State Superintendent of Education may request upon 30 days' written notice.
- c) An annual program review shall be conducted for each new project to ensure program quality, to assist in program improvement and to provide technical assistance.
- d) All equipment purchased by the grantee for the program with Early Childhood Block Grant funds must be documented on a form supplied by the State Board of Education and be maintained in the grantee's files.
- e) A time distribution worksheet shall be kept for any staff member in a part-time position.
- f) Grantees shall use funds provided under the Early Childhood Block Grant *to supplement, not supplant, funds received from any other source.* (Sections 2-3.71 and 2-3.89 of the School Code)
- g) Grant funds may not be used to provide religious instruction, conduct worship services, or engage in any form of proselytization.

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- h) Prior to final funding approval, each grantee shall:
- 1) present evidence that ~~staff~~ ~~all teachers providing instruction~~ meet the requirements of Section ~~235.20(c)(9)~~ ~~235.20(e)(8)(A) and (e)(8)(C)~~ of this Part, as applicable, and
 - 2) if subject to licensure requirements of the Illinois Department of Children and Family Services (DCFS), present evidence that it holds the appropriate licensure (also see Section 235.10(b) of this Part).
- i) ~~Reporting:—~~All preschool education program grantees must report the following to the Illinois State Board of Education no later than October 15 of each year. ~~Other reports shall be submitted in a format specified by and according to the timeline set forth by the State Superintendent of Education.~~
- 1) The percentage of children enrolled in the program who have been identified as being at risk of academic failure.
 - 2) The percentage of children enrolled in the program who are from families whose incomes are less than four times the federal poverty level (FPL), established by U.S. Department of Health and Human Services.
 - 3) The percentage of children enrolled in the program who do not qualify under either category.
- j) Each grantee shall enter information and other data relative to the students participating in the preschool education program into the Student Information System in accordance with the provisions of 23 Ill. Adm. Code 1.75 (Student Information System).
- k) Failure of a grantee to enroll the required percentage of children (80 percent) in the particular prioritization category for which the proposal was funded (i.e., at-risk status or income levels) shall result in the amount of grant award being reduced proportionate to the decrease in percentage of children enrolled.
- l) School district grantees with programs serving homeless children must comply with all applicable provisions of the federal McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.). Non-school district grantees should, to the extent possible, ensure that homeless children enrolled in their programs

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receive the support necessary for successful and continued participation, including, without limitation, arranging for appropriate transportation when necessary.

- m) No funds may be used to help support or sustain any institution controlled by any church or sectarian denomination (see Article X, Section 3 of the Illinois Constitution).

- n) Each grantee that operates a program in a facility licensed by DCFS shall require all employees and volunteers who are persons subject to background checks, as defined by 89 Ill. Adm. Code 385.20 (Definitions), to authorize DCFS to perform a Child Abuse and Neglect Tracking System (CANTS) background check. The grantee shall maintain evidence of completion of required CANTS checks for all persons subject to background checks and copies of the evidence of completion shall be provided to the administrator of the DCFS-~~licensed~~license facility. The requirement applies to any paid or unpaid individual, including any certified teacher employed by a school district or other entity but working in the facility, who is used to perform essential staff duties as evidenced by being counted in the staff-child ratio or being allowed to be alone with children in a licensed child care

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

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**Section 235.APPENDIX A Illinois Early Learning and Development Standards –
Children Age 3 to Kindergarten Enrollment Age**

The Illinois Early Learning and Development Standards for children ages 3 to kindergarten enrollment as defined in Section 10-20.12 of the School Code~~3– and 4 year olds~~ are broad statements that provide teachers and caregivers useful information that is directly needed as part of their daily classroom work. The standards are organized to parallel content in the Illinois State Goals for Learning (see 23 Ill. Adm. Code 1.Appendix D).

LANGUAGE ARTSState Goal 1: Acquire foundational early literacy and language skills.Standards:

Develop an appreciation for language and literacy activities.

Develop basic language skills.

Understand that language is used in a variety of ways to communicate.

State Goal 2: Develop age-appropriate early literacy reading skills and concepts.Standards:

Demonstrate comprehension of text that is read aloud or seen in print.

Identify elements pertaining to the craft and structure of types of text.

Demonstrate understanding of text organization and basic features of print.

Demonstrate beginning letter and word recognition.

Demonstrate beginning phonological awareness.

State Goal 3: Develop early writing skills and concepts.

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Standards:

Use writing to represent ideas and information.

Compose information to convey meaning.

Recognize multiple purposes and types of writing.

Explore writing and conveying ideas using digital tools.

State Goal 4: Comprehend the language of others.

Standards:

Demonstrate understanding through age-appropriate responses.

Understand language and information presented in a variety of ways.

State Goal 5: Use language, including body language, for expression.

Standards:

Communicate effectively using language appropriate to the situation and audience.

Demonstrate increasingly complex and varied use of language.

MATHEMATICS

State Goal 6: Demonstrate and apply a knowledge and sense of numbers, including numeration and operations.

Standards:

Demonstrate beginning understanding of numbers, number names and numerals.

Begin to construct sets, add and subtract to create new numbers.

Begin to make reasonable estimates of numbers.

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Compare quantities using appropriate vocabulary terms.

State Goal 7: Explore measurement of objects and quantities.

Standards:

Measure and compare objects and quantities using standard and non-standard instruments and methods.

Begin to make estimates of measurements.

Explore tools used for measurement.

State Goal 8: Identify and describe common attributes, patterns and relationships in objects.

Standards:

Explore objects and patterns.

Describe and document patterns using symbols.

State Goal 9: Explore concepts of geometry and spatial relations.

Standards:

Recognize, name and replicate common shapes.

Demonstrate an understanding of location and ordinal position, using appropriate vocabulary.

SCIENCE

State Goal 10: Begin to make predictions and collect and analyze data information.

Standards:

Organize and describe data and information.

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Gather information to answer questions.

State Goal 11: Demonstrate curiosity about the world, and engage in scientific inquiry to answer questions.

Standards:

Develop skills to observe, collect information, ask questions, predict, explain and draw conclusions.

Use tools and technology to assist in scientific inquiry.

State Goal 12: Explore concepts and information about life, physical and earth sciences.

Standards:

Understand that living things grow and change.

Understand that living things rely on the environment and/or others to live and grow.

Explore the physical properties of objects.

Explore concepts of force and motion.

Explore concepts and information related to the Earth, including ways to take care of our planet.

Explore changes related to the weather and seasons.

State Goal 13: Understand basic safety rules for scientific inquiry.

Standard:

Understand rules to follow when investigating and exploring.

SOCIAL STUDIES

State Goal 14: Understand some concepts related to citizenship.

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Standards:

Understand what it means to be a member of a group and community.

Understand ways groups make choices and decisions.

Understand the role that individuals can play in a group or community.

State Goal 15: Explore economic systems and human interdependence.

Standards:

Explore roles in the economic system and workforce.

Explore issues of limited resources in the classroom and world.

Explore concepts about trade as an exchange of goods or services.

State Goal 16: Develop an awareness of the self and his or her uniqueness and individuality.

Standard:

Explore his or her self and history.

State Goal 17: Explore geography, the child's environment, and where people live, work and play.

Standard:

Explore environments and where people live.

State Goal 18: Explore people and families.

Standards:

Explore people, their similarities and their differences.

Develop an awareness of self within the context of family.

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PHYSICAL DEVELOPMENT AND HEALTH

State Goal 19: Acquire movement skills and understand concepts needed to explore the environment, support learning and engage in health-enhancing physical activity.

Standards:

Demonstrate physical competency and control of large and small muscles.

Demonstrate awareness and coordination of body movements.

Demonstrate knowledge of rules and safety during physical activity.

State Goal 20: Develop habits for life-long fitness.

Standard:

Achieve and maintain a health-enhancing level of physical fitness.

State Goal 21: Develop team-building skills by working with others through physical activity.

Standards:

Demonstrate individual responsibility during group physical activities.

Demonstrate cooperative skills during structured group physical activity.

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

Standard:

Explain the basic principles of health promotion, illness prevention, treatment and safety.

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

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Standards:

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

Identify ways to keep the body healthy.

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

Standard:

Demonstrate skills essential to enhancing health and avoiding dangerous situations.

THE ARTS

State Goal 25: Gain exposure to and explore the arts.

Standards:

Investigate, explore and participate in the arts.

Display an awareness of some distinct characteristics of the arts.

State Goal 26: Understand that the arts can be used to communicate ideas and emotions.

Standard:

Understand ways to express meaning through the arts.

SOCIAL/EMOTIONAL DEVELOPMENT

State Goal 27: Develop self-awareness and self-management skills to achieve school and life success and develop positive relationships with others.

Standards:

Identify and manage one's emotions and behavior.

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Recognize one's own uniqueness and personal qualities.

Demonstrate skills related to successful personal and school outcomes.

State Goal 28: Use social-awareness and interpersonal skills to establish and maintain positive relationships.

Standards:

Develop positive relationships with peers and adults.

Recognize and appreciate individual and group similarities and differences.

Use communication and social skills to interact effectively with others.

Demonstrate an ability to prevent, manage and resolve interpersonal conflicts in constructive ways.

State Goal 29: Demonstrate decision-making skills and responsible behaviors in personal, school and community contexts.

Standards:

Begin to consider ethical, safety and societal factors in making decisions.

Apply decision-making skills to deal responsibly with daily academic and social situations.

Contribute to the well-being of one's school and community.

ENGLISH LANGUAGE LEARNER HOME LANGUAGE

State Goal 30: Use the home language to communicate within and beyond the classroom setting.

Standard:

Use the home language for use for a variety of social and academic purposes.

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State Goal 31: Use the home language to make connections and reinforce knowledge and skills across academic, vocational and technical disciplines.

Standard:

Use the home language in order to attain benchmarks across the learning areas and to build upon and develop transferable language and literacy skills.

Language ArtsStandards:

~~Understand that pictures and symbols have meaning and that print carries a message.~~

~~Understand that reading progresses from left to right and top to bottom.~~

~~Identify labels and signs in the environment.~~

~~Identify some letters, including those in own name.~~

~~Make some letter-sound matches.~~

~~Predict what will happen next using pictures and content for guides.~~

~~Begin to develop phonological awareness by participating in rhyming activities.~~

~~Recognize separable and repeating sounds in spoken language.~~

~~Retell information from a story.~~

~~Respond to simple questions about reading material.~~

~~Demonstrate understanding of literal meaning of stories by making comments.~~

~~Understand that different text forms, such as magazines, notes, lists, letters, and story books, are used for different purposes.~~

~~Show independent interest in reading-related activities.~~

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~~Use scribbles, approximations of letters, or known letters to represent written language.~~

~~Dictate stories and experiences.~~

~~Use drawing and writing skills to convey meaning and information.~~

~~Listen with understanding and respond to directions and conversations.~~

~~Speak effectively using language appropriate to the situation and audience.~~

~~Communicate needs, ideas and thoughts.~~

~~Seek answers to questions through active exploration.~~

~~Relate prior knowledge to new information.~~

~~Communicate information with others.~~

Mathematics**Standards:**

~~Use concepts that include number recognition, counting and one to one correspondence.~~

~~Count with understanding and recognize "how many" in sets of objects.~~

~~Solve simple mathematical problems.~~

~~Explore quantity and number.~~

~~Connect numbers to quantities they represent using physical models and representations.~~

~~Make comparisons of quantities.~~

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~~Demonstrate a beginning understanding of measurement using non-standard units and measurement words.~~

~~Construct a sense of time through participation in daily activities.~~

~~Show understanding of and use comparative words.~~

~~Incorporate estimating and measuring activities into play.~~

~~Sort and classify objects by a variety of properties.~~

~~Recognize, duplicate and extend simple patterns, such as sequences of sounds, shapes and colors.~~

~~Begin to order objects in series or rows.~~

~~Participate in situations that involve addition and subtraction using manipulatives.~~

~~Describe qualitative change, such as measuring to see who is growing taller.~~

~~Recognize geometric shapes and structures in the environment.~~

~~Find and name locations with simple words, such as "near".~~

~~Represent data using concrete objects, pictures, and graphs.~~

~~Gather data about themselves and their surroundings.~~

Science

Standards:

~~Use senses to explore and observe materials and natural phenomena.~~

~~Collect, describe and record information.~~

~~Use scientific tools such as thermometers, balance scales and magnifying glasses for investigation.~~

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~~Become familiar with the use of devices incorporating technology.~~

~~Investigate and categorize living things in the environment.~~

~~Show an awareness of changes that occur in themselves and their environment.~~

~~Describe and compare basic needs of living things.~~

~~Make comparisons among objects that have been observed.~~

~~Describe the effects of forces in nature (e.g., wind, gravity and magnetism).~~

~~Use common weather-related vocabulary (e.g., rainy, snowy, sunny, windy).~~

~~Identify basic concepts associated with night/day and seasons.~~

~~Begin to understand basic safety practices.~~

~~Express wonder and ask questions about their world.~~

~~Begin to be aware of technology and how it affects their lives.~~

Social Science**Standards:**

~~Recognize the reasons for rules.~~

~~Participate in voting as a way of making choices.~~

~~Develop an awareness of roles of leaders in their environment.~~

~~Identify community workers and the services they provide.~~

~~Begin to understand the use of trade to obtain goods and services.~~

~~Recall information about the immediate past.~~

~~Locate objects and places in familiar environments.~~

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~~Express beginning geographic thinking.~~

~~Recognize similarities and differences in people.~~

~~Understand that each of us belongs to a family and recognize that families vary.~~

Physical Development and Health**Standards:**

~~Engage in active play using gross motor skills.~~

~~Engage in active play using fine motor skills.~~

~~Coordinate movements to perform complex tasks.~~

~~Follow simple safety rules while participating in activities.~~

~~Participate in developmental activities related to physical fitness.~~

~~Exhibit increased endurance.~~

~~Follow rules and procedures when participating in group physical activities.~~

~~Demonstrate ability to cooperate with others during group physical activities.~~

~~Participate in simple practices that promote healthy living and prevent illness.~~

~~Identify body parts and their functions.~~

~~Act independently in caring for personal hygiene needs.~~

~~Use appropriate communication skills when expressing needs, wants and feelings.~~

~~Use socially acceptable ways to resolve conflict.~~

~~Participate in activities to learn to avoid dangerous situations.~~

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Fine Arts**Standards:**

~~Investigate the elements of dance, drama, music and the visual arts.~~

~~Describe or respond to their own creative work or the creative work of others.~~

~~Participate in dance, drama, music and visual arts activities.~~

~~Use creative arts as an avenue for self-expression.~~

Foreign Languages**Standards:**

~~Maintain the native language for use in a variety of purposes.~~

~~Use and maintain the native language in order to build upon and develop transferable language and literacy skills.~~

Social/Emotional Development**Standards:**

~~Describe self by using several basic characteristics.~~

~~Exhibit eagerness and curiosity as a learner.~~

~~Exhibit persistence and creativity in seeking solutions to problems.~~

~~Show some initiative and independence in actions.~~

~~Use appropriate communication skills when expressing needs, wants and feelings.~~

~~Begin to understand and follow rules.~~

~~Manage transitions and begin to adapt to change in routines.~~

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~~Show empathy and caring for others.~~

~~Use the classroom environment purposefully and respectfully.~~

~~Engage in cooperative group play.~~

~~Begin to share materials and experiences and take turns.~~

~~Respect the rights of self and others.~~

~~Develop relationships with children and adults.~~

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

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Section 235.APPENDIX B Illinois Birth to ~~Five~~Three Program Standards

The Illinois Birth to ~~Five~~Three Program Standards are broad statements that reflect current knowledge, research findings and shared beliefs about high-quality, developmentally appropriate early childhood care and education in the context of programs for infants, ~~and~~ toddlers, preschoolers and their families.

Program Goal I: Organization

Standards:

All birth to fivethree programs must have a mission, vision or purpose statement based on shared beliefs and goals.

Scheduling practices and intensity of services are tailored to the goals of the program and to the individual strengths and needs of children birth to fivethree and their families.

The strengths and needs of the children and families, as well as research on best practice, determine the ratio of participants to staff and the size of program groups.

The program meets the needs of children and families of varying abilities, as well as diverse cultural, linguistic, and economic backgrounds.

The physical environment of the program is safe, healthy, and appropriate for children's development and family involvement.

The administration promotes and practices informed leadership and supervision.

The administration participates in and encourages ongoing staff development, training, and supervision.

All birth to fivethree programs must follow mandated reporting laws for child abuse and neglect and have a written policy statement addressing staff responsibilities and procedures regarding implementation.

The program budget is developed to support quality program service delivery.

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The program implements effective systems for recording and managing information about the program, its staff, its participants, and learning and developmental outcomes and uses this information to engage in continuous improvement.

Program Goal II: Curriculum and Service Provision

Standards:

The curriculum reflects the centrality of adult/child interactions in the development of infants, ~~and~~ toddlers and preschoolers.

The curriculum is aligned to the Illinois Early Learning and Development Standards for preschoolers and supports children's cognitive, language, social, emotional and physical development and the development of positive approaches to learning.

~~The curriculum reflects the holistic and dynamic nature of child development.~~

The ~~programeurriculum~~ prioritizes family involvement while respecting individual parental choices.

The ~~programeurriculum~~ supports and demonstrates respect for the families' unique abilities, as well as for their ethnic, cultural, and linguistic diversity.

The ~~programeurriculum~~ promotes a framework that is nurturing, predictable, and consistent, yet flexible.

The program supports children's healthy physical development.

Program Goal III: Developmental Monitoring and Program Accountability

Standards:

The program staff regularly conducts a developmental screening with an appropriate standardized tool for the purposes of identifying children with developmental delays or disabilities~~monitors children's development~~.

The program incorporates appropriate formative assessments of children, which

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are aligned with the curriculum, for the purposes of monitoring individual child development and individualization of the program and/or curriculum.

Leadership conducts regular and systematic evaluation of the program and staff to assure that the philosophy is reflected and goals of the program are being fulfilled.

Program Goal IV: Personnel

Standards:

The program leadership is knowledgeable about child development and best practice for quality birth to five~~three~~ programs.

The program leadership is effective in explaining, organizing, implementing, supervising, and evaluating birth to five~~three~~ programs.

The program leadership hires qualified staff who are competent in working with infants, ~~and~~ toddlers and preschoolers and their families.

The program leadership provides ongoing supervision that promotes staff development and enhances quality service delivery.

The program leadership provides opportunities for ongoing professional growth and development.

The program leadership promotes continuity in staffing through provision of a supportive work environment, competitive wages and benefits, and opportunities for advancement.

The program leadership and staff are knowledgeable about programs and agencies in the community that provide services for children and their families.

Program Goal V: Family and Community Partnerships

Standards:

The child is viewed in the context of the family and the family is viewed in the context of its culture and community.

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The program leadership and staff seek and facilitate family participation and partnerships.

The program assures that families have access to comprehensive services.

The program develops a partnership with families in which the family members and staff determine goals and services.

The program takes an active role in community and system planning and establishes ongoing collaborative relationships with other institutions and organizations that serve families.

(Source: Amended at 36 Ill. Reg. 6827, effective April 18, 2012)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

ENVIRONMENTAL PROTECTION AGENCY

Heading of the Part: Environmental Laboratory Certification Fee Rules

Code Citation: 35 Ill. Adm. Code 185

Section Numbers: 185.201

Date Originally Published in the Illinois Register: 12/30/11
35 Ill. Reg. 20983

At its meeting on April 17, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that EPA update its rules prior to implementing new policies and procedures, not after.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

Heading of the Part: The Administration and Operation of the Teachers' Retirement System

Code Citation: 80 Ill. Adm. Code 1650

Section Numbers: 1650.3005 1650.3015 1650.3025 1650.3032 1650.3040
1650.3010 1650.3020 1650.3030 1650.3035

Date Originally Published in the Illinois Register: 12/30/11
35 Ill. Reg. 21013

At its meeting on April 17, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that, in the future, TRS refrain from implementing new policies until rulemaking codifying those policy changes has been adopted. TRS reported it has already implemented the changes that are being proposed in this rulemaking, contrary to Sections 1-70 and 5-10(c) of the IAPA.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYWITHDRAWAL OF FILING PROHIBITION
OF PROPOSED RULEMAKING

SECRETARY OF STATE

Heading of the Part: Procedures and Standards

Code Citation: 92 Ill. Adm. Code 1001

Section Numbers: 1001.444(j)(2), (3) and (4)

Date Originally Published in the Illinois Register: 9/9/11
35 Ill. Reg. 14916

Date Filing Prohibition Published in Illinois Register: 1/27/12
36 Ill. Reg. 1079

Date Filing Prohibition Became Effective: 1/11/12

Date Filing Prohibition Withdrawn: The date the Secretary adopts the above-cited rulemaking with the offered modifications

The Joint Committee on Administrative Rules certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act, the Joint Committee, at its meeting on April 17, 2012, has withdrawn the Filing Prohibition contingent upon, and effective with, the Secretary adopting the above-cited rulemaking with the offered modifications, i.e., removal of the subsections to which the Objection and Filing Prohibition were directed. The Committee originally issued this Filing Prohibition at its 1/12/12 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking with the Secretary of State, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules and the modifications submitted in response to the Objection and Filing Prohibition, and from enforcing or invoking the rule after its adoption.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

NOTICE OF FAILURE TO REMEDY OBJECTION
TO PEREMPTORY RULEMAKING

DEPARTMENT OF AGRICULTURE

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: 125.260 125.380
- 4) Notice of Proposal Published in Illinois Register: 12/2/11; 35 Ill. Reg. 19553
- 5) Summary of Rulemaking: This rulemaking updated an incorporation by reference of federal meat inspection rules that were effective 1/1/12.
- 6) JCAR Action: Objection; 1/10/12; 36 Ill. Reg. 1078
- 7) Basis for JCAR Action: The underlying federal regulation was adopted on 12/29/10, which gave DOA more than adequate time to adopt this change through general rulemaking under Section 5-40 of the Illinois Administrative Procedure Act. Section 5-50 of the IAPA limits use of preemptory rulemaking to conditions that preclude the agency from using general rulemaking.
- 8) Agency Response: Disagree. The Meat and Poultry Inspection Act states that DOA shall adopt changes in federal meat and poultry inspection rules using the rulemaking procedures in Section 5-50 of the IAPA (Preemptory rulemaking).
- 9) Basis for JCAR Determination of Failure to Remedy: Section 5-50 of the IAPA sets conditions that must be met in order for an agency to use preemptory rulemaking, including lack of sufficient time to complete the general rulemaking process. This condition was not met; therefore, DOA did not properly fulfill its obligation to adopt rules under Section 5-50 of the IAPA.

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 April 17, 2012 through April 23, 2012 and have been scheduled for review by the Committee at its May 15, 2012 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>
6/1/12	<u>Department of Healthcare and Family Services, Practice in Administrative Hearings (89 Ill. Adm. Code 104)</u>	12/9/11 35 Ill. Reg. 19627	5/15/12
6/1/12	<u>Department of Healthcare and Family Services, Medical Assistance Programs (89 Ill. Adm. Code 120)</u>	12/16/11 35 Ill. Reg. 19737	5/15/12
6/1/12	<u>Department of Healthcare and Family Services, Medical Payment (89 Ill. Adm. Code 140)</u>	7/15/11 35 Ill. Reg. 11126	5/15/12
6/1/12	<u>Department of Healthcare and Family Services, Child Support Services (89 Ill. Adm. Code 160)</u>	12/2/11 35 Ill. Reg. 19403	5/15/12
6/1/12	<u>Illinois Racing Board, Medication (11 Ill. Adm. Code 603)</u>	3/2/12 36 Ill. Reg. 3162	5/15/12
6/1/12	<u>State Board of Education, School Technology Program (23 Ill. Adm. Code 575)</u>	2/10/12 36 Ill. Reg. 2052	5/15/12
6/1/12	<u>State Board of Education, Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)</u>	10/28/11 35 Ill. Reg. 17338	5/15/12

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

6/1/12	<u>Department of Central Management Services</u> , Conditions of Employment (80 Ill. Adm. Code 303)	3/2/12 36 Ill. Reg. 3153	5/15/12
6/2/12	<u>Department of Central Management Services</u> , Business Enterprise Program: Contracting with Business Owned and Controlled by Minorities, Females and Persons with Disabilities (44 Ill. Adm. Code 10)	2/24/12 36 Ill. Reg. 2594	5/15/12
6/2/12	<u>Department of Human Rights</u> , Housing Discrimination (71 Ill. Adm. Code 2300)	2/17/12 36 Ill. Reg. 2440	5/15/12
6/3/12	<u>Department of Human Services</u> , Child Care (89 Ill. Adm. Code 50)	11/4/11 35 Ill. Reg. 17560	5/15/12
6/6/12	<u>Guardianship and Advocacy Commission</u> , Fee Schedule for the Office of State Guardian (59 Ill. Adm. Code 301)	1/20/12 36 Ill. Reg. 708	5/15/12
6/6/12	<u>Pollution Control Board</u> , Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106)	2/17/12 36 Ill. Reg. 2469	5/15/12
6/6/12	<u>Pollution Control Board</u> , General Rules (35 Ill. Adm. Code 101)	2/17/12 36 Ill. Reg. 2444	5/15/12

ILLINOIS ADMINISTRATIVE CODE
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