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STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1.100	Amendment
1.210	Repeal
1.220	Repeal
1.230	Repeal
1.240	Amendment
1.245	Amendment
1.250	Repeal
1.260	Repeal
1.270	Repeal
1.290	Amendment
1.310	Amendment
1.320	Amendment
1.330	Amendment
1.420	Amendment
1.440	Amendment
1.520	Repeal
1.530	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: This set of amendments results from the comprehensive review of the agency's rules and is generally confined to Subparts B, C, D, and E of Part 1, which are being modified to remove unnecessary references to requirements that are set out in statute or in other parts of ISBE's rules. On the other hand, we are taking this opportunity to amplify Part 1 with some substantive provisions that are now found in other sets of rules. By making Part 1 complete in these respects, four separate existing Parts can be repealed. We have determined that much of the text of existing Parts 50, 251, 253, and 625 is not needed in rules because it either repeats statutory language or is couched as recommendations rather than requirements.

The needed material from Part 50 (Evaluation of Certified School District Employees in Contractual Continued Service) has been placed into Section 1.320. Section 1.320 also makes several changes to the material previously contained in Part 50 that should be noted.

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First, a new definition has been developed for the term "substantive change" used in Section 24A-4 of the School Code (a substantive change necessitates submission of the Plan to ISBE and the exclusive bargaining representatives). Part 50 had previously indicated that a substantive change meant a change in the identity of individual administrators authorized to conduct evaluations. Upon consideration, we do not believe a change in personnel should be considered a "substantive change" as contemplated by Section 24A-4 of the School Code. Instead, a "substantive change" should be a change in the important aspects of the content of a district's evaluation plan.

Also, we have described the efforts we expect districts to undertake to identify a consulting teacher.

The substantive provisions of Part 251 (Conservation Education) have been inserted into Section 1.420(l) and those of Part 253 (Comprehensive Health Education) into Section 1.420(n). Finally, the requirements of Part 625 that continue to be needed in ISBE's rules are found in Section 1.530. The proposed repealers are also being submitted for publication at this time.

It has come to our attention that Section 1.420(p) regarding excusing students from daily physical education may be subject to misinterpretation. Consequently a provision is being added to point out that Section 27-6 of the School Code expresses the limits of local boards' authority to exempt individual students based on their participation in athletics. Parental excuses submitted under Section 1.420(p)(6) cannot be used for this purpose.

Section 1.100 (Waiver and Modification of State Board Rules and School Code Mandates) needs to be revised at this time to reflect changes in the "waiver law" (Section 2-3.25g of the School Code) made by P.A. 93-470, P.A. 93-557, and P.A. 93-707.

- 6) Will this rulemaking replace any emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section</u>	<u>Action</u>	<u>Illinois Register Citation</u>
1.240	Amendment	29 Ill. Reg. 3414, March 11, 2005
1.510	Amendment	29 Ill. Reg. 4790, April 8, 2005
1.515	New Section	29 Ill. Reg. 4790, April 8, 2005

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1.630	Amendment	29 Ill. Reg. 4790, April 8, 2005
1.720	Amendment	29 Ill. Reg. 4790, April 8, 2005
1.737	Amendment	29 Ill. Reg. 4790, April 8, 2005
1.745	Amendment	29 Ill. Reg. 4790, April 8, 2005
1.755	Amendment	29 Ill. Reg. 4790, April 8, 2005

- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda in which this rulemaking was summarized: January 2004

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

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1

PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: SCHOOL RECOGNITION REQUIREMENTS

Section

1.10	Public School Accountability Framework
1.20	Operational Requirements
1.30	Quality Assurance Reviews
1.40	Student Performance and School Improvement Requirements (Repealed)
1.50	State Assessment
1.60	Operational Compliance (Repealed)
1.70	Effective Dates of Accreditation (Repealed)
1.80	Academic Early Warning and Watch Lists
1.85	Revisions to School Improvement Plans
1.90	System of Rewards and Recognition
1.100	Waiver and Modification of State Board Rules and School Code Mandates

SUBPART B: SCHOOL GOVERNANCE

Section

1.210	Powers and Duties <u>(Repealed)</u>
1.220	Duties of Superintendent <u>(Repealed)</u>
1.230	Board of Education and the School Code <u>(Repealed)</u>
1.240	Equal Opportunities for all Students
1.245	Waiver of School Fees
1.250	District to Comply with 23 Ill. Adm. Code 180 <u>(Repealed)</u>
1.260	Commemorative Holidays to be Observed by Public Schools <u>(Repealed)</u>
1.270	Book and Material Selection <u>(Repealed)</u>
1.280	Discipline
1.285	Requirements for the Use of Isolated Time Out and Physical Restraint
1.290	Absenteeism and Truancy Policies

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section

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NOTICE OF PROPOSED AMENDMENTS

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

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section

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

SUBPART E: SUPPORT SERVICES

Section

- 1.510 Transportation
- 1.520 School Food Services (Repealed)
- 1.530 Health Services
- 1.540 Pupil Personnel Services (Repealed)

SUBPART F: STAFF CERTIFICATION REQUIREMENTS

Section

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

SUBPART G: STAFF QUALIFICATIONS

Section

- 1.705 Minimum Requirements for Teachers (Repealed)

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

AUTHORITY: Implementing Sections 2-3.25, 2-3.25g, 2-3.43, 2-3.44, 2-3.96, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21-0.01, 24A-7, 26-13, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22, and 27-23.3 of the School Code [105 ILCS 5/2-3.25, 2-3.25g, 2-3.43, 2-3.44, 2-3.96, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21-0.01, 24A-7, 26-13, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22 and 27-23.3], Section 6 of the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110/6], and Section 7 of the Conservation Education Act [105 ILCS 415], and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.6].

SOURCE: Adopted September 21, 1977; codified at 7 Ill. Reg. 16022; amended at 9 Ill. Reg. 8608, effective May 28, 1985; amended at 9 Ill. Reg. 17766, effective November 5, 1985;

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emergency amendment at 10 Ill. Reg. 14314, effective August 18, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 3073, effective February 2, 1987; amended at 12 Ill. Reg. 4800, effective February 26, 1988; amended at 14 Ill. Reg. 12457, effective July 24, 1990; amended at 15 Ill. Reg. 2692, effective February 1, 1991; amended at 16 Ill. Reg. 18010, effective November 17, 1992; expedited correction at 17 Ill. Reg. 3553, effective November 17, 1992; amended at 18 Ill. Reg. 1171, effective January 10, 1994; emergency amendment at 19 Ill. Reg. 5137, effective March 17, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6530, effective May 1, 1995; amended at 19 Ill. Reg. 11813, effective August 4, 1995; amended at 20 Ill. Reg. 6255, effective April 17, 1996; amended at 20 Ill. Reg. 15290, effective November 18, 1996; amended at 22 Ill. Reg. 22233, effective December 8, 1998; emergency amendment at 24 Ill. Reg. 6111, effective March 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12985, effective August 14, 2000; amended at 25 Ill. Reg. 8159, effective June 21, 2001; amended at 25 Ill. Reg. 16073, effective November 28, 2001; amended at 26 Ill. Reg. 1157, effective January 16, 2002; amended at 26 Ill. Reg. 16160, effective October 21, 2002; amended at 28 Ill. Reg. 8486, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 13637, effective September 27, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1891, effective January 24, 2005; amended at 29 Ill. Reg. _____, effective _____.

SUBPART A: SCHOOL RECOGNITION REQUIREMENTS

Section 1.100 Waiver and Modification of State Board Rules and School Code Mandates

- a) As authorized in Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g], a school district or independent authority established pursuant to Section 2-3.25f of the School Code [105 ILCS 5/2-3.25f], a joint agreement made up of school districts, or a Regional Superintendent of Schools applying on behalf of a school or program operated by the regional office of education, or, as authorized under Sections 13A-5 and 13A-10 of the School Code [105 ILCS 5/13A-5 and 13A-10] with respect to regional safe schools programs, the governing board of an Intermediate Service Center operating such a program established pursuant to Article 13A of the School Code [105 ILCS 5/Art. 13A] may petition for:
- 1) State Board approval of waivers or modifications of State Board of Education rules and of modifications of School Code mandates to allow a district to meet the intent of the rule or mandate in a more effective, efficient or economical manner or when necessary to stimulate innovation or to improve student performance; and/or
 - 2) General Assembly approval of waivers of School Code mandates as necessary to stimulate innovation or improve student performance.

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- b) "The School Code" comprises only those statutes compiled at 105 ILCS ~~5/1-1~~¹⁰⁵ ~~ILCS 5/1-1~~. Waivers from State Board rules or School Code mandates pertaining to special education, teacher certification, or teacher tenure and seniority are not permitted (Section 2-3.25g of the School Code). Waivers of mandates contained in Section 5-1 of the School Code [105 ILCS 5/5-1] also shall not be requested. Further, pursuant to Section 2-3.25g of the School Code, waivers may not be requested from compliance with any provision of the School Code or the rules of the State Board of Education that reflects or implements the No Child Left Behind Act of 2001 (Public Law 107-110), which shall include all requirements for:
- 1) the entities to be held accountable for the achievement of their students;
 - 2) the participation of students in the various forms of the State assessment;
 - 3) the timing of administration of the State assessment;
 - 4) the use of students' scores on the State assessment in describing the status of schools, districts, and other accountable entities;
 - 5) the use of indicators other than test scores in determining the progress of students;
 - 6) the required qualifications of paraprofessionals;
 - 7) the placement of schools not making adequate yearly progress on academic early warning status or academic watch status, and the results to schools and districts that follow from such placement;
 - 8) the district's responsibility to prepare revised school and/or district improvement plans in response to placement on academic warning or watch status;
 - 9) the appointment of school or district improvement panels for schools or school districts on academic watch status;
 - 10) the use of State interventions according to the timeline set forth in Section 2-3.25f of the School Code; and
 - 11) the appeals process set forth in Section 1.95 of this Part, and the authority of the State Board of Education to make final determinations on such appeals.

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- c) Each application for a waiver or modification shall provide the following, on a form supplied by the State Board of Education.
- 1) Identification of the rule(s) or mandate(s) involved, either by quoting the exact language of or by providing a citation to the rule(s) or mandate(s) at issue. Applicants~~Districts~~ unable to determine the exact language or citation may obtain a copy of, or citation to, the rule(s) or mandate(s) involved by contacting the State Board of Education Legal Department by mail at 100 North First Street, Springfield, Illinois, 62777-0001, or by telephone at 217-782-5270.
 - 2) Identification as to the specific waiver(s) and/or modification(s) sought. For modifications, the specific modified wording of the rule(s) or mandate(s) must be stated.
 - 3) Identification as to whether the request is for an initial waiver or modification or for the renewal of a previously approved request.
 - 4) For requests based upon meeting the intent of the rule or mandate in a more effective, efficient, or economical manner, a narrative description which sets forth:
 - A) the intent of the rule or mandate to be achieved,
 - B) the manner in which the applicant~~district~~ will meet that intent,
 - C) how the manner proposed by the applicant~~district~~ will be more effective, efficient or economical, and
 - D) if the applicant~~district~~ proposes a more economical manner, a fiscal analysis showing current expenditures related to the request and the projected savings that would result from approval of the request.
 - 5) If the request is necessary for stimulating innovation or improving student performance, the request must include the specific plan for improved student performance and school improvement upon which the request is based. This plan must include a description of how the applicant~~district~~ will determine success in the stimulation of innovation or the improvement of student performance.

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- 6) If the request is for a waiver of the administration expenditure limitation established by Section 17-1.5 of the School Code [105 ILCS 5/17-1.5], the request must include the amount, nature, and reason for the requested relief and all remedies that have been exhausted to comply with the administration expenditure limitation and shall otherwise comply with Section 17-1.5(d) of the School Code.
- 7) The time period for which the waiver or modification is sought. Pursuant to Section 2-3.25g of the School Code, such time period may not exceed five years, except for requests made pursuant to subsection (c)(6) of this Section, which may not exceed one year (see Section 17-1.5(d) of the School Code).
- 8) A description of the public hearing held to take testimony about the request from educators, parents and students, which shall include the information required by Section 2-3.25g of the School Code~~include the number and affiliation of persons and organizations giving testimony and the general nature of the testimony provided.~~
- 9) An assurance stating the date(s) of the public hearing(s) conducted to consider~~on~~ the application and, if applicable, the specific plan for improved student performance and school improvement, held as prescribed in Section 2-3.25g of the School Code, and stating the date the application (and, if applicable, the plan) was approved by the local governing board~~of education~~.
- d) Each applicant must attach to the application a copy of the notice published in a newspaper of general circulation and a copy of the written notifications~~notification~~ provided to the applicant's collective bargaining agent and to those State legislators representing the applicant, each of which must comply with the requirements of Section 2-3.25g of the School Code.
- e) Applications must be sent by certified mail, return receipt requested, and addressed as specified on the application form.
- f) Applications must be postmarked not later than 15 calendar days following the local governing board's~~board of education~~ approval. Applications addressed other than as specified on the application form shall not be processed.
- g) Applications for the waiver or modification of State Board rules or for the

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modification of School Code mandates shall be deemed approved and effective 46 calendar days after the date of receipt by the State Board of Education unless disapproved in writing. Receipt by the State Board shall be determined by the date of receipt shown on the return receipt form, except in the case of an incomplete application.

- 1) ~~An applicant~~~~A district~~ submitting an incomplete application shall be contacted by staff of the State Board regarding the need for additional information.
 - 2) The 45-day response time referred to in this subsection ~~(g)~~~~(f)~~ shall not commence until the ~~applicant~~~~district~~ submits the additional material requested by the State Board, which shall be sent by certified mail, return receipt requested.
 - 3) Incomplete requests will not be considered.
- h) The State Board may disapprove a request for the waiver or modification of State Board rules or for the modification of School Code mandates if the request:
- 1) is not based upon sound educational practices,
 - 2) endangers the health or safety of students or staff,
 - 3) compromises equal opportunities for learning, or
 - 4) does not address the intent of the rule or mandate in a more effective, efficient or economical manner or does not have improved student performance as a primary goal.
- i) Disapproval of an application for a waiver or modification of a State Board rule or for a modification of a School Code mandate shall be sent by certified mail to the applicant no later than 45 calendar days after receipt of the application by the State Board. An applicant wishing to appeal the denial of a request may do so within 30 calendar days after receipt of the denial letter by sending a written appeal by certified mail to the Illinois State Board of Education, ~~Rules and Waivers Unit, Research Division,~~ 100 North First Street, ~~W-475, S-284,~~ Springfield, Illinois 62777-0001. The written appeal shall include the date the local ~~governing~~~~school~~ board approved the original request, the citation of the rule or School Code section involved, and a brief description of the issue. Appeals of denials shall be submitted to the General Assembly in the semiannual report

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required under Section 2-3.25g of the School Code.

- j) Applications for General Assembly approval of waivers of School Code mandates will be reviewed for completeness. Each incomplete application shall be returned to the applicant with an explanation as to the deficiencies. Complete applications shall be submitted to the General Assembly in the semiannual report required under Section 2-3.25g of the School Code. The State Board of Education shall periodically notify school districts and other potential applicants of the date by which applications must be postmarked in order to be processed for inclusion in the next report to the General Assembly.
- k) The State Board of Education shall notify Regional Superintendents of Schools of the disposition of requests for waivers or modifications submitted by school districts located within their regions.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART B: SCHOOL GOVERNANCE

Section 1.210 Powers and Duties (Repealed)

- a) ~~The School Code provides for the election and organization of local boards of education. The board of education is responsible for carrying out duties prescribed by law and the authorized regulations of the State Board of Education. The local board also is subject to numerous other laws such as the Open Meetings Act (Ill. Rev. Stat. 1985, ch. 102, pars. 41 et seq.), the Local Governmental and Governmental Employees Tort Immunity Act (Ill. Rev. Stat. 1985 ch. 85, par. 1-101 et seq.) and "AN ACT to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000" (Ill. Rev. Stat. 1985, ch. 85, par. 851 et seq.), and to the State and Federal Constitutions.~~
- b) ~~The board of education also is delegated extensive powers which provide for the exercise of discretionary judgment. These powers are limited by rights granted to other parties by various laws, regulations, and court decisions. Discretionary powers and duties, which the legislature has conferred upon the board of education, may not be delegated to other agencies or individuals by contract or otherwise. The board of education is the responsible local corporate body.~~
- 1) ~~Among the duties imposed upon the board of education is the duty to adopt and enforce all necessary rules for the management and governance~~

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~~of the public schools of its district. (Section 10-20.5 of The School Code)
The board of education rules shall be officially adopted at a legal meeting,
duly recorded in the minutes of the meeting, and clearly communicated to
all persons who are expected to execute and comply with them.~~

2)

~~A) The board of education shall adopt and disseminate comprehensive policies regarding such matters as school district organization, school board operations, district philosophy, goal statements to guide the administrative team, general school administration, the working relationship between the board and its superintendent, principals and teachers, fiscal management, business management, facility expansion programs, instruction, student rights and responsibilities, student discipline including corporal punishment, public relations, and relations with other organizations and agencies.~~

~~B) In the development of policies, the board of education should ensure that advice and suggestions are received from all groups affected by the policy.~~

~~3) The board of education shall carry on business, in meetings open to the public, according to the Open Meetings Act (Ill. Rev. Stat. 1985, ch. 102, par. 41 et seq.).~~

~~4) The secretary or clerk of the board of education shall keep accurate minutes of its proceedings. (Section 10-7 of The School Code)~~

~~5) Except as officially authorized and delegated by the board of education, at a legally constituted meeting, an individual board member has no legal authority to act or make decisions binding on the school district.~~

~~6) The board of education shall follow accounting procedures relative to budgets, tax rates, and tax warrants as required by The School Code (Ill. Rev. Stat. 1985, ch. 122, par. 17-1 et seq.), 23 Ill. Adm. Code 110 (Program Accounting Manual), and 23 Ill. Adm. Code 125 (Student Activity Funds and Convenience Accounts).~~

~~7) The board of education shall indemnify and protect its own members, employees, student teachers, and volunteer workers as prescribed by law (Section 10-20.20 of The School Code).~~

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- 8) ~~The board of education shall observe statutory procedures in letting contracts for supplies, material, or work in excess of the amount specified Section 10-20.21 of The School Code.~~
- 9) ~~Except as provided in Section 18-10 of The School Code, no elementary school district having fewer than 15 pupils in average daily attendance and no high school district having fewer than 60 pupils in average daily attendance may file any claim for state aid, either flat grant or special equalization. Such schools may, however, be granted recognition if they meet recognition standards.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.220 Duties of Superintendent (Repealed)

~~The board of education shall recognize the duties of the superintendent as specified in Section 10-21.4 of The School Code and permit this individual to function in accordance with these duties.~~

- a) ~~The board of education shall make decisions after having received the recommendation of the district superintendent.~~
- b) ~~The board of education shall hire school employees after the recommendation of the district superintendent.~~
- e) ~~The board of education shall carry out all professional and official relationships with school employees through the district superintendent.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.230 Board of Education and the School Code (Repealed)

~~The board of education shall fully observe the School Code when discharging its responsibilities associated with the paying, appointment and establishment of salaries for all teaching personnel.~~

- a) ~~The hiring of both professional and nonprofessional staff shall be in accordance with Article I, Section 18 of the Constitution of Illinois of 1970 which states: "The equal protection of the laws shall not be denied or abridged on account of sex by the State or its units of local government and school districts."~~
- b) ~~In addition, the board of education shall not discriminate because of race, religion,~~

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~~national origin or handicap.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.240 Equal Opportunities for all Students

- a) All students within a school district must be provided equal opportunities in all education programs and services provided by the system (see Section 10-20.12 of the School Code).
- b)a) No school system may *exclude or segregate any pupil from a school because of color, race, or nationality* (Section 10-22.5 of the School Code).
- c)b) The board of education shall submit periodic reports as required by the State Board of Education detailing pupil attendance, faculty assignments, and actions taken and planned to prevent and eliminate segregation.
- e) ~~Each school district shall be in compliance with 23 Ill. Adm. Code 200 (Sex Equity).~~
- d) ~~The board of education shall be in compliance with 23 Ill. Adm. Code 375 (Student Records).~~
- e) ~~The board of education shall charge tuition in an amount not exceeding 110% of the previous year's per capita cost, to nonresident students. Pupils who become nonresidents during a school term shall not be charged tuition for the remainder of the term (Section 10-20.12a of the School Code).~~
- f) ~~The board of education shall loan textbooks to students whose parents are unable to buy them (Section 10-20.13 of the School Code) and shall waive all fees for parents who are unable to afford them in accordance with a written policy adopted by the district under Section 1.245 of this Part.~~
- g) ~~Any school district containing one or more attendance centers having students of limited English speaking fluency shall establish a program in transitional bilingual education according to 23 Ill. Adm. Code 228 (Transitional Bilingual Education).~~
- h) ~~The establishment and operation of all special education shall follow 23 Ill. Adm. Code 226 (Special Education).~~

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- i) ~~Each school district whose Chapter 1 weighted average daily attendance (WADA) is between 1,000 and 50,000 shall annually file a plan with the State Board of Education. This plan must be in compliance with 23 Ill. Adm. Code 201 (Disadvantaged Students Funds Plan - Districts Between 1,000 and 50,000 ADA).~~
- j) ~~Each school district whose Chapter 1 weighted average daily attendance (WADA) is 50,000 or more shall annually file a plan with the State Board of Education. This plan must be in compliance with 23 Ill. Adm. Code 202 (Disadvantaged Students Funds Plan - Districts over 50,000 ADA).~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 1.245 Waiver of School Fees

This Section provides the rules required by Section 2-3.96 of ~~the~~**The** School Code under which each school district is required to adopt a written policy for the waiver of school fees as required by Sections 10-20.13 and 34-21.6 of ~~the~~**The** School Code ~~[105 ILCS 5/10-20.13 and 34-21.6](Ill. Rev. Stat. 1989, ch. 122, pars. 10-20.13 and 34-21.6).~~

- a) ~~Each school board shall adopt a written policy and administrative procedures for the waiver of school fees. The policy and procedures must:~~
- ~~1) be implemented no later than the start of the 1991-1992 school year; and~~
 - ~~2) contain at least the elements set forth in subsection (c) or (d).~~
- b) For the purposes of this Section "school fees" or "fees" means any monetary charge collected by a public school or public school district from a student or the parents or guardian of a student as a prerequisite for the student's participation in any curricular or extracurricular program of the school or school district. A school or school district does not impose a "fee" when it requires that a student provide his or her own ordinary supplies or materials (e.g., pencil, paper, notebooks), which are necessary to participate in any curricular or extracurricular program.
- 1) "School fees" include, but are not limited to, the following:
 - A) All charges for required textbooks and instructional materials.
 - B) All charges and deposits collected by a school for use of school property (e.g., locks, towels, laboratory equipment).

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- C) Charges for field trips made during school hours, or made after school hours if the field trip is a required or customary part of a class or extracurricular activity (e.g., annually scheduled trips to museums, concerts, places of business and industry or field trips related to instruction in social studies, the fine arts, career/vocational education or the sciences).
- D) Charges or deposits for uniforms or equipment related to varsity and intramural sports, or to fine arts programs.
- E) ~~Charges to participate in extracurricular activity.~~
- ~~F)~~ Charges for supplies required for a particular class (e.g., shop or home economics materials, laboratory or art supplies).
- ~~F)G)~~ Graduation fees (e.g., caps, gowns).
- ~~G)H)~~ School records fees.
- ~~H)I)~~ School health services fees.
- ~~I)J)~~ Driver's education fees assessed pursuant to Section 27-23 of ~~the~~The School Code [\[105 ILCS 5/27-23\]](#).
- 2) "School fees" do not include:
- A) Library fines and other charges made for the loss, misuse, or destruction of school property (e.g., musical instruments).
- B) Charges for the purchase of class rings, yearbooks, pictures, diploma covers or similar items.
- C) Charges for optional travel undertaken by a school club or group of students outside of school hours (e.g., a trip to Spain by the Spanish club or a senior class trip).
- D) Charges for admission to school dances, athletic events or other social events.
- E) Optional community service programs for which fees are charged (e.g., preschool, before- and after-school child care, recreation

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programs).

~~b)e)~~ School boards that do not charge school fees must adopt a policy so stating. Parents must be notified of this policy as provided in this Section.

~~c)d)~~ School boards that charge school fees must adopt a policy and procedures containing at least the following elements:

1) Standards to determine eligibility

A) Standards must include a waiver of fees for all students who qualify for free lunches or breakfasts under ~~the "AN ACT authorizing school boards and welfare centers to sponsor community school lunch programs and free breakfast and lunch programs and authorizing and requiring free school lunch programs, providing for State reimbursement"~~ (Community School Lunch Program [105 ILCS 125]) (Ill. Rev. Stat. 1989, ch. 122, par. 712.1 et seq.).

B) Standards must also include a description of other extenuating circumstances under which the district will grant a waiver of school fees. Examples include: students who are eligible to receive reduced price lunch or breakfast; very significant loss of income due to severe illness or injury in the family or unusual expenses such as fire, flood, or storm damage; or similar emergency situations that the district determines to include in its policy.

2) Notification of parents

A) The district's policy for the waiver of school fees shall be communicated in writing to the parents of all students ~~enrolled in the district at the start of the 1991-1992 school year and thereafter to the parents of all students~~ enrolling in the district for the first time. A fee waiver application form also may be included with this notice when it is sent to parents. The notification must be in English or the home language of the parents, if it is needed to ensure their understanding of the district's policy (if translation of the notice is not feasible, the use of interpreters is permitted – e.g., other students or neighbors). The notice shall at least describe:

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- i) the district's policy, including the criteria and other circumstances under which the district will waive school fees;
 - ii) the fees subject to waiver under the district's policy;
 - iii) the procedure to be used by parents in applying for a waiver of school fees, including the availability of forms that may be used to request a fee waiver; and
 - iv) the procedure to be used by parents in resolving disputes concerning the waiver of school fees.
- B) The district's policy also shall provide that the first bill or notice of each school year sent to parents who owe fees shall state:
- i) the district waives fees for persons unable to afford them in accordance with its policy; and
 - ii) the procedure for applying for a fee waiver, or the name, address and telephone number of the person to contact for information concerning a fee waiver.
- 3) Procedures for the resolution of disputes
- A) The district's policy must provide that if it denies a request for a fee waiver, then it shall mail a copy of its decision to the parents within 30~~thirty~~ (30) calendar days after~~of~~ receipt of the request. The decision shall state the reason for the denial and shall inform the parents of their right to appeal, including the process and timelines for that action. The denial notice shall also include a statement informing the parents that they may reapply for a waiver any time during the school year, if circumstances change.
- B) An appeal shall be decided within 30~~thirty~~ (30) calendar days after~~of~~ the receipt of the parents' request for an appeal. Parents shall have the right to meet with the person who will decide the appeal in order to explain why the fee waiver should be granted. The person who decides the appeal shall not be the person who initially denied the fee waiver or a subordinate of this person. If the appeal is denied, then the district shall mail a copy of its decision

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to the parents. The decision shall state the reason for the denial.

- C) No fee shall be collected from any parent who is seeking a fee waiver in accordance with the district's policy until the district has acted on the initial request or appeal (if any is made), and the parents have been notified of its decision.

~~d)~~e) If the fee waiver policy and/or procedures are substantively amended, then parents of students enrolled in the district must be notified in writing within ~~thirty~~ (30) calendar days following the adoption of the amendments.

~~e)~~f) School records that identify individual students as applicants for or recipients of fee waivers are subject to the Illinois School Student Records Act 105 ILCS 10~~(Ill. Rev. Stat. 1989, ch. 122, par. 50-1 et seq.)~~. Information from such records is confidential and may be disclosed only as provided in the Act.

~~f)~~g) *No discrimination or punishment of any kind, including the lowering of grades or exclusion from classes, may be exercised against a student whose parents or guardians are unable to purchase required textbooks or instructional materials or to pay required fees* 105 ILCS 5/28-19.2(a)~~(Section 28-19.2(a) of The School Code)~~.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 1.250 District to Comply with 23 Ill. Adm. Code 180 (Repealed)

~~The district shall comply with the rules of the State Board of Education at 23 Ill. Adm. Code 180 (Health/Life Safety Code for Public Schools).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)

~~School districts shall conform to the requirements of Section 24-2 of The School Code (Ill. Rev. Stat. 1986 Supp., ch. 122, par. 24-2) regarding the observation of commemorative holidays.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.270 Book and Material Selection (Repealed)

~~Selection of books and materials by school districts shall be in accordance with Section 28-6 of~~

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~~The School Code.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.290 Absenteeism and Truancy Policiesa) **Definitions**

- 1) ~~"Valid Cause" for absence means illness, observance of a religious holiday, death in the immediate family as defined in Section 24-6 of The School Code (Ill. Rev. Stat. 1989, ch. 122, par. 24-6) but also including aunts and uncles of the affected student, family emergency, and shall include other situations beyond the control of the student as determined by the board of education in each district, or such other circumstances which cause reasonable concern to the parent for the safety or health of the student (Ill. Rev. Stat. 1989, ch. 122, par. 26-2a), as attested by a letter signed by such parent and approved or disapproved by the board of education in each school district.~~
- 2) ~~"Truant" means a child who is subject to compulsory school attendance and who is absent without valid cause for a school day or portion thereof (Ill. Rev. Stat. 1989, ch. 122, par. 26-2a).~~
- 3) ~~"Chronic or Habitual Truant" means a child subject to compulsory school attendance and who is absent without valid cause from such attendance for 10% or more of the previous 180 regular attendance days (Ill. Rev. Stat. 1989, ch. 122, par. 26-2a).~~
- 4) ~~"Truant Minor" means a child who is a chronic truant to whom supportive services, including prevention, diagnostic, intervention and remedial services, alternative programs and other school and community resources have been provided and have failed to result in the cessation of chronic truancy, or have been offered and refused (Ill. Rev. Stat. 1989, ch. 122, par. 26-2a).~~

b) **Purpose**

This Section establishes guidelines and criteria required by Section 26-13 of ~~the~~The School Code [105 ILCS 5/26-13]~~(Ill. Rev. Stat. 1989, ch. 122, par. 26-13)~~, which provides that *school districts shall adopt absenteeism and truancy policies identifying appropriate supportive services and available resources for truants and chronic truants.*

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- ~~b)e)~~ Content of Policies
Each school district shall develop an absenteeism and truancy policy including at least the following elements:
- 1) A definition of a valid cause for absence in accordance with Section 26-2a of ~~the~~The School Code;
 - 2) A description of diagnostic procedures to be used for identifying the cause(s) of unexcused student absenteeism, which shall, at a minimum, include interviews with the student, his or her parent(s) or guardian(s), and any school official(s) or other parties who may have information about the reasons for the student's attendance problem; and
 - 3) The identification of supportive services to be made available to truant or chronically truant students. These services shall include, but need not be limited to, parent conferences, student counseling, family counseling, and information about existing community services which are available to truant and chronically truant students and relevant to their needs.
- ~~d)~~ ~~Punitive action taken against a student for truancy shall be limited by the provisions of Section 26-12 of The School Code (Ill. Rev. Stat. 1989, ch. 122, par. 26-12).~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section 1.310 Administrative Responsibilities

~~A school board shall designate within its administrative structure the specific responsibilities and duties for each administrator. This job description shall reflect the philosophy, goals, objectives, and policies adopted by the local board of education in accordance with Subpart B of this Part.~~

- ~~a) Every school district shall have a person designated as superintendent except in districts in which there is only one school building with less than four full- or part-time teachers. (Section 10-21.4 of The School Code)~~
- ~~b) Every attendance center shall have a person assigned as principal who is properly certificated.~~

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e) Administrators and supervisors shall be appropriately certificated, meeting the requirements as stated in Section 21-7.1 of ~~the~~The School Code [105 ILCS 5/21-7.1] and Appendix B of this Part.

a) ~~d~~ Chief school business officials, effective July 1, 1977, shall be appropriately certificated, meeting the requirements ~~as~~ stated in Section 21-7.1 of ~~the~~The School Code.

b) ~~e~~ Department chairpersons who are required to supervise and/or evaluate teachers shall have appropriate certification as indicated in Appendix B of this Part. (See Section 21-7.1 of ~~the~~The School Code.) This regulation shall apply only to those individuals first assigned to this position on or after September 1, 1978.

c) ~~f~~ Divided Service

1) An administrator, i.e., a superintendent or principal, may serve in two professional capacities provided that full-time equivalency results in a maximum of one full-time position.

2) In school districts with an enrollment of 100 or ~~fewer~~less, an individual may serve as superintendent/principal and teach (up to ½ day).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 1.320 Evaluation of Certified Staff in Contractual Continued ServiceDuties

Each school district shall submit to the State Board of Education an evaluation plan (the Plan) for the evaluation of all certified school district employees in contractual continued service. Where cooperative educational programs operate between or among school districts, or are operated by Regional Superintendents of Schools, pursuant to Sections 3-15.14, 10-22.31 and/or 10-22.31a of the School Code [105 ILCS 5/3-15.14, 10-22.31, and/or 10-22.31a], the Plan shall be submitted by the administrative agent who is the fiscal and legal agent for the cooperative program, or the governing board, or the board of control of the entity. In this Section all such entities are included in the term "school district".

a) The Plan shall conform to the requirements of Article 24A of the School Code [105 ILCS 5/Art. 24A] and shall contain assurances that teachers were involved in the development of the Plan or that, where applicable, the Plan was developed in cooperation with the exclusive bargaining representatives.

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- b) Whenever any substantive change is made to a Plan, the revised Plan shall be submitted to the State Board of Education for review and comment, and the district shall at the same time provide a copy of any such revised Plan to the exclusive bargaining representatives (Section 24A-4 of the School Code).
- 1) For purposes of this Section, a "substantive change" shall mean any change to:
- A) the description of the duties and responsibilities of each teacher and the standards to which the teacher is expected to perform (these descriptions may be individualized or extend to a class of teachers);
- B) the schedule for evaluations;
- C) the classification or classifications of qualified administrators authorized to conduct evaluations; and/or
- D) the definitions of "excellent", "satisfactory", or "unsatisfactory".
- 2) A "substantive change" shall not include a change in the names of individual administrators authorized to conduct evaluations.
- c) The State Board of Education shall review each Plan or revision submitted pursuant to subsection (b) of this Section to determine whether the Plan conforms to the requirements of Article 24A and may provide advisory comments on the Plan's procedures for evaluation. The State Board of Education shall reject as unacceptable those Plans or revisions that do not conform with Article 24A of the School Code. A school district, upon rejection of its Plan, shall revise its Plan to conform with Article 24A of the School Code and shall promptly resubmit the revised Plan to the State Board of Education.
- d) Consulting Teachers
- 1) The school official responsible for selecting a consulting teacher when required under Section 24A-5(g) of the School Code must undertake a diligent effort to identify a consulting teacher, which effort must include, but should not be limited to:
- A) contacting qualified teachers within the district;

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- B) requesting the regional superintendent of schools to supply a roster of qualified consulting teachers; and
- C) requesting the exclusive bargaining agent for the district to supply a roster of qualified consulting teachers.
- 2) If the school official cannot identify a qualified consulting teacher after completing the effort described in subsection (d)(1) of this Section, the State Board of Education shall supply a qualified consulting teacher.
- 3) If the consulting teacher becomes unavailable during the course of a remediation plan, a new consulting teacher shall be selected in the same manner as the initial consulting teacher. The remediation plan shall be amended as necessary upon consultation with the new consulting teacher for the balance of the remediation period. The consulting teacher shall be informed, through conferences with the qualified administrator (or an assistant principal in a school district having a population exceeding 500,000) and the teacher under remediation, of the results of the periodic evaluations conducted pursuant to Section 24A-5(h) of the School Code in order to continue to provide assistance to the teacher under a remediation plan.
- ~~a) The superintendent shall have charge of administration of the schools under the direction of the board of education. Section 10-21.4 and Section 34-8 of The School Code detail the duties and responsibilities of the superintendent.~~
- ~~b) The principal shall assume administrative responsibilities and instructional leadership of the educational program of the attendance area to which the principal is assigned. Section 10-21.4a and Section 34-8.1 of The School Code detail those administrative responsibilities which the principal shall perform.~~
- ~~c) School boards shall specify in their formal job description for principals that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, such as planned inservice training and ad hoc or individual consultations, respectively, and establishing clear lines of communication with parents and teachers regarding school goals, accomplishments, practices and policies.~~
- ~~d) When conducting evaluations pursuant to 23 Ill. Adm. Code 50 (Evaluation of Certified School District Employees in Contractual Continued Service), school~~

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~~boards shall ensure that their principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate (Sections 10-21.4a and 34-8.1 of the School Code).~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 1.330 Hazardous Materials Training

~~Each district shall maintain an inservice training plan for working with hazardous materials (as defined in 56 Ill. Adm. Code 205) consisting of the "Right to Know" training offered by the Illinois Department of Labor (Toxic Substances Section). Each district shall ensure that all new staff members whose assignments bring them into recurring contact, i.e., daily, weekly, or monthly, with hazardous materials who have not attended such a program within the past 12 months receive the approved course of training prior to working with hazardous materials. Examples may include science teachers, maintenance workers, and cafeteria employees. Each district shall keep on file a list of the job titles in the district whose incumbents are subject to the requirements of this Section and the names of employees who have attended a training program, including the location, presenter(s), and date of the program.~~

a) Definitions

~~"Hazardous Materials" means any material containing one or more of the substances enumerated in 56 Ill. Adm. Code 205, Table A (Toxic Substances Disclosure to Employees).~~

~~"Personnel Who Work With Hazardous Materials on a Regular Basis" means all staff members whose assignments bring them into recurring contact, i.e., daily, weekly, or monthly, with hazardous materials as defined in this Section. Examples may include science teachers, maintenance workers, and cafeteria employees.~~

b) Content of Training Programs

~~Each inservice training program shall consist of the "Right to Know" training offered by the Illinois Department of Labor (Toxic Substances Division). A school district's program may be presented by staff of the Department of Labor or by school district staff who have received the training.~~

e) Application for Approval of Training Plan

~~1) Each district shall submit an application for approval of its training plan~~

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~~on a form provided by the State Board of Education, not later than January 15, 1988. Districts may, at their option, submit joint applications. Each application shall contain:~~

- ~~A) an assurance that the planned training consists of the "Right to Know" program referred to in subsection (b) of this Section;~~
- ~~B) a statement identifying the presenter(s); and~~
- ~~C) the date, which must be during calendar year 1988, on which district staff will participate in the training.~~

- ~~2) Districts whose affected employees have undergone the training described in subsection (b) of this Section at any time during calendar year 1987 shall not be required to repeat the training, provided that each such district shall submit an application including:~~

- ~~A) an assurance that the training provided consisted of the "Right to Know" program referred to in subsection (b) of this Section;~~
- ~~B) a statement identifying the presenter(s); and~~
- ~~C) the date on which district staff participated in the training.~~

~~d) Approval of Applications~~

- ~~1) The State Board of Education shall approve each application which contains the information and assurance set forth in subsection (c) of this Section.~~
- ~~2) The State Board of Education shall notify each district as to the disposition of its application no more than two weeks after receiving it.~~

~~e) Training Timetable~~

- ~~1) School district personnel who work with hazardous materials on a regular basis shall receive an approved program of inservice training not later than the end of calendar year 1988.~~
- ~~2) After 1988, each district shall ensure that each new employee subject to the provisions of this Section who has not attended such a program within~~

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~~the past twelve months receives the approved course of training prior to working with hazardous materials.~~

f) ~~Record of Training Programs~~

~~Each district shall keep on file a list of the job titles in the district whose incumbents are subject to the requirements of this Section and the names of employees who have attended a training program, including the location, presenter(s), and date of such program.~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.420 Basic Standards

- a) Class schedules shall be maintained in the administrative office in each attendance center of a school district.
- b) Every school district shall have an organized plan for recording pupil progress and/or awarding credit that can be disseminated to other schools within the State.
- c) Every school district shall:
 - 1) Provide curricula and staff inservice training to help eliminate unconstitutional and unlawful discrimination in our schools and society. School districts shall utilize the resources of the community in achieving the stated objective of elimination of discrimination and to enrich the instructional program.
 - 2) Include in its instructional program concepts which are designed to improve students' understanding of and their relationships with individuals and groups of different ages, sexes, races, national origins, religions, and socio-economic backgrounds.
- d) Boards shall adopt and implement a policy for the distribution of teaching assignments, including study hall and extra class duties and responsibilities.
- e) Every school system shall conduct supervisory and inservice programs for its professional staff. The staff shall be involved in planning, conducting, and evaluating supervisory and inservice programs.

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- f) Sections 10-19, 18-8.05, and 18-12 of the School Code [105 ILCS 5/10-19, 18-8.05, and 18-12] establish certain requirements regarding the school year and the school day. School districts shall observe these requirements when preparing their calendars and when calculating average daily attendance for the purpose of claiming general State financial aid.
- 1) Section 18-8.05(F)(2)(c) of the School Code provides that, with the approval of the State Superintendent of Education, four or more clock-hours of instruction may be counted as a day of attendance when the regional superintendent certifies that the district has been forced to use multiple sessions. The State Superintendent's approval will be granted when the district demonstrates that its facilities are inadequate to house a program offering five clock-hours daily to all students.
 - A) The State Superintendent's approval shall be requested before the beginning of the school year.
 - B) The school district's request shall include a copy of the minutes of the meeting at which the board of education approved the plan for multiple sessions; a plan for remedying the situation leading to the request; and a daily schedule showing that each student will be in class for at least four clock-hours.
 - C) Requests for extensions of the State Superintendent's approval shall be made annually prior to the opening of school.
 - 2) Section 18-8.05(F)(2)(h) of the School Code allows for a determination under rules of the State Board regarding the necessity for a second year's attendance at kindergarten for certain students so they may be included in a district's calculation of average daily attendance. Districts may count such students when they determine through an assessment of their individual educational development that a second year of kindergarten is warranted.
 - 3) A school district shall be considered to have conducted a legal school day, which is eligible to be counted for General State Aid, when the following conditions are met during a work stoppage.
 - A) Fifty percent or more of the district's students are in attendance, based on the average daily attendance during the most recent full

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month of attendance prior to the work stoppage.

- B) Educational programs are available at all grade levels in the district, in accordance with the minimum standards set forth in this Part.
 - C) All teachers hold certificates which are registered with the Regional Superintendent for their county of employment. Other than substitute teachers, certification appropriate to the grade level and subject area(s) of instruction is held by all teachers.
- 4) Attendance for General State Aid Purposes
- A) For purposes of determining average daily attendance on the district's General State Aid claim, students in full-day kindergarten and first grade may be counted for a full day of attendance only when they are in attendance for four or more clock hours of school work; provided, however, that students in attendance for more than two clock hours of school work but less than four clock hours may be counted for a half day of attendance.
 - B) For purposes of determining average daily attendance on the district's General State Aid claim, students in grades 2 through 12 may be counted for a full day of attendance only when they are in attendance for five or more clock hours of school work; provided, however, that students in attendance for more than two and one-half clock hours of school work but less than five clock hours may be counted for a half day of attendance.
- g) Each school board shall annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to ensure 176 days of actual pupil attendance, computable under Section 18-8.05 of the School Code.
- h) Local boards of education shall establish and maintain kindergartens for the instruction of children ([see](#) Sections 10-20.19a and 10-22.18 of the School Code [105 ILCS 5/10-20.19a and 10-22.18]).
- 1) School districts may establish a kindergarten of either half-day or full-day duration. If the district establishes a full-day kindergarten, it must also provide a half-day kindergarten for those students whose parents or

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guardians request a half-day program.

- 2) If a school district that establishes a full-day kindergarten also has 20 or more students whose parents request a half-day program, the district must schedule half-day classes, separate and apart from full-day classes, for those children. If there are fewer than 20 children whose parents request a half-day program, such students may be enrolled in either the morning or afternoon session of a full-day program provided that the following conditions are met.
 - A) Distinctive curriculum plans for the half-day and full-day kindergarten programs must be developed by the school district, made available to parents to assist the parents in selecting the appropriate program for their child, and maintained in district files.
 - B) A common core of developmental, readiness and academic activities must be made available to all kindergarten students in the district regardless of the amount of time they attend school.
 - C) All support services (e.g., health counseling and transportation) provided by the district must be equally available to full-day and half-day students.
- i) Career Education
 - 1) The educational system shall provide students with opportunities to prepare themselves for entry into the world of work.
 - 2) Every district shall initiate a Career Awareness and Exploration Program ~~that~~which should enable students to make more meaningful and informed career decisions. This program should be available at all grade levels.
- j) Co-Curricular Activities
 - 1) Programs for extra classroom activities shall provide opportunities for all students.
 - 2) The desires of the student body in the area of co-curricular activities shall be of critical importance. At all times, activities of this nature shall be carefully supervised by a school-approved sponsor.

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- k) Consumer Education and Protection
- 1) A program in consumer education may include the following topics: the individual consumer in the marketplace, money management, consumer credit, human services – housing, food, transportation, clothing, health services, drugs and cosmetics, recreation, furnishings and appliances, insurance, savings and investments, taxes, and the consumer in our economy.
 - 2) The superintendent of each unit or high school district shall maintain evidence showing that each student has received adequate instruction in consumer education or has demonstrated proficiency by passing the Consumer Education Proficiency Test as required by law ([see](#) Section 27-12.1 of the School Code [105 ILCS 5/27-12.1]) prior to the completion of the 12th grade. Consumer education may be included in course content of other courses, or it may be taught as a separate required course.
 - 3) The minimal time allocation shall not be less than nine weeks or the equivalent for grades 9-12 and shall include installment purchasing, budgeting, comparison of prices and an understanding of the roles of consumers interacting with agriculture, business, trade unions, and government in formulating and achieving the goals of the mixed free enterprise system.
 - 4) Each district may use as a guideline the information set forth in "Consumer Education in Illinois Schools" issued by the State Board of Education.
 - 5) Teachers instructing in consumer education courses shall have proper certification for the position to which they are assigned with at least three semester hours in consumer education courses.
- l) Conservation of Natural Resources
- Each district shall provide instruction on current problems and needs in the conservation of natural resources in conformance with Section 27-13.1 of the School Code [105 ILCS 5/27-13.1].
- 1) ~~*In every public school district there shall be instruction, study and discussion of current problems and needs in the conservation of natural resources, including, but not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides,*~~

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~~preservation of wilderness areas, forest management, protection of wildlife, and humane care of domestic animals (Section 27-13.1 of the School Code [105 ILCS 5/27-13.1]).~~

~~2) It is recommended that the study of conservation also include energy demands, population growth and distribution, food production, transportation systems, solid waste disposal, and noise abatement.~~

m) Every school district has the responsibility to prepare students for full citizenship. To this end each school district should encourage student discussion and communication in areas of local, State, national and international concern.

n) Health Education

1) Each school system shall provide a program in compliance with rules for Comprehensive Health Education (23 Ill. Adm. Code 253) issued pursuant to the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].

A)1) There is no specific time requirement for grades K-6; however, health education shall be a part of the formal regular instructional program at each grade level.

B)2) The minimal time allocation shall not be less than one semester or equivalent during the middle or junior high experience.

C)3) The minimal time allocation shall not be less than one semester or equivalent during the secondary school experience.

D) If health education is offered in conjunction with another course on a "block of time" basis in a middle school, a junior high school, or a high school, instruction may be offered in any combination of the grade levels in the school, provided that the total time devoted to health education is the equivalent of one full semester's work.

2) Nothing in this Section shall be construed as requiring or preventing the establishment of classes or courses in comprehensive sex education or family life education as authorized by Sections 27-9.1 and 27-9.2 of the School Code [105 ILCS 5/27-9.1 and 27-9.2] or by the Sex Education Act [105 ILCS 130].

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

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upon students' participation in athletic training, activities, or competitions conducted outside the auspices of the school district. For each type of excuse that will be considered "appropriate", the school board shall identify in its policy any evidence or support it will require. For example, a board may require a signed statement from a member of the clergy corroborating the religious basis of a request.

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

q) Pupil Personnel Services

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

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

r) Social Sciences and History

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

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

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of the School Code);

- 3) *include in the teaching of United States history the role of labor unions and their interaction with government in achieving the goals of a mixed free-enterprise system* (Section 27-21 of the School Code);
 - 4) *include the study of that period in world history known as the Holocaust* (Section 27-20.3 of the School Code [105 ILCS 5/27-20.3]);
 - 5) *include the study of the events of Black history, including the individual contributions of African-Americans and their collective socio-economic struggles* (Section 27-20.4 of the School Code [105 ILCS 5/27-20.4]); and
 - 6) *include the study of the events of women's history in America, including individual contributions and women's struggles for the right to vote and for equal treatment* (Section 27-20.5 of the School Code [105 ILCS 5/27-20.5]).
- s) Protective eye devices shall be provided to and worn by all students, teachers, and visitors when participating in or observing dangerous vocational arts and chemical-physical courses of laboratories as specified in Section 1 of the Eye Protection in School Act [105 ILCS 115/1]. Such eye protective devices shall meet the nationally accepted standards set forth in "Practice for Occupational and Educational Eye and Face Protection," ANSI Z87.1-2003, issued by the American National Standards Institute, Inc., 1819 L Street, NW, Suite 600, Washington, D.C. 20036. No later additions or amendments to these standards are incorporated by this Part.
- t) *In every public school there shall be instruction, study and discussion of effective methods by which pupils may recognize the danger of and avoid abduction. Such required instruction, study and discussion may be included in the courses of study regularly taught in the schools. In grades kindergarten through 8, such required instruction must be given each year to all pupils in those grades.* (Section 27-13.2 of the School Code [105 ILCS 5/27-13.2])
- u) *School districts shall provide instruction in relation to the prevention of abuse of anabolic steroids in grades 7 through 12 and shall include such instruction in science, health, drug abuse, physical education or other appropriate courses of study. Such instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development.* (Section 27-23.3 of the School Code [105

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ILCS 5/27-23.3)

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 1.440 Additional Criteria for High Schools

- a) The district shall provide a comprehensive curriculum including the following as a minimum program of offerings. The time allotment, unless specified by the School Code or regulations, is the option of the local school district.
- 1) Language Arts, three units
 - 2) Science
 - 3) Mathematics
 - 4) History of the United States, one unit
 - 5) Foreign Language
 - 6) Music
 - 7) Art
 - 8) Career Education – Orientation and Preparation
 - 9) Health Education, students must take one semester or equivalent, i.e., at least 18 weeks, during the secondary school experience.
 - 10) Physical Education, daily except as provided in subsection (a)(9) of this Section and Section 1.445 of this Part (Section 27-6 of the School Code).
 - 11) Consumer Education, nine weeks, 50 minutes a day or equivalent, grades 9-12, except for students who have demonstrated proficiency pursuant to the provisions of Section 27-12.1 of the School Code and Section 1.462 of this Part.
 - 12) Conservation of Natural Resources (Section 27-13.1 of the School Code).
 - 13) Driver and Safety Education, 30 clock-hours of classroom instruction and 6 clock-hours of behind the wheel – grades 10, 11, and 12 ([see](#) Section 27-

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23 of the School Code [105 ILCS 5/27-23] [and 23 Ill. Adm. Code 252](#)).

14) Vocational Education – Job Entry Skill Development

b) ~~Driver Education and Safety~~

- ~~1) School districts maintaining grades 9-12 shall provide instruction in compliance with Sections 27-23 and 27-24 of the School Code [105 ILCS 5/27-23 and 27-24] and rules governing Driver Education (23 Ill. Adm. Code 252).~~
- ~~2) Such a course shall consist of at least 30 clock hours of classroom instruction and at least six clock hours of practice driving in a dual control car. Eight clock hours of instruction on a multiple car range may be allowed in lieu of four clock hours of instruction in a dual control car, and 12 clock hours of instruction in driving simulators may be allowed in lieu of three clock hours of instruction in a dual control car if prior approval is obtained.~~
- ~~3) Strong emphasis shall be provided to establish and promote essential knowledge, correct habits, fundamental skills, proper attitudes, and a sound understanding of the rules and laws necessary for safe driving.~~
- ~~4) Such a driver education course may include classroom instruction on the safety rules and operation of motorcycles or motor-driven cycles.~~

e) Specific [Minimum Requirements for Graduation](#) ~~minimum requirements for graduation are listed below.~~

- 1) 16 units in grades 9-12 if a four-year school and 12 units in grades 10-12 if a three-year high school.
- 2) In either of the above, one unit shall be in American History or American History and Government. In a four-year high school, three units shall be in Language Arts and, in a three-year high school, two units shall be in Language Arts. In either instance emphasis shall be on reading and writing skills while one-half unit may be in oral communication.
- 3) *American patriotism and the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of*

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Illinois, and the proper use and display of the American flag, shall be taught in all public schools. Not less than one hour per week, or the equivalent, shall be devoted to advanced study of this subject. (Sections 27-3 and 27-4 of the School Code [105 ILCS 5/27-3 and 27-4]) No student shall receive certification of graduation without passing a satisfactory examination upon such subjects.

~~c)~~ Pursuant to Section 27-22 of the School Code [105 ILCS 5/27-22], students who enter the 9th grade, except students with disabilities whose course of study is determined by an individualized education program, must successfully complete the following courses, subject to the exceptions provided in Section 1.445 of this Part, as a prerequisite to receiving a high school diploma in addition to the applicable requirements of subsection ~~b)~~e) of this Section and any requirements imposed by the local school district.

- 1) *three years of language arts;*
- 2) *two years of mathematics, one of which may be related to computer technology;*
- 3) *one year of science;*
- 4) *two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government; and*
- 5) *one year chosen from:*
 - A) *music,*
 - B) *art,*
 - C) *foreign language, which shall include American Sign Language, or*
 - D) *vocational education.*

~~d)~~e) School districts shall have on file in the local district office a description of all course offerings that may comply with the requirements of the law. A course will be accepted as meeting the graduation requirements set forth in subsection ~~c)~~d) of this Section, provided that its description shows that its principal instructional activity is the development and application of knowledge and skills related to the

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applicable requirement.

- ~~e)f)~~ It is the responsibility of the school district's administration to provide parents and guardians timely and periodic information concerning graduation requirements for all students, particularly in cases where a student's eligibility for graduation may be in question.
- ~~f)g)~~ Additional requirements for graduation may be adopted by local boards of education. Boards of education may accept courses completed in a community college toward graduation.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART E: SUPPORT SERVICES

Section 1.520 School Food Services ~~(Repealed)~~

- ~~a) Section 712 of The School Code requires that public schools in Illinois provide free lunches to all eligible needy children as defined by the State Board of Education. The school food service program shall be in compliance with 23 Ill. Adm. Code 305, School Food Service as issued annually by the State Board of Education.~~
- ~~b) Children from families whose income level has qualified them for free or reduced price meals, in accordance with the periodic guidelines issued by the State Board of Education, shall receive a free or reduced price meal in accordance with the guidelines issued annually by the State Board of Education.~~

~~AGENCY NOTE: For all information relating to the Child Nutrition Program, contact the Food and Nutrition Programs Section, State Board of Education.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 1.530 Health Services

- a) Each school shall maintain records for each student ~~that~~~~which~~ reflect compliance with the examinations and immunizations prescribed by Section 27-8 of ~~the~~~~The~~ School Code, and the applicable rules and regulations of the Illinois Department of Public Health ~~at 77 Ill. Adm. Code 665 (Child Health Examination Code).~~

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- 1) School districts shall, by November 15 of each school year, report to the State Board of Education the number of students who have received the necessary health examinations and immunizations, the number of students who are not exempt and have not received the necessary health examinations and immunizations, and the number of students exempt from the health examination and immunization requirements for religious or medical reasons, on forms provided by the State Board of Education. A copy of each district's report shall also be delivered to the regional superintendent.
 - 2) Any school district whose report has not been delivered to the State Board of Education by November 15 or does not comply with the percentage requirements of Section 27-8.1 of the School Code shall be issued a Notice of Non-Compliance and be given Notice of Opportunity for Hearing in accordance with the State Board's rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475).
 - 3) Upon a determination of non-compliance, the reduction in the district's General State Aid payments shall commence on December 10 and will occur semi-monthly thereafter until compliance is documented.
- b) Students participating in interscholastic athletics shall have an annual physical examination.
- c) Each district shall adopt an emergency procedure to be followed in cases of injury or sudden illness to students and/or staff.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Certification
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
25.10	Repeal
25.11	Amendment
25.15	Repeal
25.20	Repeal
25.22	Repeal
25.25	New Section
25.30	Repeal
25.32	Repeal
25.35	Repeal
25.40	Repeal
25.42	Repeal
25.80	Repeal
25.82	Repeal
25.85	Amendment
25.99	Repeal
25.140	Amendment
25.210	Repeal
25.220	Repeal
25.230	Repeal
25.240	Repeal
25.252	Amendment
25.255	New Section
25.322	Repeal
25.333	Repeal
25.344	Repeal
25.355	Repeal
25.420	Repeal
25.705	Amendment
25.710	Amendment
25.728	Amendment
25.730	Amendment
25.760	Amendment
25.765	Amendment
25.775	Amendment
25.905	Amendment

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- 4) Statutory Authority: 105 ILCS 5/Art. 21, 14C-8, and 2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: The present set of changes results mainly from the comprehensive review of the agency's rules. In these amendments, many provisions that are outdated and/or have been replaced by new requirements are being deleted. Others are being updated so that they no longer refer to time periods that have passed. Also included is a group of technical changes to selected rules for the Illinois Certification Testing System (Subpart I).

This package also sets forth revisions to Section 25.252 and a new Section 25.255, both dealing with the certification of non-teaching speech-language pathologists in response to P.A. 93-1060. That legislation changed and simplified the basis on which non-teaching speech-language pathologists are to be certified. A person who holds one of several types of licenses and has completed an advanced degree in the field may now receive this certification if he or she also:

- has completed a preparation program that meets the State Board's content-area standards; or
- has completed a comparable approved program in another state, territory, or possession; or
- holds a certificate issued by another state, territory, or possession that is endorsed for speech-language pathology; or
- has completed 150 hours of supervised experience in speech-language pathology with students with disabilities in a school setting.

Under the law as revised, we are able to delete from the rule a good deal of the complicated requirements that flowed from the previous statutory language. The focus of the changes in the rule is to define the four options now available. In particular, ISBE must ensure that the 150 clock-hours of experience expose candidates to activities that relate to those portions of the content-area standards not demonstrably covered by the other professional preparation that speech-language pathologists complete.

The statute also establishes an interim form of certification that will enable licensed individuals to work in schools to acquire the 150 clock-hours of experience. The rule for this internship (new Section 25.255) is modeled on Section 25.227 of the rules, which was added last year to provide an internship in school counseling along the same lines.

- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No

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- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section</u>	<u>Action</u>	<u>Illinois Register Citation</u>
25.11	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.22	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.32	New Section	29 Ill. Reg. 3421, March 11, 2005
25.42	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.82	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.100	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.115	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.125	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.160	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.235	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.450	Amendment	29 Ill. Reg. 3421, March 11, 2005
25.37	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.100	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.215	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.225	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.245	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.425	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.464	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.497	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.510	Amendment	29 Ill. Reg. 4812, April 8, 2005
25.550	New Section	29 Ill. Reg. 4812, April 8, 2005
25.855	Amendment	29 Ill. Reg. 4812, April 8, 2005

- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this notice to:

Sally Vogl
 Agency Rules Coordinator
 Illinois State Board of Education

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100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2005

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

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NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 25

CERTIFICATION

SUBPART A: DEFINITIONS

Section

25.10 Definition of Terms Used in This Part [\(Repealed\)](#)

SUBPART B: CERTIFICATES

Section

25.11 New Certificates (February 15, 2000)

25.15 Standards for Certain Certificates [\(Repealed\)](#)

25.20 Requirements for the Elementary Certificate [\(Repealed\)](#)

25.22 Requirements for the Elementary Certificate (2004) [\(Repealed\)](#)

[25.25 Requirements for "Full" Certification](#)

25.30 Requirements for the Secondary Certificate [\(Repealed\)](#)

25.32 Requirements for the Secondary Certificate (2004) [\(Repealed\)](#)

25.35 Acquisition of Subsequent Certificates; Removal of Deficiencies [\(Repealed\)](#)

25.37 Acquisition of Subsequent Teaching Certificates (2004)

25.40 Requirements for the Special Certificate [\(Repealed\)](#)

25.42 Requirements for the Special Certificate (2004) [\(Repealed\)](#)

25.43 Standards for Certification of Special Education Teachers

25.45 Standards for the Standard Special Certificate – Speech and Language Impaired

25.50 General Certificate (Repealed)

25.60 State Special Certificate, Grades 11-12, For Teaching Elective Subjects (Repealed)

25.65 Alternative Certification

25.67 Alternative Route to Teacher Certification

25.70 State Provisional Vocational Certificate

25.75 Part-time Provisional Certificates

25.80 Requirements for the Early Childhood Certificate [\(Repealed\)](#)

25.82 Requirements for the Early Childhood Certificate (2004) [\(Repealed\)](#)

25.85 Special Provisions for Endorsement in Foreign Language for Individuals Currently Certified

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

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

Section

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

SUBPART D: SCHOOL SERVICE PERSONNEL

Section

- 25.200 Relationship Among Credentials in Subpart D

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25.210	Requirements for the Certification of School Social Workers (Repealed)
25.215	Certification of School Social Workers (2004)
25.220	Requirements for the Certification of Guidance Personnel (Repealed)
25.225	Certification of School Counselors (2004)
25.227	Interim Certification of School Counselor Interns (2004)
25.230	Requirements for the Certification of School Psychologists (Repealed)
25.235	Certification of School Psychologists (2004)
25.240	Standard for School Nurse Endorsement (Repealed)
25.245	Certification of School Nurses (2004)
25.252	Certification of Non-Teaching Speech-Language Pathologists
25.255	Interim Certification of Speech-Language Pathologist Interns

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

Section

25.300	Relationship Among Credentials in Subpart E
25.310	Definitions (Repealed)
25.311	Administrative Certificate (Repealed)
25.313	Alternative Route to Administrative Certification
25.315	Renewal of Administrative Certificate
25.320	Application for Approval of Program (Repealed)
25.322	General Supervisory Endorsement (Repealed)
25.330	Standards and Guide for Approved Programs (Repealed)
25.333	General Administrative Endorsement (Repealed)
25.335	General Administrative Endorsement (2004)
25.344	Chief School Business Official Endorsement (Repealed)
25.345	Chief School Business Official (2004)
25.355	Superintendent Endorsement (Repealed)
25.360	Superintendent (2004)
25.365	Director of Special Education

SUBPART F: GENERAL PROVISIONS

Section

25.400	Registration of Certificates; Fees
25.405	Military Service
25.410	Revoked Certificates
25.415	Credit in Junior College (Repealed)
25.420	Psychology Accepted as Professional Education (Repealed)

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- 25.425 Individuals Prepared in Out-of-State Institutions
- 25.427 Three-Year Limitation
- 25.430 Institutional Approval (Repealed)
- 25.435 School Service Personnel Certificate – Waiver of Evaluations (Repealed)
- 25.437 Equivalency of General Education Requirements (Repealed)
- 25.440 Master of Arts NCATE (Repealed)
- 25.442 Illinois Teacher Corps Programs
- 25.444 Illinois Teaching Excellence Program
- 25.445 College Credit for High School Mathematics and Language Courses (Repealed)
- 25.450 Lapsed Certificates
- 25.455 Substitute Certificates
- 25.460 Provisional Special and Provisional High School Certificates (Repealed)
- 25.464 Short-Term Authorization for Positions Otherwise Unfilled
- 25.465 Credit (Repealed)
- 25.470 Meaning of Experience on Administrative Certificates (Repealed)
- 25.475 Certificates and Permits No Longer Issued (Repealed)
- 25.480 Credit for Certification Purposes (Repealed)
- 25.485 Provisional Recognition of Institutions (Repealed)
- 25.490 Rules for Certification of Persons Who Have Been Convicted of a Crime
- 25.493 Part-Time Teaching Interns
- 25.495 Approval of Out-of-State Institutions and Programs (Repealed)
- 25.497 Supervisory Endorsements

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

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg.

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15044, effective August 28, 1986; amended at 11 Ill. Reg. 12670, effective July 15, 1987; amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at 15 Ill. Reg. 17048, effective November 13, 1991; amended at 16 Ill. Reg. 18789, effective November 23, 1992; amended at 19 Ill. Reg. 16826, effective December 11, 1995; amended at 21 Ill. Reg. 11536, effective August 1, 1997; emergency amendment at 22 Ill. Reg. 5097, effective February 27, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 11767, effective June 25, 1998; amended at 22 Ill. Reg. 19745, effective October 30, 1998; amended at 23 Ill. Reg. 2843, effective February 26, 1999; amended at 23 Ill. Reg. 7231, effective June 14, 1999; amended at 24 Ill. Reg. 7206, effective May 1, 2000; emergency amendments at 24 Ill. Reg. 9915, effective June 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12930, effective August 14, 2000; preemptory amendment at 24 Ill. Reg. 16109, effective October 12, 2000; preemptory amendment suspended at 25 Ill. Reg. 3718, effective February 21, 2001; preemptory amendment repealed by joint resolution of the General Assembly, effective May 31, 2001; emergency amendments at 25 Ill. Reg. 9360, effective July 1, 2001, for a maximum of 150 days; emergency expired November 27, 2001; emergency amendments at 25 Ill. Reg. 11935, effective August 31, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16031, effective November 28, 2001; amended at 26 Ill. Reg. 348, effective January 1, 2002; amended at 26 Ill. Reg. 11867, effective July 19, 2002; amended at 26 Ill. Reg. 16167, effective October 21, 2002; amended at 27 Ill. Reg. 5744, effective March 21, 2003; amended at 27 Ill. Reg. 8071, effective April 28, 2003; emergency amendments at 27 Ill. Reg. 10482, effective June 26, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 12523, effective July 21, 2003; amended at 27 Ill. Reg. 16412, effective October 20, 2003; emergency amendment at 28 Ill. Reg. 2451, effective January 23, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 8556, effective June 1, 2004; emergency amendments at 28 Ill. Reg. 12438, effective August 20, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1212, effective January 4, 2005; amended at 29 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS

Section 25.10 Definition of Terms Used in This Part (Repealed)

~~American Government: The study of the process of control and administration of public policy in the United States, focusing especially on the origins, structure and interactions of the nation's political institutions. Coursework must explicitly include study of the United States Constitution and the federal government system.~~

~~American History: The study of the peoples, cultures and events which have~~

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~~contributed to the development of the United States. Coursework must include a chronological account of the origins and development of the United States with emphasis on the contributions of different cultures and political systems.~~

~~Anthropology: The study of the distribution, origin, classification and relationships of humanity. Coursework includes archaeology, physical anthropology and socio-cultural anthropology.~~

~~Biological Science: The study of the structure, function, growth, origin, evolution and distribution of living organisms, including coursework in biology, botany, and zoology.~~

~~Communication Skills: The study of the theory and practice of exchanging thoughts, messages and information with others in both oral and written form, including the principles governing oral and written discourse and skills in oral and written expression in English. Coursework includes the areas of rhetoric, speech communication, and composition.~~

~~Oral Communication: Coursework includes Public Speaking, Forensics, Oral Reading, Discussion Principles, Parliamentary Law, Oral Interpretation.~~

~~Written Communication: Coursework includes Exposition, Creative Writing, Composition, Technical Writing, Business Communication.~~

~~Cultural Geography: The study of humanity's relationship with the environment and the effects of geography on human social systems. Coursework includes ethnogeography, human migration, resource management and policy, geopolitical systems, organization of inter- and intra-urban systems.~~

~~Economics: The study of the science of production, distribution and consumption of goods and services. Coursework includes macro-economics, micro-economics and econometrics.~~

~~Endorsement: The written notation entered upon the face of a teaching certificate designating the specific subjects which an individual is qualified to teach.~~

~~English: The study of the word formation, syntax and semantics of the English language, focusing primarily and explicitly on its historical development and including a systematic description and analysis of English. Coursework includes~~

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~~English grammar, literature, and composition.~~

~~Fine Arts: The study of artistic expression in the areas of art, dance, music, and theatre. Coursework includes history, theory and studio.~~

~~Foreign Language: The study of a language other than English. Coursework includes composition, conversation, culture, literature and laboratory.~~

~~Health: The study of the dynamic interaction and interdependence among an individual's physical well-being, mental and emotional reactions, and the social setting in which the individual exists. Coursework includes personal health, mental and emotional health, prevention and control of disease, nutrition, substance use and abuse, accident prevention and safety, community health, environmental health, and family life education.~~

~~History: The study of systematic written or visual accounts of events affecting nations, institutions, or peoples. Coursework includes ancient, medieval and modern history.~~

~~Humanities: The study of subjects concerned with humans and their culture, including history, literature, philosophy, religion, and the visual, musical and theatrical arts. Coursework includes the history, analysis and understanding of imaginative art forms and the study of languages.~~

~~Language Arts: Reading, oral and written expression, grammar, spelling, handwriting, literature for children, and other literature as is commonly found in the courses of study in the elementary schools will be accepted.~~

~~Linguistics: The study of the nature and structure of human language. Coursework includes phonology, phonetics, morphology, syntax, dialectology, language typology, semantics, psycholinguistics, and sociolinguistics.~~

~~Literature: The study of imaginative or creative writing in prose or verse, especially of traditionally recognized artistic value, including coursework devoted primarily and explicitly to study of literary texts.~~

~~Mathematics: The study of numbers, their form, arrangement and associated relationships, with coursework focusing on the history, structure, and philosophy of mathematics, as well as mathematics topics such as symbolic logic; axiomatics; discrete mathematics; set and number theory; linear and abstract algebra; plane,~~

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~~solid and analytic geometry; calculus; analysis; probability and statistics; and topology. Coursework for individuals seeking Early Childhood or Elementary certification should primarily and explicitly focus on the study of number systems (whole, integer, rational and real), intuitive geometry, measurement, probability and statistics, and elementary concepts of calculator and computer usage in mathematics.~~

~~Non-Western or Third-World Culture: The study of social, political and cultural development in Third-World cultures. Coursework includes the study of the people and cultures of Asia, Africa, and Central and South America.~~

~~Philosophy: The study of systematization or organization, and criticism of knowledge. Coursework includes the general categories or aesthetics, epistemology, ethics, logic, metaphysics, religion and numerous subcategories.~~

~~Physical Development: The study of the psychomotor domain with emphasis on the potential and limitations of mind and body. Coursework includes maintenance of physical health and physical fitness, motor skill acquisition, and injury prevention and control.~~

~~Physical Science: The study of the history, philosophy and methodologies used to describe the physical universe, including coursework in astronomy, chemistry, earth science, physics, geology and physical geography.~~

~~Political Science: The study of the structure and processes of political systems, including the development of public policy. Coursework includes political systems, governmental structures, public law, public administration and political culture.~~

~~Psychology: The study of mental processes and animal and human behavior. Coursework includes the areas of individual and group psychology.~~

~~Semester Hour: The basis for calculating college work shall be the semester hour, which is one recitation or lecture period not less than fifty minutes in length, or an equivalent laboratory period, each week, for at least sixteen weeks.~~

~~Social Science: The study of human achievement, including the development, history and character of social, cultural and political organizations, and of methodologies used to describe and interpret these areas. Social Science includes coursework in the areas of anthropology, cultural and political geography,~~

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~~economics, political science, sociology, and psychology.~~

~~Sociology: The study of the development, structure, function and interaction of human groups. Coursework includes social organizations, social psychology, crime, delinquency and deviancy, population and human ecology, social inequalities, social movements.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

SUBPART B: CERTIFICATES

Section 25.11 New Certificates (February 15, 2000)

Section 21-2 of the School Code [105 ILCS 5/21-2] established a new system of teaching certificates effective February 15, 2000. A complete list of the certificates that were available as of that date is found in Appendix B to this Part. ~~The transition to the new system affected certified individuals as set forth in subsection (a) of this Section; under the new system, candidates for certification shall be treated in accordance with the remaining provisions of this Section.~~

- a) Holders of certain ~~current~~ Illinois teaching certificates ~~received, or~~ shall receive, corresponding standard teaching certificates ~~when they next renew any of their current certificates. Certificates subject to exchange are listed in Appendix C to this Part; see also Sections 25.400 and 25.450 of this Part.~~1) Certificates subject to exchange are listed in Appendix C to this Part. 2) No certificate holder shall be penalized in the exchange of certificates. Each endorsement held by a certificate holder prior to February 15, 2000, shall be recorded on the appropriate certificate received pursuant to this subsection (a). Qualifications accepted for particular teaching assignments prior to February 15, 2000, shall continue to be acceptable for those assignments, unless Section 25.100(l) of this Part applies. b) Out-of-state candidates who qualify for Illinois teaching certificates pursuant to Section 25.425 of this Part and who pass the applicable examinations (see Section 25.720 of this Part) shall receive either initial or standard teaching certificates, and, except as provided in subsection (a)(3)(b)(3) of this Section, those who receive initial certificates shall be subject to the requirements of subsection (c)(d) of this Section in terms of their subsequent receipt of standard teaching certificates. An out-of-state applicant who does not qualify for an initial or standard certificate may qualify to receive a provisional certificate subject to the provisions of Section 21-10 of the School Code [105 ILCS 5/21-10].

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- 1) *Standard certificates will be issued to candidates who present evidence of at least four years of teaching experience on a valid certificate issued by a state, territory, or possession of the United States.* (Section 21-2(b-5) of the School Code [105 ILCS 5/21-2(b-5)])
- 2) Initial certificates will be issued to qualified candidates with fewer than four years of teaching experience.
 - A) A recipient of an initial certificate pursuant to this subsection ~~(a)(2)(b)(2)~~ shall be eligible to apply for a comparable standard certificate when he or she has accumulated a total of four years' teaching experience on a valid certificate, including the time taught outside Illinois.
 - B) Pursuant to Section 21-2(b-5) of the School Code, the 12 semester hours of graduate-level coursework needed to complete the option discussed in Section 25.905(d) of this Part and the 60 continuing professional development units (CPDUs) needed to complete the option discussed in Section 25.905(e) of this Part *shall be reduced in proportion to the amount of teaching time a candidate needs to accumulate in Illinois in order to complete four years of teaching.* The number of hours or CPDUs required shall be reduced by one-fourth for each full year of teaching completed outside Illinois.
- 3) *The requirements of Subpart K of this Part shall not apply to an individual who holds a second-tier certificate from another state.* (Section 21-2(b-5) of the School Code) A "second-tier certificate" is one that is issued after a teacher has:
 - A) held a prerequisite teaching certificate that was valid for the same area or areas of assignment, other than an emergency, provisional, or substitute certificate; and
 - B) met specified additional requirements for professional development or induction to the profession of teaching.
- 4) Certificates will be endorsed in accordance with the provisions of Sections 25.100 and 25.425 of this Part.

b)e) A candidate completing an approved Illinois teacher preparation program ~~en-or~~

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~~after February 15, 2000,~~ may qualify for an initial teaching certificate by passing the applicable examinations ~~as set forth in Section 25.20, 25.30, 25.40, or 25.80 of this Part, or in~~ Section 25.22, 25.32, 25.42, or 25.82 of this Part, as applicable.

- ~~c)~~^{d)} An individual who has completed four years of teaching on an initial certificate (or on another certificate that was issued in conjunction with an initial certificate) may qualify for a comparable standard certificate as set forth in Subpart K of this Part.
- 1) All endorsements shall be carried forward from an initial to the comparable standard certificate.
 - 2) *A holder of an initial certificate who has not completed four years of teaching within four years may renew and register the certificate for additional four-year periods without limitation.* (Section 21-14(b) of the School Code [105 ILCS 5/21-14(b)])
 - 3) A candidate who has taught for four years on an initial certificate but has not met the requirements of Subpart K of this Part may not receive another comparable initial teaching certificate. For example, a holder of an initial elementary certificate will not be eligible to receive another initial elementary certificate. *However, such an individual may receive a reinstated certificate, valid for one year, during which he or she may complete the option chosen as a means of qualifying for the standard teaching certificate.* (Section 21-14(b) of the School Code) No initial certificate-holder may receive a reinstated certificate more than once pursuant to this subsection ~~(c)(3)(d)(3)~~.
 - 4) When an individual completes four years of teaching experience on an initial certificate, that certificate shall become invalid on the following June 30.
- ~~d)~~^{e)} A holder of an Illinois teaching certificate who has teaching experience on a valid certificate as required by Section 21-11.2 of the School Code [105 ILCS 5/21-11.2] may receive an additional certificate of another type as set forth in Section 25.35 of this Part. Once an individual has received a standard teaching certificate, any other subsequently issued early childhood, elementary, secondary, special K-12, or special preschool-age 21 certificate shall also be a standard certificate, with the exception of any master certificate for which the individual also qualifies.

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- e)f) "Four years of teaching experience" means the equivalent of four years' full-time employment, i.e., eight semesters of scheduled full-time teaching, which may, however, be accumulated in any combination of increments. That is, it need not be accumulated through full-time teaching.
- f)g) "Evidence of teaching experience" means a letter signed by the chief administrator or other designated official of the employing school district or nonpublic school documenting the nature and duration of the candidate's teaching. A letter signed by an official of the state education agency in another state may be substituted for an employer's letter when the latter cannot be secured. Experience gained while teaching in a home school shall not be applicable to the fulfillment of this requirement.
- g)h) For purposes of this Section, "valid certificate" means a certificate equivalent to an Illinois master, standard, initial, or provisional early childhood, elementary, secondary, or special certificate.
- h)i) Upon application, a holder of certification issued by the National Board for Professional Teaching Standards (NBPTS) shall be issued a comparable Illinois master certificate. Endorsements comparable to those held by the individual shall appear on the master certificate. The State Board shall make available the list of NBPTS certifications for which Illinois master credentials are available and shall update that list as the NBPTS expands its areas of certification.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.15 Standards for Certain Certificates (Repealed)

- a) ~~The standards that shall apply beginning October 1, 2003, to each candidate seeking an initial early childhood, elementary, secondary, or special teaching certificate shall be as set forth in Standards for All Illinois Teachers (23 Ill. Adm. Code 24).~~
- b) ~~The standards that shall apply beginning October 1, 2003, to each candidate seeking an administrative certificate shall be as set forth in Standards for Administrative Certification (23 Ill. Adm. Code 29).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.20 Requirements for the Elementary Certificate (Repealed)

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~~This Section is replaced by Section 25.22 of this Part.~~

- a) Each applicant shall:
- 1) ~~have completed an approved Illinois teacher preparation program for the elementary certificate (see Subpart C of this Part); or~~
 - 2) ~~have completed a comparable program in another state or country or hold an elementary or comparable certificate issued by another state or country (see Sections 25.425 and 25.495 of this Part); or~~
 - 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation as provided in Section 21-11.2 of the School Code [105 ILCS 5/21-11.2], and, if the evaluation demonstrates that the candidate has not met any of the requirements of subsections (b) through (d) of this Section or has not completed the semester hours of study listed in this subsection (a)(3), remove the applicable deficiency or deficiencies as provided in Section 25.35 of this Part.~~
 - A) Educational psychology 2
 - B) Methods and techniques of teaching on the elementary level 2
 - C) History and/or philosophy of education 2
 - D) Methods of teaching reading 2
 - E) Coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a])
 - F) Pre-student teaching clinical experiences equivalent to 100 clock hours
 - G) Student teaching (grades K-9) 5

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H) Electives to total 16 semester hours 3

- b) ~~Each applicant shall have completed pre-student teaching clinical experiences (see Section 25.610 of this Part), except that applicants with teaching experience at the K-9 level, as verified by the employer, need not complete pre-student teaching clinical experience.~~
- e) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part, except that applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience.~~
- d) ~~Each applicant shall be required to pass the test of basic skills and the applicable test of subject matter knowledge (see Subpart I of this Part). Each individual submitting an application on or after October 1, 2003, shall also be required to pass the assessment of professional teaching (APT) relevant to the elementary certificate, which shall be based upon the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers). Beginning July 1, 2004, the test of subject matter knowledge shall be based upon the applicable standards set forth in 23 Ill. Adm. Code 26 (Standards for Certification in Early Childhood Education and in Elementary Education).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.22 Requirements for the Elementary Certificate (2004) (Repealed)

- a) ~~Each applicant shall:~~
- 1) ~~have completed an approved Illinois teacher preparation program for the elementary certificate, including coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a]) (see Subpart C of this Part); or~~
 - 2) ~~have completed a comparable program in another state or country or hold an elementary or comparable certificate issued by another state or country (see Section 25.425 of this Part); or~~

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- 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code [105 ILCS 5/21-11.2], and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.~~
- b) ~~Each applicant shall have completed 32 semester hours in elementary education or a major in the field, as identified by the accredited institution on the individual's official transcript.~~
- e) ~~Each applicant shall have completed pre-student teaching field experiences (see Section 25.610 of this Part). However, applicants with teaching experience at the K-9 level, as verified by the employer, need not complete pre-student teaching clinical experience, except as may be required under Section 25.37 of this Part.~~
- d) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part. However, applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part.~~
- e) ~~Each applicant shall be required to pass the tests required for the certificate as specified in Sections 25.720 and 25.725 of this Part.~~
- f) ~~Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code [105 ILCS 5/21-10].~~
- g) ~~The requirements of this Section shall not apply to an elementary certificate that is issued along with a secondary certificate in place of a special certificate as provided in Appendix C to this Part.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.25 Requirements for "Full" Certification

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

- a) Each applicant shall:

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- 1) have completed an approved Illinois teacher preparation program for the type of certificate sought, including coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a]) (see Subpart C of this Part); or
 - 2) have completed a comparable program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part); or
 - 3) hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code [105 ILCS 5/21-11.2], and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.
- b) Each applicant shall have completed 32 semester hours, or a major as identified by the accredited institution on the individual's official transcript, in early childhood education, elementary education, or a field of specialization, as applicable to the type of certificate sought.
 - c) Each applicant shall have completed pre-student teaching field experiences at the grade level(s) and in the area of specialization relevant to the certificate sought (see Section 25.610 of this Part). However, applicants with teaching experience at the applicable level, as verified by the employer, need not complete pre-student teaching field experience, except as may be required under Section 25.37 of this Part.
 - d) Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part. However, applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part.
 - e) Each applicant shall be required to pass the tests required for the certificate as specified in Section 25.720 of this Part.
 - f) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code [105 ILCS 5/21-10].

(Source: Added at 29 Ill. Reg. _____, effective _____)

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Section 25.30 Requirements for the Secondary Certificate (Repealed)

~~This Section is replaced by Section 25.32 of this Part.~~

- a) Each applicant shall:
- 1) ~~have completed an approved Illinois teacher preparation program for the secondary certificate (see Subpart C of this Part); or~~
 - 2) ~~have completed a comparable program in another state or country or hold a secondary or comparable certificate issued by another state or country (see Sections 25.425 and 25.495 of this Part); or~~
 - 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation as provided in Section 21-11.2 of the School Code, and, if the evaluation demonstrates that the candidate has not met any of the requirements of subsections (b) through (e) of this Section or has not completed the semester hours of study listed in this subsection (a)(3), remove the applicable deficiency or deficiencies as provided in Section 25.35 of this Part.~~
 - A) ~~Educational psychology, including human growth and development~~ 2
 - B) ~~Methods and techniques of teaching on the secondary level or in a teaching field~~ 2
 - C) ~~History and/or philosophy of education~~ 2
 - D) ~~Coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a])~~
 - E) ~~Pre-student teaching clinical experiences equivalent to 100 clock hours~~
 - F) ~~Student teaching (grades 6-12)~~ 5

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G) Electives to total 16 semester hours 5

- b) ~~Each applicant shall have completed pre-student teaching clinical experiences (see Section 25.610 of this Part), except that applicants with teaching experience at the 6-12 level, as verified by the employer, need not complete pre-student teaching clinical experience.~~
- c) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part, except that applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience.~~
- d) ~~One major area of specialization, totaling 32 semester hours or as otherwise identified by the accredited institution on the individual's official transcript, shall be required.~~
- e) ~~Each applicant shall be required to pass the test of basic skills and the applicable test of subject-matter knowledge (see Subpart I of this Part). Each individual submitting an application on or after October 1, 2003, shall also be required to pass the assessment of professional teaching (APT) relevant to the secondary certificate, which shall be based upon the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers). Beginning July 1, 2004, the test of subject matter knowledge shall be based upon the applicable standards set forth in 23 Ill. Adm. Code 27 (Standards for Certification in Specific Teaching Fields).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.32 Requirements for the Secondary Certificate (2004) (Repealed)

- a) Each applicant shall:
- 1) ~~have completed an approved Illinois teacher preparation program for the secondary certificate, including coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code) (see Subpart C of this Part); or~~

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- ~~2) have completed a comparable program in another state or country or hold a secondary or comparable certificate issued by another state or country (see Section 25.425 of this Part); or~~
- ~~3) hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code, and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.~~
- b) ~~Each applicant shall have completed pre-student teaching field experiences (see Section 25.610 of this Part). However, applicants with teaching experience at the 6-12 level, as verified by the employer, need not complete pre-student teaching field experience, except as may be required under Section 25.37 of this Part.~~
- e) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part. However, applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part.~~
- d) ~~A total of 32 semester hours in an area of specialization, or a major as identified by the accredited institution on the individual's official transcript, shall be required.~~
- e) ~~Each applicant shall be required to pass the tests required for the certificate as specified in Sections 25.720 and 25.725 of this Part.~~
- f) ~~Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.~~
- g) ~~The requirements of this Section shall not apply to a secondary certificate that is issued along with an elementary certificate in place of a special certificate as provided in Appendix C to this Part.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.35 Acquisition of Subsequent Certificates; Removal of Deficiencies (Repealed)

~~The provisions of this Section shall apply until replaced by Section 25.37 of this Part when an individual who already holds one or more Illinois teaching certificates wishes to receive an~~

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~~additional certificate pursuant to Section 21-11.2 of the School Code.~~

- a) ~~The applicant shall submit to the State Board of Education, through the office of a regional superintendent of schools:~~
- ~~1) a completed application form;~~
 - ~~2) an official transcript of any college credits not already on file with the Certification Board;~~
 - ~~3) a letter, signed by the superintendent of the employing district or other authorized official, documenting at least three months' full-time teaching experience on a valid Illinois elementary, secondary, special, or early childhood certificate; and~~
 - ~~4) the application fee required by Section 21-12 of the School Code.~~
- b) ~~A deficiency statement shall be issued when an applicant does not qualify for the requested certificate. An applicant who receives a deficiency statement shall present it to an institution that operates a teacher preparation program approved pursuant to Subpart C of this Part. With the assistance of the State Board of Education, the institution shall:~~
- ~~1) compare the applicant's deficiency to the coursework it offers that corresponds to the NCATE standards for professional education (see Section 25.115 of this Part) or that addresses the content area, as applicable; and~~
 - ~~2) advise the applicant as to the coursework needed to remedy the deficiency.~~
- c) ~~An applicant may remove deficiencies and qualify for the certificate on the original fee, provided that he or she completes the requirements and passes the applicable tests in keeping with Sections 25.427 and 25.720 of this Part.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.40 Requirements for the Special Certificate (Repealed)

~~This Section is replaced by Section 25.42 of this Part.~~

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- a) Each applicant shall:
- 1) ~~have completed an approved Illinois teacher preparation program for the special certificate (see Subpart C of this Part); or~~
 - 2) ~~have completed a comparable program in another state or country or hold a special or comparable certificate issued by another state or country (see Sections 25.425 and 25.495 of this Part); or~~
 - 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation as provided in Section 21-11.2 of the School Code, and, if the evaluation demonstrates that the candidate has not met any of the requirements of subsections (b) through (e) of this Section or has not completed the semester hours of study listed in this subsection (a)(3), remove the applicable deficiency or deficiencies as provided in Section 25.35 of this Part.~~
 - A) ~~Educational Psychology, including Human Growth and Development~~ 2
 - B) ~~Methods and Techniques of Teaching in the area of specialization~~ 2
 - C) ~~History and/or Philosophy of Education~~ 2
 - D) ~~Pre-student Teaching Clinical Experiences at the Elementary and Secondary Levels Equivalent to 100 Clock Hours in the Area of Specialization~~
 - E) ~~Coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a])~~
 - F) ~~Student Teaching in Area of Specialization and at the grade level of the certificate~~ 5
 - G) ~~Electives to Total 16 Semester Hours (may include additional coursework in the areas enumerated in this~~ 5

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~~subsection (a)(3) and/or in guidance, tests and measurements, methods of teaching reading, and instructional materials)~~

- b) ~~Each applicant shall have completed pre-student teaching clinical experiences (see Section 25.610 of this Part), except that applicants with teaching experience in the field of specialization, as verified by the employer, need not complete pre-student teaching clinical experience.~~
- e) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part, except that applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience.~~
- d) ~~One major area of specialization, totaling 32 semester hours or as otherwise identified by the accredited institution on the individual's official transcript, shall be required.~~
- e) ~~Each applicant shall be required to pass the test of basic skills and the applicable test of subject matter knowledge (see Subpart I of this Part). Each individual submitting an application on or after October 1, 2003, shall also be required to pass the assessment of professional teaching (APT) relevant to the special certificate, which shall be based upon the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers). Beginning July 1, 2004, the test of subject matter knowledge shall be based upon the relevant standards set forth in 23 Ill. Adm. Code 27 (Standards for Certification in Specific Teaching Fields).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.42 Requirements for the Special Certificate (2004) (Repealed)

- a) ~~Each applicant shall:~~
 - 1) ~~have completed an approved Illinois teacher preparation program for the special certificate, including coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code) (see Subpart C of this Part); or~~

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- 2) ~~have completed a comparable program in another state or country or hold a special or comparable certificate issued by another state or country (see Section 25.425 of this Part); or~~
- 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code, and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.~~
- b) ~~Each applicant shall have completed pre-student teaching field experiences (see Section 25.610 of this Part). However, applicants with teaching experience in the field of specialization, as verified by the employer, need not complete pre-student teaching field experience, except as may be required under Section 25.37 of this Part.~~
- e) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part. However, applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part.~~
- d) ~~A total of 32 semester hours in an area of specialization, or a major as identified by the accredited institution on the individual's official transcript, shall be required.~~
- e) ~~Each applicant shall be required to pass the tests required for the certificate as specified in Sections 25.720 and 25.725 of this Part.~~
- f) ~~Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.80 Requirements for the Early Childhood Certificate (Repealed)

~~This Section is replaced by Section 25.82 of this Part.~~

- a) ~~Each applicant shall:~~
- 1) ~~have completed an approved Illinois teacher preparation program for the~~

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~~early childhood certificate (see Subpart C of this Part); or~~

- 2) ~~have completed a comparable program in another state or country or hold an early childhood or comparable certificate issued by another state or country (see Sections 25.425 and 25.495 of this Part); or~~
- 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation as provided in Section 21-11.2 of the School Code, and, if the evaluation demonstrates that the candidate has not met any of the requirements of subsections (b) through (d) of this Section or has not completed the semester hours of study listed in this subsection (a)(3), remove the applicable deficiency or deficiencies as provided in Section 25.35 of this Part.~~
- A) ~~Child growth and development with emphasis on the young child~~ 3
- B) ~~History and philosophy of early childhood education~~ 3
- C) ~~Types of instructional methods, including types of activity/learning centers, individualization, educational play, and media and their utilization in extending the child's understanding of art, music, literature, reading instruction, mathematics, natural and social science~~ 4
- D) ~~Methods of teaching reading, with emphasis on the young child~~ 2
- E) ~~Techniques and methodologies of teaching language arts, mathematics, science and social studies at the primary level~~ 4
- F) ~~The development and acquisition of language in young children~~ 2
- G) ~~Child, family and community relationships~~ 3
- H) ~~Coursework addressing the psychology of, the~~

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~~identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled (Section 21-2a of the School Code)~~

- ~~I) Pre-student teaching clinical experiences equivalent to 100 clock hours, including experience with infants/toddlers, preschool/kindergarten children, and primary school students~~
- ~~J) Student teaching~~
- ~~K) Electives in professional education~~ 3

- ~~b) Each applicant shall have completed pre-student teaching clinical experiences (see Section 25.610 of this Part), except that applicants with teaching experience at the PreK-3 level, as verified by the employer, need not complete pre-student teaching clinical experience.~~
- ~~c) Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part, except that applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience.~~
- ~~d) Each applicant shall be required to pass the test of basic skills and the applicable test of subject matter knowledge (see Subpart I of this Part). Each individual submitting an application on or after October 1, 2003, shall also be required to pass the assessment of professional teaching (APT) relevant to the early childhood certificate, which shall be based upon the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers). Beginning July 1, 2004, the test of subject matter knowledge shall be based upon the applicable standards set forth in 23 Ill. Adm. Code 26 (Standards for Certification in Early Childhood Education and in Elementary Education).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.82 Requirements for the Early Childhood Certificate (2004) (Repealed)

- a) Each applicant shall:

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- 1) ~~have completed an approved Illinois teacher preparation program for the early childhood certificate, including coursework addressing the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled (Section 21-2a of the School Code) (see Subpart C of this Part); or~~
 - 2) ~~have completed a comparable program in another state or country or hold an early childhood or comparable certificate issued by another state or country (see Section 25.425 of this Part); or~~
 - 3) ~~hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code, and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.~~
- b) ~~Each applicant shall have completed pre-student teaching field experiences (see Section 25.610 of this Part). However, applicants with teaching experience at the PreK-3 level, as verified by the employer, need not complete pre-student teaching field experience, except as may be required under Section 25.37 of this Part.~~
 - e) ~~Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part. However, applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part.~~
 - d) ~~Each applicant shall have completed 32 semester hours in early childhood education or a major in the field, as identified by the accredited institution on the individual's official transcript.~~
 - e) ~~Each applicant shall be required to pass the tests required for the certificate as specified in Sections 25.720 and 25.725 of this Part.~~
 - f) ~~Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.85 Special Provisions for Endorsement in Foreign Language for Individuals

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Currently Certified

The provisions of this Section shall apply when individuals who hold Illinois certification in one or more fields wish to teach a foreign language but either lack certification appropriate to the grade level of the assignment or have not completed 20 hours of coursework as required to obtain an endorsement in the language (see 23 Ill. Adm. Code 1.730(h)).

- a) The provisions of this subsection (a) shall apply to each individual who holds a certificate endorsed for a particular language but whose certification does not extend to other grade levels as needed for an available assignment. (Example: A holder of a secondary (6-12) certificate endorsed for French who wishes to teach French in the fourth grade.)
 - 1) An individual to whom this subsection (a) applies may receive an endorsement valid for teaching the specified language at the remaining grade levels ~~by, provided that he or she applies for the endorsement on or before December 31, 2003.~~ ~~2) Beginning January 1, 2004, an individual to whom this subsection (a) applies may receive an endorsement valid for teaching the specified language at the remaining grade levels by:~~
 - A) submitting the required application for the endorsement, and
 - B) passing the assessment of professional teaching relevant to the remaining grade levels.
 - ~~2)3)~~ With regard to major teaching assignments (i.e., at least 50 percent of the school day) in departmentalized grades 5 through 8, the requirements of 23 Ill. Adm. Code 1.720 (Minimum Requirements for Teachers of Middle Grades) shall apply to any individual who has not passed an assessment of professional teaching relevant to a certificate other than the early childhood certificate.
- b) The provisions of this subsection (b) shall apply to each individual who holds an elementary, secondary, special K-12, or special preschool-age 21 certificate and wishes to teach a language in which he or she has not completed 20 semester hours of coursework. (Example: A holder of a secondary (6-12) certificate endorsed for mathematics who wishes to teach Korean.)
 - 1) In order to qualify under this subsection (b), an individual shall submit an application for an endorsement in the specified language at the grade

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levels of his or her certificate and shall be required to have passed the test relative to that language as listed in Section 25.710 of this Part or, if the language is not listed in that Section, another test identified by the State Board of Education. If the language is listed more than once in that Section, the required test shall be the test not listed under "Transitional Bilingual Education". (Example: Spanish).

- 2) An individual who has received an endorsement pursuant to this subsection (b) may receive an endorsement for other grade levels as provided in subsection (a)(1) ~~or (a)(2)~~ of this Section.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.99 Endorsing Teaching Certificates (Repealed)

~~This Section is replaced by Section 25.100 of this Part. Elementary and secondary teaching certificates will be endorsed with the subject areas a person is qualified to teach upon demonstration that the coursework presented for examination meets the requirements set forth in 23 Ill. Adm. Code 1: Subpart G, Staff Qualifications (Public Schools Evaluation, Recognition and Supervision).~~

- ~~a) Coursework presented for endorsement shall be counted toward a specific subject qualification if the course content meets the standards established for the subject as listed in Subpart G of 23 Ill. Adm. Code 1.~~
- ~~b) Coursework presented for endorsement will be counted in each subject area to which it applies.~~
- ~~c) Applicants for certificates presenting a 32 semester hour major field of specialization, for which qualifications are not specified in Subpart G of 23 Ill. Adm. Code 1, shall have the certificate endorsed with that major field of specialization.~~
- ~~d) Applicants for certification who have completed approved programs or who qualify for certification by transcript evaluation shall be evaluated for all endorsement areas and issued a certificate with all endorsements for which they qualify in accordance with subsections (a) and (b) of this Section.~~
- ~~e) Individuals seeking to endorse previously issued certificates or obtain additional endorsements may apply for such endorsements, on forms provided by the State~~

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~~Board of Education, in accordance with the provisions of Section 21-12 of the School Code [105 ILCS 5/21-12].~~

- ~~1) Applications must be submitted through the office of a Regional Superintendent of Schools and accompanied by a \$30 nonrefundable fee made payable to the State Teacher Certification Board.~~
 - ~~2) Applicants qualifying for an endorsement shall receive a duplicate of their original certificate with the endorsement and date of the endorsement affixed.~~
 - ~~3) Deficiency statements shall be issued when an applicant does not qualify for the requested endorsements. Applicants may remove their deficiencies and qualify for endorsements on their original fee, provided that they qualify within one year after the date of the deficiency statement. Subsequent requests for the same endorsement(s) shall be accompanied with another fee.~~
- f) ~~An individual who chooses to "split" a special or special preschool-age 21 certificate and receive both an elementary and a secondary certificate instead, as provided in Section 21-4 of the School Code [105 ILCS 5/21-4] and Appendix C to this Part, may qualify for endorsement in "self-contained general education" on the elementary certificate by presenting evidence of having completed the coursework described in 23 Ill. Adm. Code 1.710 (Minimum Requirements for Elementary Teachers). Such an individual shall also be required to pass the subject matter knowledge test for elementary education and, if he or she has not already passed the test of basic skills and received a certificate based on it, that test as well.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

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

Section 25.140 ~~Transitional~~ Requirements for Educational Unit Assessment Systems

~~Each~~In keeping with the timeline described in this Section, each educational unit shall be required to establish and maintain an assessment system for collecting and analyzing information on applicants' qualifications, candidates' and graduates' performance, and the unit's operations for the purpose of evaluating and improving the unit and its programs. ~~Each educational unit shall~~

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~~make the transition prescribed in this Section in developing that system. The progress of each educational unit shall be reviewed against the benchmarks described in this Section as applicable to the timing of its Accreditation Review. In each instance, the required information shall be presented in a format prescribed by the State Board of Education.~~

- a) The assessment system shall describe the unit's design for collecting, analyzing, summarizing, and using information from the assessments of candidates, including measures that provide evidence of candidates' proficiency with respect to professional, State, and institutional standards.
- b) The assessment system shall be designed to collect information that enables the unit and its programs to:
 - 1) make decisions about candidates' qualifications and performance at the time of admission to the program, at appropriate transition points (including entry to and exit from clinical practice), and at program completion.
 - 2) demonstrate that admission requirements are related to candidates' success.
 - 3) use the results from assessments of candidates to evaluate and make improvements in the unit and its programs, courses, teaching, and field and clinical experiences.
 - 4) use the results of assessments of unit operations (e.g., faculty evaluations, graduate surveys, employer surveys) to evaluate and make improvements in the unit and its programs, courses, teaching, and field and clinical experiences.
- c) The assessment system shall identify the major assessments that are used by the unit and the programs and at what points during the unit's programs these assessments of candidates' performance occur.
- d) At the time of each unit's accreditation review, the unit shall present the performance data it has collected and analyzed since its last review, including the results of State certification testing, along with evidence that:
 - 1) The unit's assessment system is being implemented, evaluated, and refined;
 - 2) Performance assessments are being tested for accuracy, consistency, and fairness; and

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- 3) Data on candidates' performance from internal assessments as well as external measurements have been compiled and are being used to improve the unit and its programs.
- a) Fifth-Year Review in Spring of 2002
- Each unit shall present the performance data it currently collects, including the results of State certification testing, along with a plan for its assessment system.
- 1) The plan shall describe the unit's design for collecting, analyzing, summarizing, and using information gleaned from assessments of candidates, including measures that will provide evidence of candidates' proficiency with respect to professional, State, and institutional standards.
- 2) The plan shall provide for the collection of information enabling the unit to:
- A) make decisions about candidates' qualifications and performance at the time of admission to the program, at appropriate transition points (including entry to and exit from clinical practice), and at program completion;
- B) demonstrate that admissions requirements are related to candidates' success;
- C) use the results from assessments of candidates to evaluate and make improvements in the unit and its programs, courses, teaching, and field and clinical experiences; and
- D) use results from assessments of unit operations (e.g., faculty evaluations, graduate surveys, employee surveys) to evaluate and make improvements in the unit and its programs, courses, teaching, and field and clinical experiences.
- 3) The plan shall identify the types of assessments that will be used by the unit and at what points during the unit's programs the major assessments of candidates' performance will occur. The plan shall also indicate how this information will be provided to candidates.
- 4) The plan shall include multiple types of assessment (e.g., reflections,

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~~observations, teaching demonstrations, analytic work, candidates' projects).~~

- ~~5) The plan shall include provision for information from both internal and external sources.~~

~~b) Fifth Year Review in Fall of 2002 or Spring of 2003~~

~~Each unit shall present the performance data it currently collects, including the results of State certification testing, along with evidence that:~~

- ~~1) It has begun to implement the plan for its assessment system that is required pursuant to subsection (a)(1) of this Section;~~
- ~~2) Internal assessments based on professional, State, and institutional standards have been developed, and efforts are under way to develop methods for evaluating them in terms of their accuracy, consistency, and fairness; and~~
- ~~3) Systematic compilation of the data available from internal assessments has been initiated.~~

~~e) Accreditation Review in Fall of 2003 or Spring of 2004~~

~~Each unit shall present the performance data it currently collects, including the results of State certification testing, along with evidence that:~~

- ~~1) The unit is using internal performance assessments to identify the competence of all candidates.~~
- ~~2) A system is in place for testing the accuracy, consistency, and fairness of internal assessments.~~
- ~~3) Systematic management and analysis of data on candidates' performance have begun.~~

~~d) Accreditation Review After Spring of 2004~~

~~Each unit shall present the performance data it currently collects, including the results of State certification testing, along with evidence that:~~

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- 1) ~~The unit's assessment system is being implemented, evaluated, and refined.~~
- 2) ~~Performance assessments are being tested for accuracy, consistency, and fairness.~~
- 3) ~~Data on candidates' performance from internal assessments as well as external measurements have been compiled and are being used to improve the unit's programs.~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART D: SCHOOL SERVICE PERSONNEL

Section 25.210 Requirements for the Certification of School Social Workers (Repealed)

~~This Section is replaced by Section 25.215 of this Part.~~

- a) ~~Effective January 1, 1996, the school social work endorsement will be issued only to persons holding a master's or higher degree in social work, including a minimum of 55 graduate-level semester hours of coursework, supervised field experience, and school social work internship, from a graduate school of social work accredited by the Council on Social Work Education.~~
- b) ~~School social workers must hold a school service personnel certificate based on completion of an approved program that provides consideration across the curriculum to racial, cultural, gender, and ethnic diversity, as well as an examination of the social worker's professional code of ethics.~~
- e) ~~Required Content Areas and Courses~~

~~Graduate-Level
Hours Required~~

- 1) ~~Human Behavior and the Social Environment~~ ~~4~~
- 2) ~~Social Welfare Policy~~ ~~4~~
- 3) ~~Social Work Theory, Methods, and Practice, including Individual, Family, Group, Consultation, and~~ ~~2~~

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~~Community Intervention Methods~~

- | | | |
|----|--|---|
| 4) | Research Methodology | 2 |
| 5) | Characteristics of Exceptional Children | 2 |
| 6) | Social Work Practice in the Public Schools, including: | 2 |
| | A) Interventive Methods with Individuals, Families, and Groups, and consultation with school personnel and the school community | |
| | B) School Laws, Rules, and Regulations, and Public Policy Pertaining to School Social Work Practice | |
| | C) Organizational and Administrative Concepts and Processes Related to Schools | |
| d) | Supervised Field Experience
School social workers must complete a supervised field experience comprising a minimum of 400 contact hours that are supervised by a field instructor holding a master's or higher degree in social work. | |
| e) | School social workers must complete a school social work internship comprising a minimum of 600 contact hours in a school setting. | |
| | 1) The internship must be supervised by a field instructor holding a master's or higher degree in social work and a school service personnel certificate endorsed for school social work, or equivalent certification. | |
| | 2) The internship must provide for the development and demonstration of professional skills, including, but not limited to: | |
| | A) Communication, interviewing, and observation skills | |
| | B) Social Developmental, Adaptive Behavior, and Cultural Background assessments | |
| | C) Effective intervention with culturally diverse populations | |
| | D) Home School Community liaison | |

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- ~~E) Application of theory to specific practice modalities—~~
- ~~Crisis Intervention~~
 - ~~Prevention and Early Intervention~~
 - ~~Consultation~~
 - ~~Collaboration and Participation~~
 - ~~Multidisciplinary Team Work~~
 - ~~Case Management~~
 - ~~Individual, Group, and Family Intervention~~
 - ~~Community Resource Development~~
 - ~~Advocacy~~
- ~~F) Evaluation of Practice~~
- ~~G) Evaluation of Program~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.220 Requirements for the Certification of Guidance Personnel (Repealed)

~~The requirements contained in subsections (a) and (b) of this Section shall remain in force through August 31, 1993. Thereafter, the requirements set forth in subsections (c), (d), and (e) of this Section shall take effect until this Section is replaced by Section 25.225 of this Part.~~

- ~~a) Requirements:~~
- ~~1) Guidance specialists must hold or be qualified for a standard teaching certificate.~~
 - ~~2) Guidance specialists must hold a master's degree.~~
 - ~~3) Guidance specialists must have completed an approved program in guidance from a recognized college or university consisting of 32 semester hours of coursework. An approved program shall include supervised school-based practicum experience. Coursework should be from the eight areas of competency listed below. Appropriate courses in the areas listed in subsections (A), (B), (C), (D), (E) and (F) below are a minimum requirement. Not more than six semester hours shall be acceptable at the undergraduate level.~~

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- A) ~~Principles and techniques of guidance.~~
 - B) ~~Appraisal techniques.~~
 - C) ~~Human growth and development.~~
 - D) ~~Principles and practices in counseling.~~
 - E) ~~Occupational, educational, personal and social information.~~
 - F) ~~Mental hygiene and/or personality dynamics.~~
 - G) ~~Organization of guidance services.~~
 - H) ~~Research.~~
- b) ~~All Counselors who presently hold a specialist's certificate would be eligible to obtain a School Service Personnel Certificate with a Guidance Specialist endorsement.~~
- e) ~~Guidance specialists must hold or be qualified for a standard teaching certificate.~~
- d) ~~Guidance specialists must hold a master's degree from a recognized teacher education institution.~~
- e) ~~Guidance specialists must hold a school service personnel certificate based on completion of an approved program in guidance from a recognized college or university, consisting of 39 semester hours of coursework at the graduate level. Courses in all of the following content areas are required, and the required credit hours may be earned through completion of titled courses, seminars, or practica covering the areas described.~~
- 1) ~~Human Growth and Development (3 Hours)
Includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels. Emphasis is placed on psychological, sociological, and physiological approaches. Also included are such areas as human behavior (normal and abnormal), personality theory, and learning theory.~~

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- 2) ~~Social and Cultural Foundations (3 Hours)~~
~~Includes studies of change, ethnic groups, subcultures, changing roles of women, sexism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns. Such disciplines as the behavioral sciences, economics, and political science are involved.~~
- 3) ~~The Helping Relationship (6 Hours)~~
~~Includes philosophic bases of helping relationships; counseling theory, supervised practice, and application; consultation theory, supervised practice, and application; and an emphasis on development of counselor and client (or consultee) self-awareness and self-understanding.~~
- 4) ~~Groups (3 Hours)~~
~~Includes theory and types of groups as well as descriptions of group practices, methods, dynamics, and facilitative skills. This area also includes supervised practice.~~
- 5) ~~Life Style and Career Development (3 Hours)~~
~~Includes such areas as vocational choice theory, relationship between career choice and life style, sources of occupational and educational information, computerized guidance services, financial aid, college admissions, approaches to career decision-making processes, and career development exploration techniques.~~
- 6) ~~Appraisal of the Individual (3 Hours)~~
~~Includes the development of a framework for understanding the individual, including methods of data-gathering and interpretation, individual and group testing, case study approaches, and the study of individual differences. Ethnic, cultural, and gender related factors are also considered.~~
- 7) ~~Research and Evaluation (3 Hours)~~
~~Includes such areas as statistics, research design, and the development of research and demonstration proposals. It also includes understanding legislation relating to the development of research, programs, and demonstration proposals, as well as the development and evaluation of program objectives.~~
- 8) ~~Professional Orientation (3 Hours)~~
~~Includes goals and objectives of professional organizations, code of ethics,~~

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~~legal considerations, standards of preparation, certification, licensing, and role identity of counselors and other school service personnel.~~

- 9) ~~Environmental Studies (6 Hours)~~
~~Includes the study of the school environment in which the student is planning to work. This area encompasses history, philosophy, trends, purposes, ethics, legal aspects, standards, and roles within the institution. Issues such as chemical dependency, sexuality, and the effects of single-parent homes and blended families must be covered, as well as the needs of special populations, such as bilingual children or children with physical or mental disabilities.~~
- 10) ~~Supervised Experiences (6 Hours)~~
- A) ~~Appropriate supervised experiences provide for the integration and application of knowledge and skills gained in didactic study.~~
- i) ~~Supervised experiences must take place in settings that are compatible with the career goal of becoming a school counselor.~~
- ii) ~~Supervised experiences must include observation and direct work with individuals and groups within an appropriate work setting.~~
- iii) ~~Supervised experiences must provide opportunities for professional relationships with staff members in the work settings.~~
- B) ~~Supervised experiences must include laboratory, practicum, and internship activities with an appropriate, school-aged population.~~
- C) ~~Laboratory experiences, providing both observation and participation in specific activities, must be offered throughout the preparatory program.~~
- D) ~~At least 3 semester hours must be earned in a supervised counseling practicum providing interaction with individuals and groups of an appropriate, school-aged population. The practicum must include a minimum of 100 clock hours, 40 hours of which~~

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~~must involve direct service work with school-aged children.~~

- E) ~~At least 3 semester hours must be earned in a postpracticum internship that provides an actual on-the-job experience in a school setting. The internship must be a sustained, continuous, structured and supervised experience lasting for a substantial period of time in which the candidate engages in the performance of various aspects of the counseling role and is gradually introduced to the full range of responsibilities associated with that role.~~
- i) ~~The internship shall be waived for an applicant who holds a comparable out-of-state school service personnel certificate and has had two years' experience as a school counselor.~~
- ii) ~~For applicants with less than two years of teaching experience, the internship must include a minimum of 600 clock hours, 240 hours of which must involve direct service with an appropriate clientele.~~
- iii) ~~For applicants with two or more years of teaching experience, the internship must include a minimum of 300 clock hours, 200 of which must involve direct service contact with an appropriate clientele.~~
- iv) ~~"Appropriate clientele" means school-aged children, parents, teachers, and other parties interested in students' welfare.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.230 Requirements for the Certification of School Psychologists (Repealed)

~~This Section is replaced by Section 25.235 of this Part.~~

~~Educational Requirements:~~

- a) ~~Must have graduated with a master's degree or higher degree in psychology or educational psychology with specialization in school psychology, including a minimum of 60 semester hours of coursework, field experiences, and internship at the graduate level. All academic work listed in subsection (b) of this Section is~~

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~~required and may be met through completion of titled courses, seminars, or practica. The requirements designated by asterisks must be met at the graduate level, while completion of the other areas is acceptable at either the graduate or the undergraduate level. Graduate credit may also be earned for academic work in related fields such as special education and educational psychology.~~

b) Content Areas and Courses	Graduate Semester Hours
1) Educational Foundations	3
A) Exceptional individuals	
B) Regular and/or Special Education Methods	
C) Foundations/Supervision/Administration of Regular and/or Special Education*	
2) Psychological Foundations	9
A) Learning/Cognitive Processes*	
B) Child/Developmental Psychology*	
C) Child Psychopathology/Behaviorally Disturbed	
D) Biological Bases of Behavior (e.g., neurological, physiological, and biochemical)	
E) Personality	
3) Professional School Psychology	2
School Psychology*	
4) Assessment (Ages 0-21)	8
A) Individual Nondiscriminatory Intellectual Assessment*	

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- | | | |
|----|--|---|
| B) | Nondiscriminatory Personality Assessment (Personal/Social/Adaptive Behaviors)* | |
| C) | Nondiscriminatory Psychoeducational Assessment* | |
| 5) | Intervention (from 2 of the following) | 6 |
| A) | Behavior Management/Modification | |
| B) | Counseling and/or Psychotherapeutic Methods | |
| C) | Consultation | |
| 6) | Statistics/Measurement/Research | 3 |
| A) | Statistical Methods | |
| B) | Research Methods | |
| C) | Psychological Measurement/Tests and Measurement | |
| 7) | Field Experiences (must include a minimum of 250 clock hours in a school setting and/or child study center) | 2 |
| | Practicum* | |
| 8) | Internship
The internship shall be a full school year in duration and include at least 1200 clock hours under the direction of an intern supervisor as defined in Section 25.610 of this Part. | 4 |
| e) | Must have had at least one year of supervised professional psychological experience with children of school age, preferably in a school setting and under the supervision of an individual qualified as a supervising psychologist. | |

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- 1) ~~Interpretation of Terms~~
 - A) ~~"One year" means a school year as defined by Section 10-19 of the School Code [105 ILCS 5/10-19]. Periods of less than three consecutive months may not be included.~~
 - B) ~~"Full time" means full time as defined by the board of education in the system in which the individual is employed but in no case less than 25 hours per week.~~
 - C) ~~"Supervised experience" means full time work, acquired after the satisfactory completion of all academic requirements except thesis and/or internship for the master's degree or higher degree with school children of all ages, including work with exceptional children under the supervision of a school psychologist or other psychologist who would qualify as a school psychologist and who has had a minimum of three years of experience in the psychological assessment of children of school age.~~
- 2) ~~Additional Qualifications Required~~
 - A) ~~Proficiency in individual psychological examination of children including educational diagnostic techniques, ability to plan and carry out a diagnosis adequate for each particular case; ability to handle staff conferences, interpret data, and write adequate reports; proficiency in counseling and other functions that may be needed to supplement the psychological assessment of children.~~
 - B) ~~Ability and willingness to work according to high standards of competence and comply with the code of ethics of recognized professional associations.~~
 - C) ~~Good character, good health, citizen of the United States and at least 19 years of age, in accordance with Section 21-1 of the School Code [105 ILCS 5/21-1].~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

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~~This Section is replaced by Section 25.245 of this Part.~~

- a) ~~Baccalaureate degree.~~
- b) ~~Licensed as a registered professional nurse in Illinois.~~
- e) ~~A total minimum of 30 undergraduate or graduate semester hours selected from the following list. Starred areas are mandatory.~~
 - 1) ~~Introduction to Public Health Nursing Theory and Practice*~~
 - 2) ~~Human Growth and Development*~~
 - 3) ~~Introduction to Community Health Problems*~~
 - 4) ~~Educational Psychology*~~
 - 5) ~~Introductory Sociology*~~
 - 6) ~~Educational Foundations*~~
 - 7) ~~The Exceptional Child*~~
 - 8) ~~Nutrition~~
 - 9) ~~Communicative Skills~~
 - 10) ~~Social Case Skills~~
 - 11) ~~Mental Health~~
 - 12) ~~School Administration~~
 - 13) ~~Guidance and Counseling~~
 - 14) ~~Curriculum Design~~
 - 15) ~~Health Education~~

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- ~~16) Diversified Occupations—Health Careers~~
- ~~17) Child or Adolescent Psychology~~
- ~~d) One year internship under supervision of a fully qualified school nurse or two years of successful experience as a school nurse prior to effective date of this endorsement.~~
- ~~e) Nurses presently holding a Standard Teacher Nurse Consultant Certificate shall, upon application, be issued a School Service Personnel Certificate with a School Nurse endorsement if they are certified prior to the effective date of this endorsement.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.252 Certification of Non-Teaching Speech-Language Pathologists

Certain individuals may qualify for a school service personnel certificate with a non-teaching speech-language pathologist's endorsement, as provided in Section 14-1.09b of the School Code [105 ILCS 5/14-1.09b].

- a) Each applicant shall hold one of the licenses identified in Section 14-1.09b(b)(1) of the School Code [105 ILCS 5/14-1.09b(b)(1)].
- b) Each applicant shall hold a master's or doctoral degree earned through completion of a program that meets the requirements of Section 14-1.09b(b)(2) of the School Code [105 ILCS 5/14-1.09b(b)(2)].
- ~~c) Each applicant shall meet the requirements of Section 14-1.09b(b)(3) of the School Code [105 ILCS 5/14-1.09b(b)(3)] by:~~
 - ~~1) having completed an Illinois program approved pursuant to Subpart C of this Part that leads to certification as a speech language pathologist; or~~
 - ~~2) having completed a program in another state or country that is comparable to the Illinois programs described in subsection (c)(1) of this Section or holding a comparable certificate issued by another state or country (see Section 25.425 of this Part); or~~

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- 3) ~~having completed an Illinois program of preparation in speech language pathology that was not approved pursuant to Subpart C of this Part but was offered by a regionally accredited institution (see also subsection (d) of this Section); or~~
 - 4) ~~having completed a program in another state or country that is comparable to the Illinois programs described in subsection (c)(3) of this Section (see also subsection (d) of this Section).~~
- d) Each applicant shall have met the requirements of Section 14-1.09b(b)(3) of the School Code [105 ILCS 5/14-1.09b(b)(3)]. ~~For purposes of subsection (c) of this Section,~~
- 1) *A program of study that meets the content-area standards for speech-language pathologists approved by the State Board of Education in consultation with the State Teacher Certification Board is a relevant preparation program that has been approved pursuant to Subpart C of this Part.*
 - 2) Aa comparable out-of-state program is one that leads to qualification as either a teaching or a non-teaching speech-language pathologist, ~~and~~
 - 3) Aa comparable out-of-state certificate is one authorizing employment in the public schools in either capacity.
 - 4) The required 150 clock hours of supervised, school-based professional experience shall consist of activities related to the aspects of practice that are addressed in the content-area standards for speech-language pathologists (see the policies of the State Board of Education related to certification in special education under the federal court order of February 27, 2001, in the matter of Corey H., et al., v. Board of Education of the City of Chicago, et al.) with respect to:
 - A) planning and intervention;
 - B) the learning environment;
 - C) service delivery;
 - D) professional conduct and ethics; and

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E) facilitation and advocacy.

5) The required evidence of completion for the 150 clock hours of supervised, school-based professional experience shall be a letter signed by the chief administrator or other designated official of the employing school district or nonpublic school documenting the nature and duration of the individual's experience with students with disabilities in a school setting. This letter shall indicate how the experience related to the knowledge and/or performance aspects of each of the standards identified in subsection (c)(4) of this Section.

~~e) Prior to submitting an application to the State Board of Education, an applicant who wishes to qualify for the school service personnel certificate based on the requirements of subsection (c)(3) or (c)(4) of this Section and whose professional preparation was completed prior to July 1, 2002, shall submit his or her transcripts and descriptive material for each relevant course completed to an Illinois institution that offers a program of preparation for speech language pathologists that is approved pursuant to Subpart C of this Part.~~

~~1) Professional personnel of the institution familiar with its approved program shall review the evidence submitted by the applicant and may request such additional information as may be needed in order to determine whether he or she has completed:~~

~~A) coursework leading to an understanding of the needs of students with various disabilities and an awareness of appropriate procedures for directing learning; and~~

~~B) a supervised field experience involving diagnostic and therapeutic work with school-aged children leading to an understanding of the specific problems, methods, and procedures relevant to serving school-aged children.~~

~~2) If the individual has completed coursework and field experience fulfilling the requirements of subsection (e)(1) of this Section, the institution shall issue a letter of recommendation for the certificate, which shall be submitted to the State Board of Education along with the individual's application.~~

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- 3) ~~If the individual lacks required coursework and/or field experience, the institution shall identify the courses and/or practica it offers that the individual must complete in order to qualify for the certificate. Upon the individual's successful completion of any such requirements, the institution shall recommend the individual for certification.~~
- f) ~~Prior to submitting an application to the State Board of Education, an applicant who wishes to qualify for the school service personnel certificate based on the requirements of subsection (c)(3) or (c)(4) of this Section and whose professional preparation was completed on or after July 1, 2002, shall submit his or her transcripts and descriptive material for each relevant course completed to an Illinois institution that offers a program of preparation for speech language pathologists that is approved pursuant to Subpart C of this Part.~~
- 1) ~~Professional personnel of the institution familiar with its approved program shall analyze the applicant's preparation and may request such additional information as may be needed to determine whether the individual has achieved an understanding of the aspects of practice addressed in the content area standards for speech language pathologists (see the policies of the State Board of Education related to certification in special education under the federal court order of February 27, 2001, in the matter of Corey H., et al., v. Board of Education of the City of Chicago, et al.) with respect to:~~
- ~~A) planning and intervention;~~
 - ~~B) the learning environment;~~
 - ~~C) service delivery;~~
 - ~~D) professional conduct and ethics; and~~
 - ~~E) facilitation and advocacy.~~
- 2) ~~If the individual's preparation has covered the aspects enumerated in subsection (f)(1) of this Section, the institution shall issue a letter of recommendation for the certificate, which the individual shall submit to the State Board of Education along with his or her application.~~

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~~3) If the individual's preparation has not covered all the aspects enumerated in subsection (f)(1) of this Section, the institution shall identify the coursework and/or field experience that the applicant must complete in order to do so. Upon the individual's successful completion of any such coursework or field experience, the institution shall issue a letter of recommendation for the certificate.~~

~~dg) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of if its passage would be required for receipt of a standard certificate pursuant to Section ~~25.720~~25.720(a) of this Part.~~

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

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.255 Interim Certification of Speech-Language Pathologist Interns

An individual who has met the requirements of Section 14-1.09b(b)(1) and (b)(2) of the School Code and who wishes to participate in an internship enabling him or her to complete the supervised, school-based professional experience described in Section 14-1.09b(b)(3) of the School Code may obtain interim certification as a speech-language pathologist intern.

a) Each applicant for this certification shall be in good health and of sound moral character and shall be a citizen of the United States or be legally present in the United States and possess legal authorization for employment.

b) Each applicant shall submit an application to the State Board of Education along with:

1) the required fee;

2) evidence that he or she meets the licensing requirements of Section 14-1.09b(b)(1) of the School Code; and

3) evidence that he or she holds an advanced degree in conformance with Section 14-1.09b(b)(2) of the School Code.

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- c) Interim certification as a speech-language pathologist intern shall be valid for three years, subject to Section 21-22 of the School Code, and shall not be renewable.

(Source: Added at 29 Ill. Reg. _____, effective _____)

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

Section 25.322 General Supervisory Endorsement (Repealed)

- a) ~~Until July 1, 2003, this endorsement shall be required for supervisors, curriculum directors and other similar or related positions as indicated in 23 Ill. Adm. Code 1. Appendix B. Beginning July 1, 2003, this endorsement shall no longer be issued, and each individual newly assuming any such position who does not already hold the general supervisory endorsement shall be required to hold either the general administrative or the superintendent's endorsement.~~

- b) ~~Minimum Requirements of Graduate Level Study~~

1)	Areas of Study	Semester Hours
A)	Curriculum	3
B)	Educational Research	3
	Work in areas (A) and (B) combined must total eight (8) semester hours.	8
C)	Supervision and Staff Development	8-9
	Must include work that provides knowledge of:	
i)	instructional leadership;	
ii)	program and staff evaluation; and	
iii)	program and staff development.	

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~~D) Schools and Public Policy 8-9~~

~~Must include work that provides knowledge of:~~

~~i) parent/teacher communication; and~~

~~ii) parent involvement in schools.~~

~~E) Clinical Experience appropriate to the endorsement or prior experience in a role requiring this endorsement while holding a certificate of comparable validity.~~

~~2) Two years of full-time teaching experience or school service personnel experience as specified in Section 21-7.1(e)(1) of the School Code [105 ILCS 5/21.7.1(e)(1)].~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.333 General Administrative Endorsement (Repealed)

~~This Section is replaced by Section 25.335 of this Part.~~

~~a) This endorsement is required for the following positions: principal, assistant principal, assistant or associate superintendent, and other similar or related positions as indicated in 23 Ill. Adm. Code 1. Appendix B.~~

~~b) Minimum Requirements of Graduate-Level Study~~

~~1) Areas of Study Semester Hours~~

~~A) Instructional Leadership 12~~

~~Must include work which provides skills in:~~

~~i) promoting academic achievement;~~

~~ii) implementing school improvement;~~

~~iii) long-range planning;~~

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- iv) ~~program evaluation; and~~
- v) ~~personnel evaluation.~~
- B) ~~Management of Public Schools~~ 9
 - ~~Must include work which provides skills in:~~
 - i) ~~personnel management;~~
 - ii) ~~school governance;~~
 - iii) ~~school law;~~
 - iv) ~~school finance; and~~
 - v) ~~interpersonal communication.~~
 - C) ~~Schools and Public Policy~~ 4-6
 - ~~Must include work which provides skills in:~~
 - i) ~~establishing effective school/community communication and involvement; and~~
 - ii) ~~analysis of political and social context of schools.~~
 - D) ~~Clinical Experience appropriate to the endorsement or prior experience in a role requiring this endorsement while holding a certificate of comparable validity.~~
- 2) ~~Two years of full-time teaching experience or school service personnel experience.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.344 Chief School Business Official Endorsement (Repealed)

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~~This Section is replaced by Section 25.345 of this Part.~~

~~a) This endorsement is required for chief school business officials.~~

~~b) Minimum Requirements of Graduate Level Study~~

1)	Areas of Study	Semester Hours
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A)	School Business Management	12
---------------	---------------------------------------	---------------

~~Must include work in data processing.~~

B)	School Organization and Administration	3
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~~Must include work in school/community relations, personnel management, and organizational planning and development.~~

C)	School Finance and Fiscal Planning	6
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D)	Clinical Experiences appropriate to the endorsement or prior experience while holding a certificate of comparable validity.	
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~~2) Two years' school business management experience.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 25.355 Superintendent Endorsement (Repealed)

~~This Section is replaced by Section 25.360 of this Part.~~

~~a) This endorsement is required for superintendents of school districts.~~

~~b) Minimum Requirements of Graduate Level Study~~

1)	Areas of Study	Semester Hours
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A)	Governance of Public Schools	6
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~~Must include work in intergovernmental relationships in education and school/community relationships.~~

~~B) Management of Public Schools 6~~

~~Must include work in school improvement (i.e., the modification of curriculum and practice based upon research in effective teaching and learning) in addition to that required for the general administrative endorsement.~~

~~C) Educational Planning 6~~

~~Must include work in organizational development.~~

~~D) Additional graduate credit 12~~

~~E) Clinical Experiences appropriate to the endorsement or prior experience in a role requiring this endorsement while holding a certificate of comparable validity.~~

~~2) Two years' school supervisory or administrative experience and possession of the general supervisory or general administrative certificate or comparable out of state certificate.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

SUBPART F: GENERAL PROVISIONS

Section 25.420 Psychology Accepted as Professional Education (Repealed)

~~The following courses are accepted as professional education: Child Psychology, Psychology of Learning, Mental Hygiene, Child Growth and Development, and Adolescent Psychology.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section 25.705 Purpose – Severability

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- a) This Subpart establishes procedures and requirements for the Illinois Certification Testing System, as required by Section 21-1a of ~~the~~The School Code [\[105 ILCS 5/21-1a\]](#)~~(Ill. Rev. Stat. 1985, ch. 122, par. 21-1a)~~.
- b) If any provision of this Subpart or application thereof to any person or circumstance is held invalid, ~~its~~such invalidity shall not affect other provisions or applications of this Subpart ~~that~~which can be given effect without the invalid provision or application, and to this end the provisions of this Subpart are declared to be severable.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.710 Definitions

For the purposes of this Subpart, the following definitions apply:

"Passing raw score" is the minimum number of multiple choice items that must be answered correctly on a given test or the combination of required correct responses to multiple choice items and required numerical value of constructed responses.

"Passing score" is the minimum scaled score a person must obtain in order to pass a test.

"Re-scoring" means the process of reviewing an examinee's answers and the scores assigned to them to confirm that a test score reported to an examinee is the score earned by him or her.

"Retake" is the opportunity for a person who has taken a test of the Illinois Certification Testing System at one test administration to take the test in the same area as given at subsequent administrations.

"Scaled score" is the person's test score after the mathematical transformation of the number of test items the person answered correctly to a scale of numbers on which the minimum score, the maximum score, and the passing score are set. [Through May 31, 2006, for](#) ~~For~~ the tests of subject matter knowledge and language proficiency, the minimum scaled score is 0, the maximum score 100, and passing score 70. [Beginning in June 2006, for the tests of subject matter knowledge \(content-area tests\) and language proficiency, the minimum scaled](#)

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[score is 100, the maximum score 300, and the passing score 240.](#) For the assessment of professional teaching, the basic skills test, and any new content-area test first administered after December 31, 2002, the minimum scaled score is 100, the maximum score 300, and the passing score 240.

"Subarea score" is the scaled score for the subset of test items on a subject matter test or content-area test which measures specific content, and the "subarea score" is the scaled score for each subset of test items on the basic skills test which measures specific content in reading comprehension, writing, language arts, and mathematics.

"Test" or "Tests" refers to the test of basic skills, the assessment of professional teaching, the language proficiency tests, and the tests of subject matter knowledge (or "content-area tests") for the Illinois Certification Testing System. Through June 30, 2004, these tests are:

- Agriculture
- Art (K-12)
- Art (6-12)
- Assessment of Professional Teaching – Early Childhood
- Assessment of Professional Teaching – Elementary
- Assessment of Professional Teaching – Secondary
- Assessment of Professional Teaching – Special
- Basic Skills
 - Language Arts
 - Mathematics
 - Reading Comprehension
 - Writing
- Biological Science
- Blind and Partially Sighted
- Business/Marketing/Management
- Chemistry
- Chief School Business Official
- Computer Science
- Dance
- Deaf and Hard of Hearing
- Early Childhood
- Educable Mentally Handicapped
- Elementary/Middle Grades (K-9)
- English

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English as a Second Language
English Language Proficiency
French
General Administrative
General Science
General Supervisory (available through June 30, 2003)
German
Guidance
Health
Health Occupations
Hebrew
History
Family and Consumer Sciences
Industrial Technology Education
Italian
Latin
Learning Disabilities
Mathematics
Media
Music (K-12)
Music (6-12)
Physical Education (K-12)
Physical Education (6-12)
Physically Handicapped
Physical Science
Physics
Reading
Russian
School Nurse
School Psychology
School Social Work
Social/Emotional Disorders
Social Science
Spanish
Speech
Speech and Language Impaired
Superintendent
Theatre Arts
Trainable Mentally Handicapped
Transitional Bilingual Education

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Arabic
Cantonese
Greek
Gujarati
Hindi
Japanese
Korean
Lao
Mandarin
Polish
Russian
Spanish
Urdu
Vietnamese

Beginning July 1, 2004, the Illinois Certification Testing System shall consist of the following tests in addition to the content-area tests applicable to certification in special education:

Agricultural Education
Assessment of Professional Teaching
 Early Childhood
 Elementary
 Secondary
 Special
Basic Skills
Business, Marketing, and Computer Education
Chief School Business Official
Dance
Director of Special Education (required beginning July 1, 2005)
Drama/Theatre Arts
Early Childhood
Elementary/Middle Grades (K-9)
English Language Arts
English Language Proficiency
English as a New Language
Family and Consumer Sciences
Foreign Languages
 Chinese (Cantonese or Mandarin)
 French

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German
Hebrew
Italian
Japanese
Korean
Latin
Russian
Spanish
General Administrative
Guidance (through June 30, 2005)
Health Education
Health Careers
Library Information Specialist
Mathematics
Music
Physical Education
Reading Teacher
Reading Specialist
School Counselor (beginning July 1, 2005)
School Nurse
School Psychologist
School Social Worker
Sciences
 Biology
 Chemistry
 Earth and Space Science
 Environmental Science
 Physics
Social Sciences
 Economics
 Geography
 History
 Political Science
 Psychology
 Sociology and Anthropology
Superintendent
Technology Education
Technology Specialist
Transitional Bilingual Education – Language Proficiency
 Arabic

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Cantonese
Greek
Gujarati
Hindi
Japanese
Korean
Lao
Mandarin
Polish
Russian
Spanish
Urdu
Vietnamese
Visual Arts

"Test items" are specific questions asked on a test that require a person either to select the correct response from those alternative responses provided or to produce a written response.

"Test objective" is a statement of the behavior or performance measured by test items.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.728 Use of Test Results by Institutions of Higher Education

- a) Beginning with the 2002-2003 academic year, each institution shall use the Illinois Certification Testing System's test of basic skills to satisfy the requirement of Section 21-2b of the School Code [105 ILCS 5/21-2b] – Teacher Education Program Entrance.
- b) Until the beginning of the 2004-2005 academic year, an institution shall have the option of using an Illinois Certification Testing System subject matter test as a requirement for completion of a teacher education program approved pursuant to Subpart C of this Part or for candidates' progression among the components of a program.
- c) Beginning with the 2004-2005 academic year, each institution shall use the content-area tests in the disciplines relevant to individuals' [program completion](#) ~~student teaching~~ as provided in Section 21-1a(d) of the School Code.

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- d) An institution shall have the option of using the Illinois Certification Testing System's assessment of professional teaching as a requirement for completion of a teacher education program or for candidates' progression among the components of a program.
- e) In using any test that forms part of the Illinois Certification Testing System, institutions shall abide by all the rules governing the Testing System set forth in this Subpart, including, but not limited to, passing score, registration, and fees; and shall make no requirement for the use or administration of this test beyond those set forth in this Subpart.
- f) Institutions shall be responsible for informing their students of all requirements related to taking the tests and for providing students with registration materials and any other pertinent information in a timely manner. Neither the State Board of Education nor its testing contractor shall assume responsibility for any candidate's inability to progress through or complete an approved program because of failure to take one or more certification tests in a timely manner.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.730 Registration

~~Information Registration materials and information~~ about the tests ~~and registration~~ will be available from the State Board of Education, 100 North First Street, Springfield, Illinois 62777-0001, and, ~~beginning October 1, 2002,~~ at www.isbe.net.

- a) An individual's registration must be either received by the testing contractor chosen by the State Board of Education on or before the registration deadline or must be postmarked by the United States Postal Service on or before the registration deadline and received by the testing contractor by the late registration deadline as specified in Section 25.732 of this Part. An individual's registration must include the following:
 - 1) Registrant's name, mailing address, both daytime and evening telephone numbers, Social Security number, date of birth, gender and ethnicity;
 - 2) Name and identification number of test(s);
 - 3) Test date and first and second test site identification numbers;

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- 4) ~~Name of Illinois teacher preparation institution attended, if applicable, and status within that institution;~~ 5) An assurance that the registrant will abide by all the conditions of testing set forth in Section 25.750 of this Part;
- 56) An assurance that the registrant has not had and will not seek access to any secure test materials, either prior to or after the test date; and
- 67) The registrant's signature, which shall signify that the facts and assurances presented are true to the best of the registrant's knowledge and that the registrant agrees to abide by the testing conditions.
- b) The testing contractor will acknowledge receipt of registrations within four weeks after their receipt.
- c) An individual may amend or cancel his or her registration by submitting a properly completed change notice to the testing contractor. The change notice must be received by the testing contractor on or before the late registration deadline as specified in Section 25.732 of this Part. Changes that may be made by an individual to his or her registration are:
- 1) changing the test site or test date;
 - 2) adding a test or tests; and
 - 3) deleting a test or tests.
- d) All requests for changes to a registration, except for deletion of a test or tests, must be accompanied by payment of the appropriate fee.
- e) An individual who cancels her or his registration in accordance with this Section, including meeting the specified deadline, will receive a partial refund. An individual who cancels his or her registration other than in strict accordance with this Section, or who is absent from the test administration, will receive no refund or credit of any kind.
- f) The registration deadline for each test administration will be six calendar weeks prior to the test administration date.
- g) The State Board of Education may issue a fee credit to an individual who is

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absent from a test administration for which he or she was registered because of a medical emergency or death, provided that:

- 1) a written request is received by the State Board of Education no later than six months from the date of the missed test administration, and
- 2) a written statement from a member of the medical profession or funeral home documenting the reason for the absence accompanies the request.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.760 Passing Score

- a) The passing raw score will be established for each test by the State Board of Education, in consultation with the State Teacher Certification Board, based upon the professional judgments and recommendations of committees of Illinois educators about the acceptable, minimal level of performance for entry-level educators in Illinois classrooms.
- b) Through May 31, 2006, the raw score for each test of subject matter knowledge and for each language proficiency test shall be transformed to a scaled score ranging from 0 to 100, with 70 established as the passing score. The passing raw score shall always be equal to a scaled score of 70. The following formula shall be used to transform raw scores to scaled scores, where MAX means the maximum raw score, CUT means the passing raw score and X means the number of multiple choice items correctly answered or the number of holistic score points assigned to a constructed-response item or section, as applicable:
 - 1) If X is greater than or equal to CUT, then the scaled score is $70 + 30 [(X - CUT)/(MAX - CUT)]$.
 - 2) If X is less than CUT, then the scaled score is $70X/CUT$.
- c) The raw score for the basic skills test and the assessment of professional teaching, and for new subject matter knowledge tests first administered after December 31, 2002, shall be transformed to a scaled score ranging from 100 to 300, with 240 established as the passing score. Beginning June 1, 2006, the raw score for each test that forms part of the Illinois Certification Testing System shall be transferred to a scaled score ranging from 100 to 300, with 240 established as the passing score. The passing raw score shall always be equal to a scaled score of 240. The

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following formula shall be used to transform raw scores to scaled scores, where MAX means the maximum raw score, CUT means the passing raw score and X means the number of multiple choice items correctly answered or the number of holistic score points assigned to a constructed-response item or section, as applicable:

- 1) If X is greater than or equal to CUT, then the scaled score is $240 + 60 [(X - CUT)/(MAX - CUT)]$.
- 2) If X is less than CUT, then the scaled score is $100 + 140X/CUT$.
- d) Scaled scores are rounded to the nearest integer except between 69 and 70 and between 239 and 240. To ensure that a score just below passing is not equated with a scaled score of 70 or 240, scaled scores between 69 and 70 will be considered 69, and scaled scores between 239 and 240 will be considered 239.
- e) In order to pass the basic skills test, a person must receive a passing score on the test as a whole and must also receive at least the minimum acceptable score in each of the subareas of reading, writing, grammar and language arts, and mathematics, at the same time.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.765 Individual Test Score Reports

- a) The State Board of Education will report each individual's test score(s) only to:
 - 1) the individual candidate earning such score(s);
 - 2) the Illinois teacher education [institutions and community colleges to which the candidate requested the scores be sent](#)~~institution the candidate either attended or seeks to attend~~; and
 - 3) [any other institution, entity, or person authorized or required by law](#)~~the community college attended by the candidate, if the candidate approves such reporting.~~
- b) The score report released to each individual by the State Board of Education will:
 - 1) indicate the test date and whether or not the person has passed the test; and

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- 2) report the person's total score and subarea scores as scaled scores.
- c) No test scores will be released via facsimile or over the telephone.
- d) A person shall have the right to request additional copies of his or her score report, subject to payment of the required fee.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 25.775 Institution Test Score Reports

After each test administration, a report will be provided to each Illinois teacher preparation institution having one or more applicants taking the test(s). This report will include: ~~a) aggregate information on pass/fail status, total scores, and subarea scores for all examinees who requested that their scores be sent to~~ ~~from the institution, and for the State~~ ~~state as a whole for each test;~~ ~~b) aggregate information on pass/fail status, total scores, and subarea scores by gender and race, for all examinees from the institution and for the state as a whole, for each test.~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

**SUBPART K: REQUIREMENTS FOR RECEIPT OF
THE STANDARD TEACHING CERTIFICATE****Section 25.905 Choices Available to Holders of Initial Certificates**

Pursuant to Section 21-2(c) of the School Code, an individual who is subject to the requirements of this Subpart K shall successfully complete one of the options listed in this Section in order to qualify for a standard teaching certificate. Out-of-state applicants may qualify for a reduction in the requirements of subsection (d) or subsection (e) of this Section; see Section ~~25.11(a)(2)(B)~~ ~~25.11(b)(2)(B)~~ of this Part. Each affected individual may choose to:

- a) *Complete a program of induction and mentoring that meets the requirements of Section 25.910 of this Part;*
- b) *Complete at least four semester hours of graduate-level coursework on the assessment of one's own performance in relation to the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24) that meets the requirements of Section 25.915 of this Part;*

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- c) *Complete at least four semester hours of graduate-level coursework addressing the requirements for certification by the National Board for Professional Teaching Standards that meets the requirements of Section 25.920 of this Part;*
- d) *Complete at least 12 semester hours of graduate-level coursework towards, or either hold or receive, an advanced degree from an accredited institution of higher education in an education-related field, provided that the coursework completed meets the requirements of Section 25.925 of this Part;*
- e) *Accumulate 60 continuing professional development units (CPDUs), or such quantity as may be applicable under Section 21-2(c)(2)(E) of the School Code [105 ILCS 5/21-2(c)(2)(E)], by completing selected activities as specified in Section 25.930 of this Part;*
- f) *Complete a nationally normed, performance-based assessment, if such an assessment is made available pursuant to Section 25.940 of this Part;*
- g) *Complete the requirements for being considered "highly qualified" in an additional teaching field (see Section 25.942 of this Part);*
- h) *Receive a post-baccalaureate, education-related professional development certificate issued by an Illinois institution of higher education in accordance with Section 25.942 of this Part;*
- i) *Complete all required activities in pursuit of certification by the National Board for Professional Teaching Standards (see Section 25.942 of this Part); or*
- j) *Receive a subsequent certificate or an additional endorsement (see Section 25.942 of this Part).*

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Evaluation of Certified School District Employees in Contractual Continued Service
- 2) Code Citation: 23 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
50.10	Repeal
50.20	Repeal
50.30	Repeal
50.40	Repeal
50.50	Repeal
50.55	Repeal
50.60	Repeal
50.70	Repeal
50.80	Repeal
- 4) Statutory Authority: 105 ILCS 5/24A-7
- 5) A Complete Description of the Subjects and Issues Involved: In the course of our comprehensive review of rules, we have determined that much of the existing text of several existing Parts is not needed in rules at all, because it either repeats statutory language or is couched as recommendations rather than requirements. The necessary substantive provisions from these Parts that need to be retained can readily be subsumed within Part 1 (Public Schools Evaluation, Recognition and Supervision).

The needed material from Part 50 will be placed into Section 1.320 via amendments that are being proposed concurrently with this repealer.
- 6) Will this proposed repealer replace any emergency repealer currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a state mandate.

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

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included in either of the two most recent Regulatory Agendas because: It was not apparent in December of 2004 that the streamlining of 23 Ill. Adm. Code 1 would be ready for proposal at this time and would incorporate material from Part 50.

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 50

EVALUATION OF CERTIFIED SCHOOL DISTRICT EMPLOYEES
IN CONTRACTUAL CONTINUED SERVICE (REPEALED)

Section

50.10	Definitions
50.20	Submission of Evaluation Plans
50.30	Review of Evaluation Plans
50.40	Content of Evaluation Plans for Teachers and School Service Personnel
50.50	Unsatisfactory Evaluations – Districts With a Population of 500,000 or Fewer
50.55	Unsatisfactory Evaluations – Districts With a Population Over 500,000
50.60	Multi-Year Collective Bargaining Agreements
50.70	Alternative Evaluations
50.80	Evaluation of Administrative Staff

AUTHORITY: Implementing Sections 2-3.57 and 10-21.4a and Article 24A of the School Code [105 ILCS 5/2-3.57, 10-21.4a, and Art. 24A] and authorized by Section 24A-7 of that Act [105 ILCS 5/42A-7].

SOURCE: Adopted at 10 Ill. Reg. 15050, effective August 28, 1986; amended at 12 Ill. Reg. 9882, effective May 27, 1988; amended at 14 Ill. Reg. 7503, effective May 7, 1990; amended at 22 Ill. Reg. 12507, effective July 6, 1998; amended at 26 Ill. Reg. 16188, effective October 21, 2002; repealed at 29 Ill. Reg. _____, effective _____.

Section 50.10 Definitions

"Certified School District Employees" – refers to those professional employees of a school district who are required to hold a teaching, school service personnel, or administrative certificate issued in accordance with Article 21 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 21-1 et seq.), and who are in contractual continued service as provided in Section 24-11 or 34-84 of The School Code.

"Consulting Teachers" – refers to those professional employees of a school district who are required to hold a teaching certificate issued in accordance with Article 21 of The School Code, excluding supervisory, managerial or

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administrative employees, and who meet the qualifications set forth in Section 24A-5(g) of The School Code (Ill. Rev. Stat. 1988 Supp., ch. 122, par. 24A-5(g)).

"Evaluation Plan" – refers to a formal, written evaluation process which includes procedures by which a school board evaluates all certified personnel employed in a school district and which meets the requirements of Article 24A of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 24A-1 et seq.).

"Qualified Administrator" – refers to those professional employees who are required to hold a supervisory or administrative certificate in accordance with Article 21 of The School Code, and who have participated in an in-service workshop on evaluation of certified personnel in accordance with Section 24A-3 of The School Code (Ill. Rev. Stat. 1988 Supp., ch. 122, par. 24A-3). In districts with a population over 500,000, this term includes assistant principals who are working under the supervision of an administrator qualified under Section 24A-3.

"School Boards" – refers to boards of education governing school districts in accordance with Articles 10, 32, 33 and 34 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 10-1 et seq., 32-1 et seq., 33-1 et seq., and 34-1 et seq.).

"Substantive change" – refers to any addition or deletion in the list of qualified administrators who shall conduct required evaluations or any changes in the procedures described in the evaluation Plan.

Section 50.20 Submission of Evaluation Plans

- a) Each school district shall submit an evaluation plan, hereinafter called the Plan, for the evaluation of all certified school district employees in contractual continued service. Where cooperative educational programs operate between or among school districts or by Regional Superintendents of Schools, pursuant to Sections 3-15.14, 10-22.31 and/or 10-22.31a of The School Code (Ill. Rev. Stat. 1987, ch. 122, pars. 3-15.14, 10-22.31, and 10-22.31a), the Plan shall be submitted by the administrative agent who is the fiscal and legal agent for the cooperative program, or the governing board, or the board of control of the entity. In this Part all such entities are included in the term "school district."
- b) *All evaluation plans shall be submitted to the State Board of Education no later than October 1, 1986, and the district shall at the same time provide a copy to the exclusive bargaining representatives (Section 24A-4 of The School Code).*

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- c) *Whenever any substantive change is made to a Plan, the revised Plan shall be submitted to the State Board of Education for review and comment, and the district shall at the same time provide a copy of any such revised Plan to the exclusive bargaining representatives (Section 24A-4 of The School Code).*

Section 50.30 Review of Evaluation Plans

- a) The State Board of Education shall review all Plans submitted pursuant to Section 50.20 of this Part, and shall provide comments on the Plan, its procedures for evaluation, and the degree to which the Plan conforms to the requirements of this Part.
- b) The State Board of Education will reject as unacceptable those Plans which do not provide for evaluations by administrators qualified under Section 24A-3 of The School Code. A school district, upon rejection of its Plan, shall revise its plan to provide for evaluations by administrators qualified under Section 24A-3 of The School Code and shall promptly resubmit the revised Plan to the State Board of Education.

Section 50.40 Content of Evaluation Plans for Teachers and School Service Personnel

- a) The Plan shall contain assurances that teachers were involved in the development of the Plan, or that where applicable, the Plan was developed in cooperation with the exclusive bargaining agent.
- b) *The Plan shall contain a description of the duties and responsibilities of each teacher and the standards to which the teacher is expected to conform (Section 24A-5 of The School Code). These descriptions may be individualized or extend to a class of teachers.*
- c) *The Plan shall assure that each teacher is evaluated at least biennially beginning with the 1986-87 school year (Section 24A-5 of The School Code).*
- d) The Plan shall assure that each teacher is evaluated through personal observation in the classroom by a qualified administrator unless the teacher has no classroom duties. In districts with a population over 500,000, such observation shall occur on at least two different school days.
- e) The Plan shall list the names of all qualified administrators.

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- f) *The Plan shall require that each evaluation include consideration of the teacher's attendance, instructional planning, instructional methods, classroom management where relevant, and competency in the subject matter(s) taught where relevant (Section 24A-5(b) of The School Code) and/or services provided.*
- g) *The Plan shall provide for a rating of each teacher's performance as "excellent," "satisfactory" or "unsatisfactory" (Section 24A-5 of The School Code) and shall define those terms.*
- h) *The Plan shall require that each evaluation describe the teacher's strengths and weaknesses, with supporting reasons for the comments made (Section 24A-5 of the School Code).*
- i) *The Plan shall require that a copy of each teacher's evaluation be placed in that teacher's personnel file and that the teacher shall be provided with a copy of the evaluation (Section 24A-5 of The School Code).*

Section 50.50 Unsatisfactory Evaluations – Districts With a Population of 500,000 or Fewer

- a) The Plan shall provide, within 30 calendar days after an evaluation has been reduced to writing resulting in a rating of unsatisfactory, for the development and initiation by the district of a remediation plan designed to correct the areas identified as unsatisfactory, provided the deficiencies are deemed remediable.
 - 1) *The remediation plan shall provide for 90 school days of remediation within the classroom (Section 24A-5 of the School Code [105 ILCS 5/24A-5] (see P.A. 90-548, effective January 1, 1998)).*
 - 2) The remediation plan shall provide for evaluations and ratings to occur once every 30 school days during the remediation period.
 - 3) The evaluations and ratings shall be conducted by a qualified administrator. Failure to strictly comply with the timelines for the required evaluations because of illness or certain leaves granted teachers under a remediation plan, for example, shall not invalidate the results of the remediation plan.
 - 4) The qualified administrator shall issue the final evaluation within ten days after the conclusion of the remediation period.

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- 5) *The remediation plan shall provide reinstatement to a schedule of biennial evaluations for any teacher who successfully completes the remediation Plan by receiving a satisfactory or better rating, unless the district's Plan regularly requires more frequent evaluations* (Section 24A-5 of the School Code).
- b) Participants in the remediation plan shall include the teacher deemed unsatisfactory, a qualified administrator, and a consulting teacher. The remediation plan may include the participation of other personnel to assist in correcting areas identified as unsatisfactory.
- 1) The participation of the consulting teacher shall be voluntary.
 - 2) The qualified consulting teacher shall be one who has received a rating of excellent on his or her most recent evaluation, has a minimum of five years' experience in teaching, and has knowledge relevant to the assignment of the teacher under remediation.
 - 3) The consulting teacher shall be chosen from a list developed by the district or, in districts with an exclusive bargaining agent, the bargaining agent may, if it chooses, supply a roster of at least five qualified teachers from which the consulting teacher is to be selected, or the names of all teachers so qualified if that number is less than five. The participating administrator or principal of the teacher who was rated "unsatisfactory" shall select the consulting teacher.
 - 4) Where no consulting teacher is available in a district, the district shall request the State Board of Education to provide a consulting teacher. The State Board of Education shall thereupon provide a consulting teacher who meets the requirements of subsection (b)(2) of this Section. The State Board of Education shall compensate any consulting teacher provided to a school district under this subsection (b)(4).
 - 5) If the consulting teacher becomes unavailable during the course of a remediation plan, a new consulting teacher shall be selected in the same manner as the initial consulting teacher. The remediation plan shall be amended as necessary upon consultation with the new consulting teacher for the balance of the remediation period.

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- 6) The consulting teacher shall provide advice to the teacher rated as unsatisfactory on how to improve teaching skills and to successfully complete the remediation plan.
 - 7) The consulting teacher shall not participate in any of the required evaluations, nor be engaged to evaluate the performance of the teacher under remediation, unless a collective bargaining agreement provides otherwise.
 - 8) The consulting teacher shall be informed, through conferences with the qualified administrator and the teacher under remediation, of the results of the periodic evaluations conducted pursuant to subsection (a)(2) of this Section in order to continue to provide assistance to the teacher under a remediation plan.
- c) The Plan shall provide that any teacher who fails to complete his or her remediation plan with a satisfactory or better rating shall be dismissed in accordance with Section 24-12 of the School Code [105 ILCS 5/24-12].

Section 50.55 Unsatisfactory Evaluations - Districts with a Population Over 500,000

- a) The Plan shall provide, within 30 calendar days after an evaluation has been reduced to writing resulting in a rating of unsatisfactory, for the development and initiation by the district of a remediation plan designed to correct the areas identified as unsatisfactory, provided the deficiencies are deemed remediable.
- 1) *The remediation plan shall provide for evaluations and ratings to occur following the tenured teacher's receipt of a remediation plan based upon an unsatisfactory evaluation (Section 24A-5 of the School Code), as follows:*
 - A) *The remediation plan shall provide for 90 school days of remediation within the classroom (Section 24A-5 of the School Code).*
 - B) *The remediation plan shall also provide for monthly evaluations and ratings for the first six months and quarterly evaluations and ratings for the next six months immediately following completion of the remediation program of a teacher for whom a remediation plan has been developed. These subsequent evaluations shall be*

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conducted by the qualified administrator and shall not be subject to the requirements set forth in Section 50.40 of this Part (Section 24A-5 of the School Code).

- 2) The evaluations and ratings shall be conducted by a qualified administrator.
 - A) When an evaluation schedule requires an evaluation after the close of the school year, but on or before July 15, such evaluation shall be scheduled to occur no later than two weeks prior to the close of the preceding school year.
 - B) When an evaluation schedule requires an evaluation after the close of the school year, but after July 15, such evaluation shall be scheduled to occur not later than two weeks after students' attendance commences in the following school year.
 - C) Failure to strictly comply with the timelines for the required evaluations because of illness or certain leaves granted teachers under a remediation plan, for example, shall not invalidate the results of the remediation plan.
 - 3) The qualified administrator shall issue the final evaluation within ten days after the conclusion of the remediation period specified in subsection (a)(1) of this Section, provided that *the school board or other governing authority of the district shall not lose jurisdiction to discharge a teacher if this timeline is not met* (Section 24A-5 of the School Code).
 - 4) *The remediation plan shall provide for reinstatement to a schedule of biennial evaluations for any teacher who successfully completes both the 90 school day remediation plan and a one-year intensive review schedule by receiving a satisfactory or better rating in each instance, unless the district's Plan regularly requires more frequent evaluations* (Section 24A-5 of the School Code).
- b) Participants in the remediation plan shall include the teacher deemed unsatisfactory, a qualified administrator, and a consulting teacher. The remediation plan may include the participation of other personnel to assist in correcting areas identified as unsatisfactory.

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- 1) The participation of the consulting teacher shall be voluntary.
 - 2) The qualified consulting teacher shall be one who has received a rating of excellent on his or her most recent evaluation, has a minimum of five years experience in teaching, and has knowledge relevant to the assignment of the teacher under remediation.
 - 3) The consulting teacher shall be chosen from a list developed by the district. The participating administrator or principal of the teacher who was rated "unsatisfactory" shall select the consulting teacher.
 - 4) Where no consulting teacher is available in a district, the district shall request the State Board of Education to provide a consulting teacher. The State Board of Education shall thereupon provide a consulting teacher who meets the requirements of subsection (b)(2) of this Section. The State Board of Education shall compensate any consulting teacher provided to a school district under this subsection (b)(4).
 - 5) If the consulting teacher becomes unavailable during the course of a remediation plan, a new consulting teacher shall be selected in the same manner as the initial consulting teacher. The remediation plan shall be amended as necessary upon consultation with the new consulting teacher for the balance of the remediation period.
 - 6) The consulting teacher shall provide advice to the teacher rated as unsatisfactory on how to improve teaching skills and to successfully complete the remediation plan.
 - 7) The consulting teacher shall not participate in any of the required evaluations, nor be engaged to evaluate the performance of the teacher under remediation, unless a collective bargaining agreement provides otherwise.
 - 8) The consulting teacher shall be informed, through conferences with the qualified administrator and the teacher under remediation, of the results of the required evaluations in order to continue to provide assistance to the teacher under a remediation plan.
- c) The Plan shall provide that any teacher who fails to complete any applicable remediation plan with a satisfactory or better rating shall be dismissed in

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accordance with Section 34-85 of the School Code [105 ILCS 5/34-85].

Section 50.60 Multi-Year Collective Bargaining Agreements

- a) Any school district subject to a multi-year collective bargaining agreement signed prior to August 1, 1985, shall submit its current evaluation plan to the State Board of Education. The plan may be the evaluation plan developed pursuant to the collective bargaining agreement or otherwise operating in that district. The school district shall simultaneously notify the State Board of Education of the effective date(s) of the collective bargaining agreement(s).
- b) The school district shall submit to the State Board of Education, upon expiration of the collective bargaining agreement, an evaluation plan which meets the requirements of Article 24A of The School Code and of this Part. *The district shall at the same time provide a copy of such Plan to the exclusive bargaining representatives* (Section 24A-4 of the School Code).

Section 50.70 Alternative Evaluations

- a) *A school district that does not complete an evaluation of all certificated personnel by the end of the 1987-88 school year, or that fails to evaluate such teachers within every two school years thereafter, must submit to the State Board of Education a roster containing the names and titles of such employees and written reasons for the failure to evaluate them* (Section 24A-6 of The School Code).
- b) *Upon receipt of such reports, or if otherwise made aware that such evaluations have not been conducted, the State Board of Education shall conduct an evaluation which shall comply with the requirements of this Part* (Section 24A-6 of The School Code), except as provided in subsection (c)(3).
- c) Evaluation by the State Board of Education
 - 1) *In districts where a collectively bargained Plan already exists, that Plan shall be used to evaluate the teachers in that district rather than using the evaluation Plan developed by the State Board of Education unless the collectively bargained Plan does not meet the requirements of subsections (a) through (d) of Section 24A-5* (Section 24A-6 of The School Code).
 - 2) In districts where no collectively bargained plan exists, State Board of Education staff shall provide the school district not complying with the

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requirements of Section 24A-5 with a copy of the State Board of Education's evaluation Plan and shall schedule times for evaluations to be performed by State Board of Education staff.

- 3) *In cases where an evaluation instrument is in dispute (e.g., in a grievance proceeding or a case pending before the Illinois Educational Labor Relations Board), the State Board of Education shall postpone its evaluation until the dispute is resolved (Section 24A-6 of The School Code).*
- d) Copies of the results of evaluations conducted by State Board of Education staff shall be submitted to the school district not completing the evaluations.
- e) Upon receipt of evaluations conducted by State Board of Education staff, the school district shall comply with the requirements of Section 24A-5 (e) through (j) of The School Code.

Section 50.80 Evaluation of Administrative Staff

- a) The Plan shall describe the procedures for evaluating all administrators.
- b) The Plan shall include a job description for each administrator, identifying his or her assigned duties and responsibilities. Job descriptions for principals shall demonstrate that a majority of the assignment details instructional leadership responsibilities and defines those responsibilities, pursuant to Section 10-21.4a of The School Code (Ill. Rev. Stat. 1985, ch. 122, par. 10-21.4a).
- c) The Plan may require the evaluation of an administrator in the following areas, where relevant to the administrator's position: Curriculum and Instructional Leadership; School/Community Relations; Finance and Business Management; Personnel Evaluation; Supervision and Staff Development; and Management of Public Schools.
- d) The Plan shall ensure that all evaluators meet the requirements of Section 24A-3 of The School Code, and shall include a list of the names of the qualified administrators.
- e) *The Plan may provide for independent evaluators not employed by the district to evaluate administrators.*
- f) *The Plan shall ensure that the results of each administrator's evaluations will be*

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reported to the School Board with such recommendations for remediation as the evaluator may deem appropriate.

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- 1) Heading of the Part: Health/Life Safety Code for Public Schools
- 2) Code Citation: 23 Ill. Adm. Code 180
- 3)

<u>Section Number:</u>	<u>Proposed Action:</u>
180.10	Amendment
180.30	Amendment
180.50	Amendment
180.60	Amendment
180.70	Amendment
180.100	Repeal
180.110	Repeal
180.120	Amendment
180.200	Amendment
180.230	Amendment
180.250	Amendment
180.260	Repeal
180.270	Repeal
180.280	Repeal
180.300	Amendment
180.310	Amendment
180.320	Amendment
180.340	Amendment
180.420	Amendment
180.500	Amendment
180.510	Repeal
180.520	Repeal
180.540	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.12, 2-3.25, and 17-2.11
- 5) A Complete Description of the Subjects and Issues Involved: The present set of changes results mainly from the comprehensive review of the agency's rules. The rules are being updated to incorporate by reference the current edition of the International Building Code instead of the 1996 BOCA Code. They are also being streamlined to the extent possible to eliminate unnecessary requirements or those that are adequately covered by statute or applicable standards. Examples include making it possible for one application to cover several variances; deleting the requirements for the district facility inventory; elimination of the explicit requirements for plans and specifications; and deletion of some of the

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existing detail addressing sprinkler systems. Finally, technical corrections and updating have been incorporated as necessary.

- 6) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? Yes. The rulemaking does contain incorporations by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act. Please see the new provisions of Section 180.60, as well as existing language in Section 180.540(d).
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None

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- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2005

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER d: CONSTRUCTION AND BUILDING MAINTENANCE

PART 180

HEALTH/LIFE SAFETY CODE FOR PUBLIC SCHOOLS

SUBPART A: GENERAL PROVISIONS

Section

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

SUBPART B: RECORDKEEPING REQUIREMENTS

Section

- 180.100 District Facility Records Required [\(Repealed\)](#)
- 180.110 District Facility Inventory [\(Repealed\)](#)
- 180.120 Safety Reference Plans

SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

Section

- 180.200 Application for Building Permit
- 180.210 Issuance of Building Permit
- 180.220 Inspections Upon Completion of Construction
- 180.225 Application for Certificate of Occupancy
- 180.230 Certificate of Occupancy
- 180.240 Demolition or Movement of Buildings or Other Structures
- 180.250 Sprinkler Systems
- 180.260 Sprinkler System Requirements and Applicability [\(Repealed\)](#)
- 180.270 Standards for Sprinkler Systems [\(Repealed\)](#)

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180.280 Standards for Sprinkler System Plans and Specifications (Repealed)

SUBPART D: INSPECTIONS

Section

180.300 Regional Superintendent's Annual Building Inspection
180.310 Decennial Inspections
180.320 Safety Survey Report
180.330 Local Board Action
180.340 Approval of Safety Survey Reports

SUBPART E: ADDRESSING VIOLATIONS

Section

180.400 Violations
180.410 Unsafe Conditions
180.420 Temporary Closing and Condemnation

SUBPART F: FIRE PREVENTION AND SAFETY FINANCING

Section

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

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

SOURCE: Adopted at 19 Ill. Reg. 5004, effective March 24, 1995; amended at 22 Ill. Reg. 12514, effective July 6, 1998; amended at 29 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 180.10 Purpose and Scope

- a) The purpose of this Part is to establish minimum standards for public school facilities which will protect the health, safety, and general welfare of the pupils, school personnel, and others who use them.

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- b) The requirements set forth in this Part shall apply to all Illinois public school districts except those governed by Article 34 of the School Code. The facilities of districts governed by Article 34 are subject to the requirements of ~~Section~~Sections 180.250 ~~through 180.280~~ of this Part (see Section 22-23 of the School Code [105 ILCS 5/22-23]) and in all other respects shall comply with local building codes.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.30 Definitions

"Annual Inspection" means the inspection conducted annually by a regional superintendent of all the public schools under his or her jurisdiction as required by Section 3-14.21 of the School Code.

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

American Gas Association Laboratories

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

Engineering Experiment Station, Ohio State University

Factory Mutual Laboratories (Factory Mutual Engineering Division)

Forest Products Laboratory, U.S. Department of Agriculture

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

Southwest Research Institute

Underwriters' Laboratories, Inc.

Underwriters' Laboratories of Canada

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

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

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

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

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

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

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

"Facility" means land, buildings, structures and improvements other than buildings, and permanent, fixed equipment attached to or incorporated in any building owned or used for school purposes by a school district subject to this Part. This definition excludes facilities owned by a school district but not used for public school purposes, which shall be subject to local building codes.

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

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

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

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

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

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

Removal of or change in a required means of egress;

Rearrangement of parts affecting exit requirements;

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

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

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

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

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

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

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

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.50 Responsibilities of Regional Superintendent

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

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inspectors, and to confer with the other responsible departments or agencies for the purpose of eliminating conflicting orders before any are issued.

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

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.60 Applicability

- a) ~~Except as provided in subsection (b) of this Section, every~~ Every facility other than a vehicular facility shall conform to the ~~standards identified in this subsection (a) and~~ "BOCA National Building Code" published by the ~~International Code Council, Inc., Building Officials and Code Administrators (1996; 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), as modified by subsections (a) through (d) of this Section,~~ unless a variance or waiver is obtained pursuant to Section 180.70 of this Part or use of a temporary facility is authorized pursuant to Section 180.230 of this Part. No later amendments to or editions of these standards are incorporated by this ~~Section rule~~. The effective date called for in Section ~~3410.23408.2~~ of the ~~International~~ BOCA National Building Code shall be the effective date ~~shown for~~ of this ~~Section 180.60Part~~. ~~The IBC~~ BOCA permits

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a facility constructed prior to its effective date to be maintained in compliance with the building code that previously applied to the facility, and provides separate provisions governing the alteration, repair, change of occupancy, replacement of component parts or systems, and enlargement of an existing facility. (IBC, Section 102.6(BOCA, Section 102.2; Chapter 34) The applicable standards shall be:

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

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

- 1)a) The administrative provisions of this Part shall apply instead of the administrative provisions contained in Sections 101.4.4, 103-108, 110-113, and 115-101, 103-114, 116 and 118-121 of Chapter 1 of the InternationalBOCA National Building Code.
- 2)b) The Illinois Accessibility Code (71 Ill. Adm. Code 400) shall apply instead of the accessibility provisions set forth in Chapter 11 of the InternationalBOCA National Building Code.
- 3)e) The requirements set forth in the Illinois Plumbing Code (77 Ill. Adm. Code 890) shall apply instead of those expressed in Section 101.4.4 of Chapter 1 and the BOCA National Plumbing Code incorporated in Chapter 35 of the InternationalBOCA National Building Code.
- 4)d) The requirements set forth in the Illinois State Fire Marshal's rules titled Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120) shall apply instead of those expressed in the Boiler and Pressure Vessel Safety Code (ASME 9889) published by the American Society of Mechanical Engineers and incorporated in Chapter 35 of the InternationalBOCA National Building Code.

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(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.70 Variances and Waivers

- a) When a requirement or standard set forth in any code incorporated by Section 180.60~~herein~~ cannot be satisfied, a school board may apply for a waiver of that requirement or standard pursuant to Section 2-3.25g of the School Code and the State Board's rules at 23 Ill. Adm. Code 1.100.
- b) Except as limited by subsection (b)(3) of this Section, when a requirement or standard set forth in any code incorporated herein can be satisfied by an alternative means, a school board (or the district superintendent, if such authority is delegated by the school board) may apply for a variance as defined in Section 180.30 of this Part.
 - 1) The affected facility must have been surveyed by a licensed design professional.
 - 2) The architect or engineer conducting the survey shall certify and document in what particular respects the proposed alternative provides performance or protection equal or superior to that provided by the code requirement(s) from which a variance is sought.
 - 3) The requirements relative to sprinkler systems set forth in SectionSections 180.250 through 180.280 of this Part may not be varied pursuant to this subsection (b). Waivers or modifications of those requirements may only be requested pursuant to Section 2-3.25g of the School Code and the State Board's rules at 23 Ill. Adm. Code 1.100.
- c) Procedure for Obtaining Variances
 - 1) An authorized representative of the~~The~~ board of education shall complete and submit an application for approval of a variance to the State Superintendent through the regional superintendent.
 - 2) An application shall ~~be submitted for each variance sought for a particular facility, and shall:~~
 - A) Describe the variance or variances being sought;

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- B) Identify the board of education seeking the variance, the basis upon which it is seeking the variance, and the facility for which eachthe variance is being sought;
- C) Attest that the variance is being submitted pursuant to authority granted by the board of education;
- D) Indicate the date upon which the board of education adopted a resolution to seek the variance;
- E)~~D)~~ Indicate the specific rule from which eacha variance is sought;
- F)~~E)~~ Include, by attachment, the statement(s), supporting documents, and certification of the architect or engineer who surveyed the facility; and
- G)~~F)~~ Be signed by an authorized representative of the board~~the president and secretary of the board of education and the district superintendent.~~
- 3) Upon receipt of an application for approval of a variance or variances, the regional superintendent shall record the identifying information, the date of submission, and the subject rule or rules in his or her records and forward the application, his or her recommendation regarding each variance's~~its~~ approval, and supporting materials to the State Superintendent.
- 4) Upon receipt of the application for approval of a variance or variances, the State Superintendent may appoint a technical review panel which will review the application and supporting materials, recommend approval or denial of eachthe variance, and recommend any special conditions under which approval should be granted.
- 5) For each requested variance, the~~The~~ State Superintendent shall issue either a letter indicating approval, the date, and any special conditions, or a letter of denial. He or she shall return the application, supporting materials, and letter of approval or denial to the regional superintendent for processing and forwarding to the board of education.

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- 6) Upon receipt of the State Superintendent's decision, the regional superintendent shall amend his or her records to reflect the conditions and particulars of approval, if approved; or proceed with enforcement of the code if disapproved; and forward the documents to the district originating the application for implementation.
- d) Variances shall be subject to review and revocation:
- 1) In conjunction with any substantial repair, alteration, new construction, or change in use that may affect the conditions upon which the variance was granted;
 - 2) If material facts upon which the variance was based change or are found to be false or erroneous;
 - 3) In the course of review and approval of the next decennial survey conducted in accordance with Subpart D of this Part; or
 - 4) When a code is amended to incorporate the substance of a variance.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART B: RECORDKEEPING REQUIREMENTS

Section 180.100 District Facility Records Required (Repealed)

~~Each school board shall establish and maintain a facility inventory system encompassing all facilities as defined in Section 180.30 of this Part, whether owned by the school district or not owned by the district but used for school purposes.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 180.110 District Facility Inventory (Repealed)

- a) ~~Within two years after the effective date of this Part, or as soon after that date as a district initiates a facility transaction (see subsection (b) below), whichever occurs first, each school board shall prepare, adopt, and submit to the regional superintendent and the State Superintendent of Education a District Facility Inventory on forms to be supplied by the State Board of Education.~~

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- b) ~~The District Facility Inventory shall be amended whenever a facility transaction is complete, i.e., whenever construction or any like activity is carried out, whenever any facility is acquired, newly leased, sold, or demolished, and whenever a lease is not renewed. Such amendments shall be submitted to the regional superintendent and State Superintendent within 60 calendar days after completion of such transactions.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 180.120 Safety Reference Plans

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

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

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- c) Two complete sets of safety reference plans shall be provided for each facility, one to be kept by the board of education in a safe place and one to be kept on the site to which it applies.
- d) Whenever safety reference plans are completed or ~~updated~~^{up-dated}, they shall be submitted to the regional superintendent for review and approval.
- e) Each site plan shall be drawn to a scale sufficient to show the required information clearly and legibly, and shall include a legend. The site plan shall include the location and identification of:
- 1) Highways, boulevards, avenues, or streets bordering the site;
 - 2) Each building or other structure on the site;
 - 3) Each building located on adjacent property less than 75 feet away from a school building;
 - 4) Public fire hydrants and municipal fire alarm boxes adjacent to or on the site;
 - 5) Utility supply services (water, gas, electricity, etc.) leading into the site and into each building or other structure, their size, and the location of shut-offs for each such service;
 - 6) Primary walkways, fire lanes, and bus loading and unloading zones;
 - 7) Play areas and automobile parking areas, and the surfacing material of each;
 - 8) Landscaping or other materials or areas on the site that might impede ingress or egress;
 - 9) Fences and gates, and their respective heights;
 - 10) Elevation with respect to sea level and location with respect to floodways and floodplains; and
 - 11) Unusual terrain.

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- f) Each schematic floor plan shall be drawn for one floor of a building, to a scale sufficient to show the required information clearly and legibly, and shall include a legend. Each floor plan shall include the following information.
- 1) Identification of each fire area shown on the Plan, and a statement establishing the height in stories, construction type, protection classification and Plan classification of each such fire area.
 - 2) The elevation of each floor level with respect to the floor level of the lowest street floor. The street-floor plan shall show the difference in elevation between its floor level and the grade level outside at each point of ingress-egress from the building to a point 12 feet from the building line.
 - 3) The location of all existing or proposed partitions and walls, the identification of those partitions and walls required to have a fire resistance rating, and the rating so required.
 - 4) The identification of each room and space as to its occupancy and use.
 - 5) The designation of the rated population capacity and student enrollment capacity for each floor and each occupied room or space thereon.
 - 6) The identification of the areas protected or proposed to be protected by a sprinkler and/or fire detection system.
 - 7) The location, arrangement and width of each stairway, ramp, fire resistive passageway, fire escape and slide escape which serves as a required means of exit, and of each corridor, passageway, primary egress aisle or balcony which provides the required path of travel to each such exit.
 - 8) The location, direction of swing, width, type, and, where required, fire rating of each door located in the path of travel to a required exit or serving as part of a required exit.
 - 9) The locations of vertical openings and the existing or proposed protection for such openings.
 - 10) The existing or proposed locations of fire alarm boxes, fire alarm horns

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and lights, exit lights, emergency lighting, and fire alarm control panel.

- 11) The location of primary air distributing or recirculating fans and designation of the areas served by each such fan.
- 12) Location and identification of fuel burning equipment (both permanent and moveable).
- 13) On the basement plan, or lowest street floor plan if no basement exists, the location and height of service tunnels and under-floor crawl spaces along with the existing or proposed method of separating such tunnel and spaces from adjacent occupied spaces.

g) A plan shall be included for each attic:

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

h) Each attic plan shall show:

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

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

Section 180.200 Application for Building Permit

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

- a) The school board shall file an Application for a Building Permit ("application") with the regional superintendent having jurisdiction over the board of education in question, on a form prescribed by the regional superintendent. If the board is not the owner, the board shall attach an affidavit from the owner indicating the owner's consent for the proposed work.
- b) The completed application shall be accompanied by two copies of all relevant construction documents.

1) Plans and specifications submitted as part of an application shall be prepared by or under the supervision of an architect or engineer. They shall bear the stamp of, and the following certification signed by, the responsible architect or engineer:

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

These plans and specifications consist of the following:

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

(Seal) by _____
(Architect/Engineer Signature)

(Date Signed)

(Lic. # and Exp. Date)"

~~1) Plans shall be drawn to scale and be based upon the "Architectural~~

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~~Graphics Standards" published by the American Institute of Architects (1988; 1735 New York Avenue, NW, Washington, D.C. 20006). No later amendments to or editions of these standards are incorporated by this rule.~~

~~2) Specifications shall, to the greatest extent possible, be written in conformance with the Construction Specifications Institute's "Master format" published by John Wiley and Sons, Inc. (1988; 601 Madison Street, Alexandria, Virginia 22314), or the "Uniform at II" published by the American Society for Testing and Materials (1993; 1916 Race Street, Philadelphia, Pennsylvania 19103-1187). No later amendments to or editions of these standards are incorporated by this rule.~~

~~2)3) Whenever reference is made in plans or specifications to this Part or the codes incorporated by Section 180.60reference herein, such reference shall identify the specific edition, section and subsection(s) applicable to the subject in question.~~

- c) Upon receipt of an application, the regional superintendent shall record the date of submission by the school board and assign a unique identification number to said application. This identification number shall be used on all building permits issued pursuant to the application.
- d) If the proposed work involves the installation of a closed, prefabricated mechanical system (e.g., a window air conditioner or heating, ventilating, air conditioning (HVAC) unit), the regional superintendent shall not issue a building permit until he or she has reviewed an evaluation report on ~~thatsueh~~ system from an approved inspection agency and verified that the report supports the use of the mechanical system in question as proposed.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.230 Certificate of Occupancy

A certificate of occupancy shall be obtained prior to any occupancy of a facility, including a vehicular facility.

- a) **General Certificate of Occupancy**
When the work covered by a building permit is complete or a facility complies with the requirements of this Part, and upon presentation of accurate safety reference plans for the facility certified by an architect or engineer to be in

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compliance with this Part (see Section 180.120 of this Part), the regional superintendent shall issue a general certificate of occupancy.

- b) Certificate of Partial Occupancy
When requested to do so, a regional superintendent shall issue a certificate of partial occupancy before completion of the entire work covered by a permit, provided that his or her inspection indicates that some area(s) can be occupied safely prior to full completion.
- c) Certificate of Occupancy for a Temporary Facility
~~When Effective July 1, 1998, a regional superintendent, when~~ requested to do so, a regional superintendent shall issue a one-year certificate of occupancy for a temporary facility, allowing use of a facility ~~that~~which does not comply with all the requirements of this Part, provided that all the following requirements are met.
- 1) Use of the facility is necessary to meet a temporary need of the school district, as verified by the regional superintendent.
 - 2) The school board presents a plan either for replacement of the temporary facility with a facility meeting the requirements of this Part or for the elimination of the temporary need upon which the request is based. The school board's plan includes positive action to accomplish this end within a specified period of time, during which the certificate may be annually renewed.
 - 3) The facility has been surveyed by a licensed design professional, whose report is attached identifying the respect(s) in which the facility fails to comply with the requirements of this Part and certifying that such noncompliance does not jeopardize the general health and safety of the students and others who occupy the facility.
 - 4) If the facility is a premanufactured unit such as a mobile home, trailer unit, or other, similar structure, the application shall include evidence that all of the following conditions exist:
 - A) The facility has received the seal of approval issued by the Illinois Department of Public Health pursuant to the Manufactured Housing and Mobile Home Safety Act [430 ILCS 115];
 - B) The facility is anchored as specified in the Illinois Mobile Home

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Tiedown Act [210 ILCS 120]"Manufactured Home Installations (NCSBCS/ANSI A225.1)," published by the National Conference of States on Building Codes and Standards, Inc. (1994; 505 Huntmar Park Drive, Suite 210, Herndon, Virginia 22070);

- C) The facility is separated from other buildings by the distance required pursuant to the standards referenced in Section 180.60 of this PartBOCA National Building Code; and
- D) The facility is connected to the fire alarm system and intercom or telephone system of a nearby school building, if such a system is present.
- d) Certificate of Occupancy for a Vehicular Facility
When requested to do so, a regional superintendent shall issue a certificate of occupancy for a vehicular facility, provided that the facility meets the requirements of Section 180.80(a) and (b) of this Part.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.250 Sprinkler Systems

This Section sets and Sections 180.260, 180.270, and 180.280 of this Part set forth the requirements and standards for sprinkler systems installed in school buildings pursuant to the provisions of Section 22-23 of the School Code. *The requirements set forth in this Section herein shall apply to the school board, board of education, board of school directors, board of school inspectors, or other governing body of each school district in this State, including special charter districts and districts organized under Article 34.* (Section 22-23 of the School Code)

a) Applicability

- 1) In determining whether school construction affects one or more areas of a school building that cumulatively are equal to 50% or more of the square footage of the school building (Section 22-23 of the School Code), each separate "fire area" as defined in the building code incorporated by Section 180.60 of this Part shall be considered as a separate building.
- 2) "School construction" means any of the activities enumerated in Section 22-23 of the School Code, when the affected building is occupied in whole

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or part by public school students or is intended for occupancy by such students.

- b) Standards for Sprinkler Systems
Sprinkler systems shall conform to the requirements set forth in the International Building Code (see Section 180.60).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.260 Sprinkler System Requirements and Applicability (Repealed)

- a) ~~No school construction shall be commenced in any school district unless sprinkler systems are required by the plans for such construction (Section 22-23 of the School Code).~~
- b) ~~"School construction" means any of the activities enumerated in Section 22-23 of the School Code, when the affected building is occupied in whole or part by public school students or is intended for occupancy by such students.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 180.270 Standards for Sprinkler Systems (Repealed)

~~Sprinkler system plans shall conform to the requirements set forth in the "Standard for the Installation of Sprinkler Systems" (NFPA 13; 1994) and, where alternative protection is necessary, plans for such protection shall conform to the requirements set forth in "Dry Chemical Extinguishing Systems" (NFPA 17; 1994), both published by the National Fire Protection Association, 1 Battery March Park, Quincy, Massachusetts 02269-9101. (No later amendments to or editions of these standards are incorporated by this Section.)~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 180.280 Standards for Sprinkler System Plans and Specifications (Repealed)

- a) ~~Preliminary plans and specifications submitted as part of applications for building permits shall define the extent, arrangement, and quality of the work described therein.~~
- b) ~~Preliminary plans and specifications shall be prepared by or under the supervision of an architect or engineer licensed to practice in Illinois, and shall bear the stamp~~

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~~of and a certificate signed by the responsible architect or engineer, which shall have the following form: Architect's or Engineer's Certificate~~

~~"I hereby certify that these plans and specifications for the installation of a sprinkler system, including any alternative forms of protection, were prepared under my supervision and, to the best of my knowledge, comply with the requirements identified in 23 Ill. Adm. Code 180.260 and 180.270. These plans and specifications consist of the following:~~

~~(architect or engineer to list contents)~~

(Date)

(Signature and Stamp)"

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

SUBPART D: INSPECTIONS

Section 180.300 Regional Superintendent's Annual Building Inspection

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

- a) The regional superintendent shall visit each facility and shall issue any necessary notice(s) of violations within 10 calendar days and specify the corrective actions to be taken, as provided in Section 180.400(b) of this Part.
- b) Following each inspection, the regional superintendent shall prepare for the local board of education a written report of the results within the time allotted under Section 3-14.21 of the School Code on a form supplied by the State Board of Education. ~~This report shall be submitted to the Board of Education by July 30 following the school year for which the inspections were conducted. (Section 3-14.21 of the School Code.)~~ The report shall also be submitted to the State Superintendent of Education, in writing or by such electronic means as the State Superintendent may authorize, and shall include the regional superintendent's approval or disapproval of any extension of time requested by the local board

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pursuant to Section 2-3.12 of the School Code. The recommendations of the regional superintendent shall be considered approved by the State Superintendent unless the regional superintendent receives notification to the contrary within 60 calendar days after submission of his or her report.

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

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.310 Decennial Inspections

Each school board subject to this Part shall have its school buildings surveyed in conformance with Section 2-3.12 of the School Code. ~~Within two years after September 23, 1983, and no less often than every ten years thereafter, each school board subject to this Part shall have its school buildings surveyed by a licensed design professional in conformance with the provisions of this Section. (Section 2-3.12 of the School Code.)~~

- a) In the course of his or her on-site inspection(s), the architect or engineer shall check the accuracy of the safety reference plans, verify the information shown on the facility inventory records, and make such corrections as are necessary.
- b) The design professional conducting the survey shall prepare a safety survey report conforming to the requirements of Section 2- 3.12 of the School Code and including the materials specified in Section 180.320 of this Part.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.320 Safety Survey Report

The safety survey report shall include for each facility either: the following documents and forms, which may be communicated electronically when such communication is authorized by the State Superintendent of Education.

- a) a Certificate of Compliance, if the survey revealed no violations of applicable requirements; or A sketch map showing district boundaries and the locations of all facilities.

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- b) ~~a violation and recommendation schedule on a form provided by the State Board of Education. A sketch showing facilities on each site owned or used by the district for school purposes.~~
- e) ~~For each facility, either~~
 - 1) ~~A Certificate of Compliance, if the survey revealed no violations of applicable requirements; or~~
 - 2) ~~A violation and recommendation schedule on a form provided by the State Board of Education.~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.340 Approval of Safety Survey Reports

- a) If the regional superintendent finds that the Safety Survey Report and relevant floor plans are complete and correct, he or she shall approve the report; if the regional superintendent finds that the report and floor plans are incomplete or contain errors, he or she shall so notify the board of education in writing. If the district fails to correct the errors or omissions, the regional superintendent shall disapprove the report. In either case, the regional superintendent shall forward the report and any floor plans to the State Superintendent for approval or disapproval.
- b) If the State Superintendent finds that the safety survey report is incomplete or contains errors, he or she shall so notify the board of education in writing. If the district fails to correct the errors or omissions, the State Superintendent shall disapprove the report and return the material to the regional superintendent for return to the board of education.
- c) The State Superintendent shall approve or disapprove the report within 90 days of its submission by the regional superintendent. If he or she approves the report, he or she shall issue a Certificate of Approval.
- d) Upon receipt of the State Superintendent's certificate, the regional superintendent shall issue such orders as are necessary to effect any recommendations contained in the safety survey report.
- e) ~~School board action in response to approved safety survey reports shall conform to the requirements of Section 2-3.12 of the School Code.~~

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~~f) Failure to submit accurate and complete safety survey reports as required shall subject a school district to the recognition provisions of 23 Ill. Adm. Code 1.~~

g) Submission of Other Survey Reports

- 1) If, after having received approval of a safety survey report from the State Superintendent and before submission of the next required safety survey report, a board of education is ordered to have a complete or partial resurvey of its facility(ies) conducted pursuant to Section 180.400 of this Part, it shall submit an updated report reflecting the results of said resurvey.
- 2) The report shall be submitted to the regional superintendent and the State Superintendent for approval or disapproval in the same manner as for a safety survey report resulting from a decennial inspection.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART E: ADDRESSING VIOLATIONS

Section 180.420 Temporary Closing and Condemnation

- a) If, in the opinion of the regional superintendent, a facility or part of a facility poses an imminent threat to the health or safety of its occupants, the regional superintendent shall temporarily close ~~that~~ facility or part of the facility pending determination of the extent of the hazard and order it evacuated immediately.
 - 1) The regional superintendent shall cause to be posted at each entrance to ~~the affected~~ facility a notice reading as follows: "This Facility is Unsafe and its Occupancy has been Prohibited by the Regional Superintendent."
 - 2) Notice of the closing shall also be served on the school district superintendent.
 - 3) No person shall enter a facility so closed, except for the purpose of inspecting, repairing, or demolishing it.

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- b) ~~The regional superintendent shall request that the facility or part of the facility be inspected by appropriate personnel from either the Department of Public Health, the State Fire Marshal, or the State Board of Education, depending upon the circumstances. Such official(s) shall inspect the facility or part of the facility in question; state, in writing, whether the facility is unsafe, unsanitary, or unfit for occupancy; and indicate the reasons for their conclusions. (Section 3-14.22 of the School Code.)~~ The~~This~~ report of the inspection required under Section 3-14.22 of the School Code shall be submitted to the regional superintendent as soon as possible.
- c) Upon receipt of this report, the regional superintendent shall:
- 1) Lift the closing order, if the report indicates that the facility is not unsafe, unsanitary, or unfit for occupancy; or
 - 2) Issue a condemnation order, if the report indicates ~~this~~such to be warranted, and include the listing of particulars contained in the report ~~required of the inspection conducted~~ pursuant to subsection (b) of this Section.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART F: FIRE PREVENTION AND SAFETY FINANCING

Section 180.500 Request for Authorization

- a) A school board desiring to use fire prevention and safety funds shall submit to the regional superintendent, using a format prescribed on forms supplied by the State Board of Education, a Request for Authorization ("request"). The request shall consist of a Statement of Facts and Assurances and a Summary of Financing Requirements and shall be accompanied by the following documents, prepared and certified by a licensed design professional:
- 1) ~~A sketch map showing district boundaries and the locations of all facilities, and~~
 - 2) ~~A sketch showing facilities on each site involved in the request, and~~
 - 3) ~~Schematic floor plans or other drawings necessary to show and describe the facility in question and the nature of the work to be done, and~~

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- 4) ~~a Schedule of Violations~~A Violation and Recommendation Schedule including a brief description of each violation and the recommended correction;~~;~~ and
- ~~2)5) a Schedule of Recommended Work Items and~~A Statement of Estimated Costs.
- b) ~~If the request is submitted within one year after approval of the district's most recent safety survey report and that report remains accurate, any of the documents contained in that report may be used to meet the comparable requirements of subsections (a)(1) through (a)(5) above.~~
- e) Fire prevention and safety financing shall only be approved if:
- 1) the district has levied at its maximum authorized rate for its operations and maintenance fund for the most recent year for which tax rates are available; and
 - 2) the district does not have sufficient unrestricted funds (as defined in 23 Ill. Adm. Code 110, Table B) in its operations and maintenance fund and/or its fire prevention and safety fund to pay for the necessary work.
- ~~c)d) If the regional superintendent finds that the request is complete and approvable, he or she shall so certify and forward the request with such certification to the State Superintendent of Education. If the regional superintendent disapproves the request, he or she shall so certify and return the request with such certification to the local board. The regional superintendent shall approve or disapprove each request within the time specified in Section 17-2.11 of the School Code [105 ILCS 5/17-2.11]. The regional superintendent shall approve or disapprove each request within three months after its submission by a local board.~~
- e) ~~A board of education whose request is not acted upon within three months may submit the request to the State Superintendent for review. (Section 17-2.11 of the School Code)~~
- f) ~~Except under emergency circumstances as provided for in Section 180.530 of this Part, a regional superintendent shall not grant approval to use fire prevention and safety funds for any work which has already been initiated, without the prior express authorization of the State Superintendent. (Section 17-2.11 of the School~~

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~~Code)~~

~~d)g)~~ If the State Superintendent finds that a request is complete and approvable, he or she shall so certify and return the approved request with such certification to the regional superintendent.

~~e)h)~~ Upon receipt of an approved request from the State Superintendent, the regional superintendent shall issue an order to implement the request and forward the request and the order to the originating school board.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 180.510 Initiation of Work ~~(Repealed)~~

~~Initiation and conduct of construction or other, like activities for which the use of fire prevention and safety financing has been approved shall be subject to the procedural requirements set forth in Subpart C of this Part.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 180.520 Accounting for Fire Prevention and Safety Funds ~~(Repealed)~~

~~Funds received and expended for fire prevention and safety purposes shall be accounted for pursuant to the applicable provisions of the Program Accounting Manual (23 Ill. Adm. Code 110).~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 180.540 Cost Estimates

- a) Administration and implementation of this Subpart require that many costs be estimated and certified as a prerequisite to approval of proposed work or determination of the applicability of particular rules. The following standards and procedures are to be used where certification of cost estimates is required.
- b) All cost estimates shall be based upon published price guides such as those compiled by R. S. Means Company, Inc., Frank Walker Company, and McGraw-Hill Cost Information Systems.
 - 1) The source of the cost figures shall be specifically identified by title,

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publisher, and period of effectiveness.

- 2) The cost factors to be used shall be the mean or median costs published for such construction nationally.
 - 3) These raw cost estimates shall be adjusted by applying the appropriate inflation factors, size adjustment factors, and regional cost adjustment factors.
 - 4) The estimate shall be based upon the work to be performed as described in the violation and recommendation schedule.
 - 5) The estimate shall specify the unit or units of measure, the quantity of such units necessary, and the unit cost installed.
 - 6) A total of estimated costs must be provided, along with a general breakdown.
 - 7) The resulting figure shall be referred to as the Adjusted Gross Estimated Cost.
- c) Estimates of the replacement cost of a school shall be based upon the cost of constructing a new building of equal size, serving like grades, and for the same programmatic purposes as the facility to be replaced. The procedure is as follows.
- 1) Determine the type of school to be built based upon its classification as reflected in the most recent Fall Enrollment and Housing Report filed with the State Board of Education.
 - 2) Determine the size of the school to be built, based upon the square footage of the school to be replaced.
 - 3) Multiply the square footage of the school to be built by the appropriate square-foot cost factor.
 - A) The published cost factor for elementary schools shall be used for preschools, kindergartens, and elementary schools.
 - B) The published cost factor for junior high/middle schools shall be used for schools housing various combinations of grades 5 through

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9.

- C) The published cost factor for high schools shall be used for schools housing combinations of grades 9 through 12.
- 4) The resulting figure shall be referred to as the Adjusted Gross Estimated Replacement Cost of the school.
- d) For purposes of estimating costs related to energy conservation measures, the procedures outlined in "ASTM Standards on Building Economics, ~~Fifth~~^{Second} Edition," published by the American Society for Testing and Materials (~~2004~~¹⁹⁹³; 1916 Race Street, Philadelphia, Pennsylvania 19103-1187), shall be used. No later amendments to or editions of these standards are incorporated by this rule.
- 1) In addition, the source(s) of heating degree days, cooling degree days, and energy consumption data, and the basis for determining the efficiency of existing systems and equipment and their useful lifetimes shall be noted.
- 2) Where Fire Prevention and Safety Funds are to be used to finance all or part of energy conservation measures, the payback period calculations must show that payback can be achieved within the timeframe specific in Section 19b-4 of the School Code [105 ILCS 5/19-b4]~~over the useful lifetime of the proposed measure or 10 years, whichever is less.~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Conservation Education
- 2) Code Citation: 23 Ill. Adm. Code 251
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
251.10	Repeal
251.20	Repeal
251.30	Repeal
251.40	Repeal
251.50	Repeal
251.60	Repeal
251.70	Repeal
251.80	Repeal
251.90	Repeal
251.100	Repeal
251.110	Repeal
- 4) Statutory Authority: 105 ILCS 415/7
- 5) A Complete Description of the Subjects and Issues Involved: In the course of our comprehensive review of rules, we have determined that much of the existing text of several existing Parts is not needed in rules at all, because it either repeats statutory language or is couched as recommendations rather than requirements. In the case of Part 251, a number of the provisions are statements about activities of the State Board that do not need to be in rule form. The necessary substantive provisions from these Parts that need to be retained can readily be subsumed within Part 1 (Public Schools Evaluation, Recognition and Supervision).

The needed material from Part 251 will be placed into Section 1.420(l) via amendments that are being proposed concurrently with this repealer.
- 6) Will this proposed repealer replace an emergency repealer currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No

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- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included in either of the two most recent Regulatory Agendas because: It was not apparent in December of 2004 that the streamlining of 23 Ill. Adm. Code 1 would be ready for proposal at this time and would incorporate material from Part 251.

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

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NOTICE OF PROPOSED REPEALER

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER g: SPECIAL COURSES OF STUDY

PART 251

CONSERVATION EDUCATION (REPEALED)

Section

251.10	Purpose of the Program
251.20	Recommended Subject Matter
251.30	Operation of the Division
251.40	Personnel to be Supplied
251.50	Consultation Service to be Offered
251.60	Cooperation With State Colleges and Universities
251.70	Development of Teaching Materials
251.80	Acquisition and Distribution of Materials
251.90	Cooperation With Other Agencies
251.100	Cooperation With Local Groups
251.110	Division's Relationship to Advisory Board

AUTHORITY: Implementing Section 1 et seq. and authorized by Section 7 of "An Act in relation to the promotion of conservation education and establishment of a division of conservation education under the State Board of Education" (Ill. Rev. Stat. 1981, ch. 122, pars. 698.1 et seq. and 698.7).

SOURCE: Adopted June 1, 1960; codified at 7 Ill. Reg. 16394; repealed at 29 Ill. Reg. _____, effective _____.

Section 251.10 Purpose of the Program

- a) All schools should teach the wise and effective use of our natural and human resources. The program should be planned and purposeful and should be consistent with definitely stated aims.
- b) The most functional way to teach conservation is to develop concepts in science, social studies and other related fields, thus correlating conservation with other subjects and relating the use of resources to life situations.

Section 251.20 Recommended Subject Matter

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The subject matter should include soils, water, minerals, plants, fish and animal life, forestry and recreation.

Section 251.30 Operation of the Division

The Division will operate under the internal procedures which govern the activities of the staff of the State Board of Education except that the following specific activities shall be a part of the program to encourage the inclusion of conservation teaching in the curricula of the elementary, high schools and institutions of higher learning in the State of Illinois.

Section 251.40 Personnel to be Supplied

The Division shall provide a Director of Conservation Education and such other professional personnel as the scope of the program requires. Personnel employed in these positions must have attained through academic training and/or experience, professional recognition in the field of conservation education.

Section 251.50 Consultation Service to be Offered

The Division shall provide consultation service to the schools, colleges and universities within the state in developing conservation teaching and conservation teacher-training programs. A report of consultation services provided to the public schools will be filed annually on July 1 with the State Superintendent of Education.

Section 251.60 Cooperation With State Colleges and Universities

The Division shall cooperate with the colleges and universities of the state in conducting workshops, conferences, institutes, etc., on the conservation of natural resources for students and teachers within the state.

Section 251.70 Development of Teaching Materials

The Division shall prepare or cause to be prepared text materials, visual aids and educational exhibits on Illinois resources and the conservation of these resources for use by the schools of Illinois.

Section 251.80 Acquisition and Distribution of Materials

The Division shall acquire and evaluate materials on the conservation of natural resources and

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maintain a distribution center to supply these materials to the schools of Illinois.

Section 251.90 Cooperation With Other Agencies

The Division shall cooperate with all federal, state and local agencies interested and working in the field of conservation in the furtherance of conservation education programs.

Section 251.100 Cooperation With Local Groups

The Division may cooperate with civic organizations, service clubs, sportsman's clubs, women's clubs and other organizations and individuals working in the field of conservation to develop conservation education programs.

Section 251.110 Division's Relationship to Advisory Board

The Division shall inform the Conservation Education Advisory Board of all activities of the Division and these activities shall be subject to the request and approval of this Advisory Board.

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- 1) Heading of the Part: Comprehensive Health Education
- 2) Code Citation: 23 Ill. Adm. Code 253
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
253.10	Repeal
253.20	Repeal
253.30	Repeal
253.40	Repeal
253.50	Repeal
253.60	Repeal
253.70	Repeal
253.80	Repeal
- 4) Statutory Authority: 105 ILCS 110/6
- 5) A Complete Description of the Subjects and Issues Involved: In the course of our comprehensive review of rules, we have determined that much of the existing text of several existing Parts is not needed in rules at all, because it either repeats statutory language or is couched as recommendations rather than requirements. The necessary substantive provisions from these Parts that need to be retained can readily be subsumed within Part 1 (Public Schools Evaluation, Recognition and Supervision).

The needed material from Part 253 will be placed into Section 1.420(n) via amendments that are being proposed concurrently with this repealer.
- 6) Will this proposed repealer replace an emergency repealer currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this notice to:

STATE BOARD OF EDUCATION

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Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included in either of the two most recent Regulatory Agendas because: It was not apparent in December of 2004 that the streamlining of 23 Ill. Adm. Code 1 would be ready for proposal at this time and would incorporate material from Part 253.

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

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED REPEALER

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER g: SPECIAL COURSES OF STUDY

PART 253

COMPREHENSIVE HEALTH EDUCATION (REPEALED)

Section

253.10	Definition of Terms
253.20	Responsibility for Health Education
253.30	Comprehensive Health Education Curricula
253.40	Time Requirements
253.50	Scheduling Procedures
253.60	The Health Education Instructional Program
253.70	Materials and Facilities
253.80	Evaluation

AUTHORITY: Implementing the Critical Health Problems and Comprehensive Health Education Act (Ill. Rev. Stat. 1989, ch. 122, par. 861 et seq.) and Section 27-23.3 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 27-23.3) and as authorized by Section 6 of the Critical Health Problems and Comprehensive Health Education Act (Ill. Rev. Stat. 1989, ch. 122, par. 866).

SOURCE: Adopted March 1, 1972; codified at 7 Ill. Reg. 16506; amended at 14 Ill. Reg. 12452, effective July 24, 1990; repealed at 29 Ill. Reg. _____, effective _____.

Section 253.10 Definition of Terms

"Comprehensive health education" shall be defined as *a systematic and extensive educational program designed to provide a variety of learning experiences based upon scientific knowledge of the human organism as it functions within its environment which will favorably influence the knowledge, attitudes, values and practices of Illinois school youth; and which will aid them in making wise personal decisions in matters of health.*

"A critical health problem" is defined as any health problem which presents a dramatic increase in incidence in a relatively short period of time. Venereal disease, drug use and abuse, alcohol use and abuse, smoking and its relationship to disease, and the quality of the environment are examples of current critical health problems.

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Section 253.20 Responsibility for Health Education

The local school district shall be responsible for developing, providing, and maintaining a comprehensive health education program for all pupils, grades K-12. A comprehensive health education program shall include:

- a) A realistic organizational and financial structure which shall provide current instructional and resource materials for students and teachers.
- b) Systematic procedures for identifying health education needs.
- c) Qualified personnel who can provide:
 - 1) Administration of the program
 - 2) Adequate supervisory services
 - 3) Adequate instructional services

Please refer to 23 Ill. Adm. Code 1, Public Schools Evaluation, Recognition and Supervision.

- d) Functional relationships with those public and private agencies which can supplement and/or enhance the health education program.
- e) Continuous planning for program growth and improvement based on internal and external evaluation.

Section 253.30 Comprehensive Health Education Curricula

- a) The subjects set forth in subsections (b)(1) through (b)(13) of this Section are those which must be addressed in the comprehensive health education program each school district is required to establish pursuant to the Critical Health Problems and Comprehensive Health Education Act (Ill. Rev. Stat. 1989, ch. 122, par. 861 et seq.). Nothing in this Section shall be construed as requiring or preventing any school district from establishing a class or course in comprehensive sex education or family life education as authorized by Sections 27-9.1 and 27-9.2 of The School Code (Ill. Rev. Stat. 1989, ch. 122, pars. 27-9.1, 27-9.2) or by the Sex Education Act (Ill. Rev. Stat. 1989, ch. 122, par. 698.51 et seq.).

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- b) *The following major educational areas shall be included in comprehensive health education curricula in all elementary and secondary schools in this State:*
- 1) *human growth and development;*
 - 2) *human ecology and health;*
 - 3) *nutrition;*
 - 4) *prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS;*
 - 5) *mental health and illness;*
 - 6) *personal health habits;*
 - 7) *the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage;*
 - 8) *alcohol and drug use and abuse, including classroom instruction in grades 5 through 12 concerning the physical and legal effects and ramifications of drug and substance abuse including medical and legal ramifications of alcohol, drug and tobacco use and abuse during pregnancy;*
 - 9) *tobacco;*
 - 10) *dental health;*
 - 11) *public and environmental health;*
 - 12) *safety education and disaster survival; and*
 - 13) *consumer health (Section 3 of the Act).*
- c) *No pupil shall be required to take or participate in any class or course on AIDS instruction or family life if the pupil's parent or guardian submits written objection thereto, and refusal to take or participate in such course or program shall not be reason for suspension or expulsion of such person (Section 3 of Act).*

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- d) Health education program curricula may include those subjects cited as additional elements in Section 3 of the Critical Health Problems and Comprehensive Health Education Act and in Section 27-23.3 of The School Code.

Section 253.40 Time Requirements

- a) Health education, grades K-6
- 1) The health education program at the elementary level shall place strong emphasis on the health guidance of elementary school children. Many of the health education experiences of primary-age children shall be planned around the regular school programs and activities of daily living in the school, home, and community. Some of the most effective learning experiences for elementary school children should result from their living in an environment that promotes good health and safety. The elementary school program shall also provide a planned curriculum composed of specific units of instruction for particular grade levels. These units of instruction shall be clearly related to the comprehensive health education curriculum plan for the school district.
 - 2) Health education shall be a part of the regular formal instruction offered in the elementary school. In addition, special attention shall be given to opportunities for incidental instruction in health and safety education when appropriate situations arise during the school day.
- b) Middle school and/or junior high school. The minimal time allocation shall be not less than the equivalent of one semester of work in health education during the middle school or junior high school experience.
- c) Senior high school. The minimal time allocation for senior high school shall be not less than the equivalent of one semester of work in health education during the high school experience.

Section 253.50 Scheduling Procedures

- a) Middle and/or junior high school
- 1) Health education may be offered as a one semester course, meeting daily and including all students at a particular grade level.
 - 2) Health education may be offered in conjunction with another course on a

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block-of-time basis. If the block-of-time method is used, the total time devoted to health education must equal the equivalent of one semester of work.

- 3) Middle schools or junior high schools composed of three grade levels may offer health education as a semester course at any grade level. Where the block-of-time scheduling procedure is used, instruction may be offered in any combination of two or three grades.
 - 4) Junior high schools organized to include only grades 7 and 8 may schedule health education as a semester course or on a block-of-time basis.
- b) Senior high school
- 1) High schools organized to include grades 10, 11 and 12, may offer the health education course at any grade level or combination of grade levels.
 - 2) High schools organized to include grades 9, 10, 11 and 12, may offer the course at any grade level or combination of grade levels.
- c) Districts may develop alternative scheduling patterns for health education where scheduling arrangements such as modular scheduling, individualization of instruction, and independent study are employed. In such situations, the board of education must certify that students have met the minimum time allocation.
- d) School districts are encouraged to continue present scheduling patterns which provide elective courses in health education beyond the minimal requirement.

Section 253.60 The Health Education Instructional Program

The health education program shall be designed to meet the interests and needs of local district students. In developing programs, local school district personnel are encouraged to consider the following points:

- a) A careful review of the Critical Health Problems and Comprehensive Health Education Act and "Action Goals for the Seventies; Chapter 6, The Curriculum."
- b) In planning the program, a concerted effort should be directed toward developing a sequential program, grades K-12. Emergency programs, which emphasize only special health topics, should be avoided.

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- c) Health education should be identified and developed as a distinct subject matter area in the school curriculum, even though it has inherent relationships to other subject matter areas.
- d) Health education programs should be developed around program objectives and behavioral goals for students and shall focus on student achievement of desired behavioral objectives.
- e) Relevant health concepts should be included at the most appropriate developmental levels of children and youth.
- f) Health education should be responsive both to the needs of students and the demands of society; it should present current, accurate, scientific knowledge related to current health issues and problems.
- g) Health education classes should be organized on a coeducational basis. This is particularly relevant since the advent of Title IX, The Education Amendments Act, of 1972.
- h) Health education should focus on the positive aspects of health. Until recently, health education has too often been concerned with treatment after a health problem has become rampant in society. Proponents of health education believe that individuals can exert positive influence on their health status. Thus, the instructional emphasis should be oriented toward prevention.
- i) In planning the health education curriculum, school officials should provide a means whereby relevant health concerns can be secured from community medical, dental, public health, voluntary health agencies' resources, citizens, and students to assure the inclusion of topics related to local health needs, interests, problems and goals.
- j) Teachers should be encouraged to explore innovative and creative instructional techniques which actively involve students in the achievement of established behavioral objectives such as small discussion groups, independent study, team teaching, and values clarification activities based on teacher-student dialogue.

Section 253.70 Materials and Facilities

- a) Class size should be maintained at a level comparable to that for other subject areas; it should provide adequate opportunities for interaction among students and between students and teachers.

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- b) Regular classrooms should be provided which enhance the use of modern teaching and learning resources. The environmental setting should provide adequate heat, light, ventilation, and appropriate furniture.

Section 253.80 Evaluation

Local district evaluation should be directed toward the following goals:

- a) The extent to which students have incorporated health knowledge, attitudes and practices into their life styles. This can be accomplished to some extent through pre-evaluation, post-evaluation and student self-evaluation.
- b)
 - 1) Evaluation of the program to improve the instructional program for succeeding groups of students.
 - 2) Each teacher should note after teaching each unit those experiences which were well received as well as those which were not. In schools where several teachers are involved in the instructional program, group discussions among teachers can be helpful in improving the quality of instruction and course content. Teachers should pay particular attention to the extent to which student participation actually occurred. Finally, students should be encouraged to list learning experiences which were helpful and those which were of little relevance.

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NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Health Examinations and Immunizations
- 2) Code Citation: 23 Ill. Adm. Code 625
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
625.10	Repeal
625.20	Repeal
625.30	Repeal
625.40	Repeal
625.50	Repeal
625.60	Repeal
625.70	Repeal
625.80	Repeal
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: In the course of our comprehensive review of rules, we have determined that much of the existing text of several existing Parts is not needed in rules at all, because it either repeats statutory language or is couched as recommendations rather than requirements. The necessary substantive provisions from these Parts that need to be retained can readily be subsumed within Part 1 (Public Schools Evaluation, Recognition and Supervision).

The needed material from Part 625 will be placed into Section 1.530 via amendments that are being proposed concurrently with this repealer.
- 6) Will this proposed repealer replace an emergency repealer currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this notice to:

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED REPEALER

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (W-475)
Springfield, Illinois 62777

(217) 782-5270

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

rules@isbe.net

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included in either of the two most recent Regulatory Agendas because: It was not apparent in December of 2004 that the streamlining of 23 Ill. Adm. Code 1 would be ready for proposal at this time and would incorporate material from Part 625.

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

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED REPEALER

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER 0: MISCELLANEOUS

PART 625

HEALTH EXAMINATIONS AND IMMUNIZATIONS (REPEALED)

Section

625.10	Requirements for Immunization and Examination
625.20	District Survey of Attendance Centers
625.30	Deadline for School District Reports
625.40	Failure to File Reports
625.50	Non-Compliance Notices
625.60	Notice to Regional Superintendent
625.70	Notice of Opportunity for Hearing
625.80	Periodic Audits

AUTHORITY: Implementing Section 27-8.1 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/27-8.1 and 2-3.6].

SOURCE: Adopted at 4 Ill. Reg. 38, p. 180, effective September 5, 1980; codified at 7 Ill. Reg. 10590; amended at 21 Ill. Reg. 11551, effective August 1, 1997; repealed at 29 Ill. Reg. _____, effective _____.

Section 625.10 Requirements for Immunization and Examination

Ninety percent of all enrolled pupils in each school district must meet Illinois Department of Public Health immunization requirements in each disease category and have had the Illinois Department of Public Health Examination for the school district to be in compliance with Section 27-8.1 of the School Code [105 ILCS 5/27-8.1]. Pupils who are exempt from health examination or immunization on religious or medical grounds shall be counted in compliance with the law.

Section 625.20 District Survey of Attendance Centers

On October 15 or the first school day thereafter if school is not in session on October 15, or on an earlier exclusion date established by the district pursuant to Section 27-8.1 of the School Code, each school district shall conduct a survey of each attendance center in the district to determine the number of students in compliance with the immunization and health examination requirements of Section 27-8.1 of the School Code.

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Section 625.30 Deadline for School District Reports

School districts shall by November 15 report to the State Board of Education the number of students who have received the necessary health examinations and immunizations, the number of students who are not exempt and have not received the required immunizations and health examinations and the number of students exempt from the health examination and immunization requirements for religious or medical reasons, on forms provided by the State Board of Education. A copy shall also be delivered to the Regional Superintendent.

Section 625.40 Failure to File Reports

Any school districts whose reports have not been mailed or delivered to the State Board of Education by November 15 will immediately be issued a Notice of Non-Compliance with Section 27-8.1 of the School Code and be given Notice of Opportunity for Hearing on Proposed 10% Reduction in State Aid Payments beginning December 10 and semi-monthly thereafter until compliance is documented.

Section 625.50 Non-Compliance Notices

By December 1, the State Board of Education shall determine from submitted reports which districts should be cited for non-compliance with the percentage requirements of Section 27-8.1 of the School Code. The State Board of Education shall immediately issue Notices of Non-Compliance and Opportunity for Hearing on Proposed 10% Reduction in State Aid Payments beginning December 10 and semi-monthly thereafter until compliance levels are reached and documented.

Section 625.60 Notice to Regional Superintendent

The Regional Superintendent shall receive a simultaneous notice of non-compliance for any district located in the Educational Service Region.

Section 625.70 Notice of Opportunity for Hearing

The Notice of Opportunity for Hearing and all hearing procedures shall be in accordance with the Illinois Administrative Procedure Act, (Ill. Rev. Stat. 1981, ch. 127, par. 1010), and the Illinois State Board of Education's Rules entitled, Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475).

Section 625.80 Periodic Audits

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED REPEALER

The State Board of Education shall periodically audit districts to verify compliance levels furnished in the school districts' reports. Any time such an audit reveals non-compliance, a notice of non-compliance and opportunity for hearing shall immediately be issued.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Real Estate Appraiser Licensing
- 2) Code Citation: 68 Ill. Adm. Code 1455
- 3) Section Number: 1455.240 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by the Real Estate Appraiser Licensing Act of 2002 [225 ILCS 458].
- 5) A complete description of the subjects and issues involved: The rulemaking replaces the adoption of the 2002 Uniform Standards of Appraisal Practice (USPAP) with the 2004 USPAP.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: To ensure agreement between the standards real estate appraisers currently certify that they are operating under and the Real Estate Appraisal Licensing Rules, as required by the Appraisal Sub Committee (ASC) the federal agency that has oversight of state appraisal programs as provided in Title XI of USC.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Dept of Financial and Professional Regulation
Attn: Barb Smith
320 W. Washington St., 3rd Floor
Springfield, IL 62786

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

Mary Anne Benden
Director of Enforcement for Real Estate Bureau

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

Dept of Financial and Professional Regulation
Division of Banks and Real Estate
310 S. Michigan Ave. Suite 2130
Chicago, IL 60604-4278

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Small businesses that are Real Estate Appraisers and Real Estate Appraisal schools will be affected, but appraisers are required by federal law to operate under the most current version of USPAP.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2005

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VIII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION~~OFFICE OF BANKS AND REAL ESTATE~~

PART 1455

REAL ESTATE APPRAISER LICENSING

SUBPART A: DEFINITIONS

Section
1455.10 Definitions

SUBPART B: LICENSING REQUIREMENTS

Section
1455.100 Application for a State Certified General Real Estate Appraiser License and a State Certified Residential Real Estate Appraiser License; Application for an Associate Real Estate Appraiser License; Application by Non-Resident for Licensure by Reciprocity

1455.110 Application for Renewal of State Certified General Real Estate Appraiser License, State Certified Residential Real Estate Appraiser License, and Associate Real Estate Appraiser License; Late Renewal of State Certified General Real Estate Appraiser License, State Certified Residential Real Estate Appraiser License, and Associate Real Estate Appraiser License; Expiration Date

1455.120 Conversion of a State Licensed Real Estate Appraiser License to an Associate Real Estate Appraiser License; Late Conversion; No Issuance of State Licensed Real Estate Appraiser License

1455.130 Application for Temporary Practice Permit; Term of Permit; Scope of Practice; Regulatory Responsibility; Notice

1455.140 Issuance of Certificate to Real Estate Appraisers; Temporary Practice Permits

SUBPART C: EDUCATION REQUIREMENTS

Section
1455.150 Pre-License Education Requirements; State Certified General Real Estate Appraiser; State Certified Residential Real Estate Appraiser; Associate Real Estate Appraiser; Non-Resident Pre-License Education

1455.160 Continuing Education Requirements for State Certified General Real Estate Appraiser, State Certified Residential Real Estate Appraiser, Associate Real Estate Appraiser, and State Licensed Real Estate Appraiser; Non-Resident

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

Continuing Education Approval

SUBPART D: EXPERIENCE REQUIREMENTS

Section

- 1455.170 Experience Requirements for a State Certified General Real Estate Appraiser License
- 1455.180 Experience Requirements for a State Certified Residential Real Estate Appraiser License
- 1455.190 Verification of Experience Credit
- 1455.200 Acceptable Appraisal Experience Credit

SUBPART E: BUSINESS PRACTICES; STANDARDS AND SCOPE OF PRACTICE

Section

- 1455.210 Notification of Name Change
- 1455.220 Assumed Name
- 1455.230 Address Change; Street Address
- 1455.240 Uniform Standards of Professional Appraisal Practice (USPAP)

SUBPART F: ENFORCEMENT PROVISIONS

Section

- 1455.250 Grounds for Discipline
- 1455.260 Suspension or Denial for Failure to Pay Taxes, Child Support or any Illinois-Guaranteed Student Loan
- 1455.270 Additional Education; Reporting Requirements
- 1455.280 Administrative Warning Letter
- 1455.290 Cooperation Required with OBRE
- 1455.300 Felony Convictions; Discipline of Other Professional License; Notification
- 1455.310 Unprofessional Conduct

SUBPART G: ADMINISTRATIVE PROVISIONS

Section

- 1455.320 Fees
- 1455.330 Granting of Variances
- 1455.340 Duties of the Director

SUBPART H: EDUCATION PROVIDER AND COURSE PROVISIONS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

Section

- 1455.350 Education Provider Application; Requirements
1455.360 Pre-License Education Course Requirements of Education Providers
1455.370 Pre-License Course Curriculum; State Certified General Real Estate Appraiser;
State Certified Residential Real Estate Appraiser; Associate Real Estate Appraiser
1455.380 Examples of Acceptable Pre-License Education Courses
1455.390 Continuing Education Course Requirements of Education Providers
1455.400 Curriculum for Continuing Education Courses; Continuing Education Credit for
Participation Other Than as a Student
1455.410 Distance Education
1455.420 Expiration Date and Renewal for Education Providers and Pre-License and
Continuing Education Courses
1455.430 Continuing Education Reporting
1455.440 Transcript or Certificate of Completion

SUBPART I: TRANSITION PROVISIONS

Section

- 1455.450 Appraiser Applicants – Transition Provisions
1455.460 Education Providers, Pre-License and Continuing Education Courses – Transition
Provisions

SUBPART J: HEARINGS

Section

- 1455.470 Applicability
1455.480 Administrative Law Judges
1455.490 Disqualification of an Administrative Law Judge

1455.APPENDIX A Caption for a Case Filed by the Agency
1455.APPENDIX B Caption for a Case Filed by the Petitioner

AUTHORITY: Implementing and authorized by the Real Estate Appraiser Licensing Act of 2002 [225 ILCS 458].

SOURCE: Emergency rules adopted at 16 Ill. Reg. 16196, effective September 30, 1992, for a maximum of 150 days; rules adopted at 17 Ill. Reg. 1589, effective January 26, 1993; emergency amendment at 17 Ill. Reg. 6668, effective April 19, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13494, effective July 30, 1993; amended at 18 Ill. Reg. 2379, effective January 28,

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

1994; emergency amendment at 18 Ill. Reg. 3006, effective February 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 8428, effective May 24, 1994; amended at 19 Ill. Reg. 9176, effective June 26, 1995; emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16604, effective December 1, 1995; amended at 20 Ill. Reg. 6488, effective April 30, 1996; recodified from Chapter VII, Department of Professional Regulation, to Chapter VIII, Office of Banks and Real Estate, pursuant to PA 89-23 and PA 89-508, at 20 Ill. Reg. 11984; amended at 21 Ill. Reg. 1685, effective January 27, 1997; amended at 21 Ill. Reg. 5538, effective April 18, 1997; emergency amendment at 22 Ill. Reg. 4132, effective February 4, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 8534, effective April 29, 1998, for a maximum of 150 days; old Part repealed by emergency rulemaking at 22 Ill. Reg. 12979, effective July 1, 1998, for a maximum of 150 days; new Part adopted by emergency rulemaking at 22 Ill. Reg. 13011, effective July 1, 1998, for a maximum of 150 days; old Part repealed and new Part adopted at 22 Ill. Reg. 20815, effective November 20, 1998; old Part repealed at 26 Ill. Reg. 10883 and new Part adopted by emergency rulemaking at 26 Ill. Reg. 10844, effective July 1, 2002, for a maximum of 150 days; old Part repealed at 26 Ill. Reg. 17689 and new Part adopted at 26 Ill. Reg. 17692, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 14653, effective August 29, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. 824, effective December 29, 2003; amended at 29 Ill. Reg. _____, effective _____.

SUBPART E: BUSINESS PRACTICES; STANDARDS AND SCOPE OF PRACTICE

Section 1455.240 Uniform Standards of Professional Appraisal Practice (USPAP)

- a) Pursuant to Section 10-10 of the Act, the ~~20052002~~ Uniform Standards of Appraisal Practice (USPAP), effective January 1, ~~20052002~~, by the Appraisal Standards Board (ASB) of the Appraisal Foundation (The Appraisal Foundation, 1029 Vermont Avenue, NW, Suite 900, Washington, D.C. 20005), are hereby incorporated by reference with no later amendments or editions.
- b) All real estate appraisers licensed under the Act shall practice in accordance with USPAP except where the standards are contrary to Illinois law or public policy (USPAP, Jurisdictional Exception).
- c) All investigators, auditors and examiners employed or retained by OBRE are exempt from the requirements of USPAP Standard 3 while performing an investigation, audit or examination. If OBRE files a formal complaint, a USPAP Standard 3 review shall be utilized by OBRE, except OBRE may limit the scope of Standard 3 to exclude valuation.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 29 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Procedures for License Hearings
- 2) Code Citation: 11 Ill. Adm. Code 205
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
205.10	Amendment
205.20	Amendment
205.30	Amendment
205.40	Amendment
205.50	Repeal
205.60	Amendment
205.70	Repeal
205.75	New Section
205.80	Amendment
205.85	New Section
205.90	Amendment
205.95	New Section
205.100	Amendment
205.110	Amendment
205.120	Amendment
205.125	New Section
205.130	Repeal
205.140	Amendment
205.150	Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) A Complete Description of the Subjects and Issues Involved: These are proposed changes to the Racing Board's Administrative rules concerning procedures for conducting Dates Hearings. The revised rules provide for a Licensing Hearing for the award of racing dates conducted according to the provisions of the Illinois Administrative Procedure Act. Part 205 is currently restrictive in that applicants are required to pre-file all testimony as written testimony. The proposed rule will allow for applicants to present their case-in-chief at the public board meeting through witness testimony, followed by cross examination by the other parties. The proposed rule also restricts ex parte communications between applicants and track operators and further defines the parameters of any ex parte communications, discovery, evidence and procedures to conduct hearings.
- 6) Will this rulemaking replace any emergency rulemakings currently in effect? No

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporation by reference? No
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objective: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this notice, to:
- Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 7-701
Chicago, Illinois 60601
- (312) 814-5017
mickey_izzo@irb.state.il.us
- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small business affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: it was not anticipated when the regulatory agendas were submitted.

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

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER a: GENERAL RULESPART 205
PROCEDURES FOR LICENSE HEARINGS

Section	
205.10	Purpose
205.20	Notice
205.30	Filing of Applications
205.40	Use of Applications
205.50	Filing of Evidence Supporting Applications (Repealed)
205.60	Parties
205.70	Service of Application and Evidence Supporting Application (Repealed)
<u>205.75</u>	<u>Discovery</u>
205.80	Pre-Hearing Conference
<u>205.85</u>	<u>Hearing Officer</u>
205.90	Filing <u>and Service</u> of Responsive Evidence & Motions
<u>205.95</u>	<u>Evidence</u>
205.100	Licensing Hearing
205.110	Disqualification of Hearing Officer
205.120	Ex Parte Communications
<u>205.125</u>	<u>Record</u>
205.130	Incorporation of Part 204 (Repealed)
205.140	Notice to and Acceptance by Applicants
205.150	Emergency Hearing to Re-award Dates

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Emergency adoption at 16 Ill. Reg. 16318, effective October 6, 1993, for a maximum of 150 days; emergency expired March 5, 1993; emergency rule adopted at 17 Ill. Reg. 6859, effective April 16, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 13615, effective July 30, 1993; emergency amendment at 19 Ill. Reg. 8011, effective June 5, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13953, effective October 1, 1995; amended at 20 Ill. Reg. 7944, effective June 1, 1996; amended at 29 Ill. Reg. _____, effective _____.

Section 205.10 Purpose

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

The purpose of this Part is to provide procedures to govern the conduct of the licensing hearing ~~(the "Licensing Hearing")~~ provided for in Section 20 of the Illinois Racing Act (the "Racing Act"); [230 ILCS 5/20], ~~supplemental to those provided for in Part 204~~. This Part implements the provisions of the Racing Act; and the Illinois Administrative Procedure Act (the "IAPA"); [5 ILCS 100], and should be construed to give effect to, and not to limit, the rights conferred by those Acts ~~thereby~~. This Part ~~These rules~~ expressly adopts ~~adopt~~ the applicable provisions of the IAPA, including the IAPA's provisions applicable in contested cases such as the Licensing Hearing. ~~(See Section IAPA, 10-65 of the IAPA and the Open Meetings Act [5 ILCS 120].):~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.20 Notice

- a) At least 30 ~~thirty~~ days prior to the application deadline, the Board shall provide all current organization licensees, and any other person who has requested an application for an organization license to conduct a horse race meeting, with notice of the Licensing Hearing, including:
- 1 ~~(a)~~ a statement of the time, place and nature of the Licensing Hearing (e.g., whether the Licensing Hearing will determine the allocation of racing dates in a single year or in multiple years); ~~what conditions the Board proposes to impose upon licensees; whether the Licensing Hearing will determine inter-track wagering licenses and proposed conditions upon inter-track wagering licenses, such as a requirements that an inter-track wagering licensee receive simulcasts of certain races other than its own races);~~
 - 2 ~~(b)~~ a statement of the legal authority and jurisdiction under which the Licensing Hearing is to be held;
 - 3 ~~(c)~~ a reference to the particular Sections of the substantive and procedural statutes involved;
 - 4 ~~(d)~~ a short and plain statement of the matters at issue and the consequences of a failure to participate in the Licensing Hearing; and
 - 5 ~~(e)~~ the name and address of any hearing officer the Board may appoint, or a statement that the members of the Board themselves intend to preside as hearing officers at the Licensing Hearing.

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- b) ~~The~~This notice of the Licensing Hearing shall be made public and shall also be posted in accordance with the rules governing the posting of agendas for Board meetings.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.30 Filing of Applications

Applications for an organization license to conduct a horse racing meeting in Illinois pursuant to the Racing Act shall be filed at the office of the Board no later than 5:00 p.m. on August 1 (or if August 1 is not a business day, the next business day thereafter) of the year prior to the year in which the meet is sought. Each applicant shall file with the Board ~~fifteen (15)~~ copies of the application and all exhibits referred to in the application~~with the Board~~.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.40 Use of Applications

- a) Applications shall state with particularity the type of license and dates sought to be awarded. Requests for licenses and dates may be made in the alternative. Applications are admissible into evidence as proof of what an applicant seeks or as admissions of parties, according to the rules of evidence.
- b) Upon written request of any party, the Board shall provide for review of the applications submitted by opposing parties; however, the Board shall not disclose any information that would be barred by Section 7 of the Freedom of Information Act [5 ILCS 140/7].

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.50 Filing of Evidence Supporting Applications (Repealed)

~~Each applicant for an organization license shall file, simultaneously with its application, fifteen (15) copies of the following:~~

- ~~(a) prefiled written testimony in the form of an affidavit or affidavits (or pursuant to certificate as provided in Section 1-109 of the Illinois Code of Civil Procedure); and in question and answer format, supporting its Petition. Except as stipulated by the parties, this written testimony, together with any exhibits referred to therein,~~

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~~shall constitute the applicant's case in chief at the Licensing Hearing. The written testimony shall conform to the provisions of Illinois Supreme Rule 191(a) applicable to affidavits offered in support of, or in opposition to, motions for summary judgment; and~~

~~(b) all exhibits referred to in the application or prefiled written testimony.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 205.60 Parties

Parties to the Licensing Hearing consist of persons who have filed an application for an organization license. ~~In addition, pursuant to Section 16(e) of the Racing Act, the Attorney General of the State of Illinois may participate as a party, at the request of the Racing Board, in order to protect public rights and enforce public duties arising in the Licensing Hearing.~~ No other person, ~~other than a witness or witnesses called by the parties pursuant to the rules of evidence,~~ may ~~intervene or~~ participate in the Licensing Hearing before the Racing Board or its duly appointed ~~hearing officer~~Hearing Officer, except that this provision shall not be construed to prohibit ~~the Board and/or the hearing officer~~Hearing Officer from taking official notice of staff data or memoranda pursuant to Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40]. ~~The Board shall be permitted to call lay and/or expert witnesses.~~ This ~~Section~~Rule shall not prohibit representatives of any organization, ~~including one~~ representing ~~the majority of owners, trainers, jockeys, drivers or other~~ horsemen, from providing ~~testimonial or other~~ evidence of its membership's position on any application ~~at the invitation of the Board or other party, subject to Sections 205.95 and 205.100 and cross examination through written testimony, sponsored by a party, as provided for herein.~~ ~~In the event an organization wishes to provide evidence of its membership's position on any application and can find no party to sponsor it as a witness, the organization may apply to the Hearing Officer for permission to provide written testimony subject to cross-examination as provided herein. The Hearing Officer shall allow such testimony, subject to the evidentiary rules set forth herein, upon a showing that despite reasonable efforts by the organization, no party would sponsor the testimony of the organization.~~ Permission to an organization to provide testimony under this Section shall not make that organization a party or confer any of the rights of a party on that organization.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.70 Service of Application and Evidence Supporting Application (Repealed)

~~Each applicant shall serve a complete copy of its application and all supporting written testimony and exhibits on all persons who had applied for an organizational license the previous year by~~

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~~5:00 p.m. on August 1 (or, if August 1 is not a business day, on the next business day) and on any other party who has filed an application in the current year. The Board shall notify all parties of the name and address of any other party filing an application for an organization license and all applicants shall serve a copy of the application and all supporting written testimony and exhibits on all such additional parties by messenger or overnight delivery.~~

(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 205.75 Discovery

- a) The Board shall notify all parties of the name and address of all applicants for an organization license.
- b) Each applicant shall serve on all other applicants and the Board, on such date and time as ordered by the Board:
 - 1) The name and address of any witness who may be reasonably expected to testify on behalf of the party, together with a brief summary of the subject matter of each witness' anticipated testimony; and
 - 2) All documents, reports, summaries, tables, comparisons (i.e., attendance figures, handle comparisons, purse earnings and purse distributions), and all other materials, including videotape, DVD, film, and/or computer presentations the party intends to introduce into evidence at the hearing. The party's burden of production includes those documents the applicant reasonably expects to introduce into evidence.
- c) Parties shall be notified, either before the hearing or by reference in preliminary reports or otherwise, of any material to be noticed and/or relied upon by the Board, including any staff memoranda, staff reports, charts or data.
- d) Witnesses not identified and documents and other materials that are not timely produced may be excluded from the hearing as specified in subsection (b).
- e) No oral or written discovery beyond that specified in this Section shall be permitted.

(Source: Added at 29 Ill. Reg. _____, effective _____)

Section 205.80 Pre-Hearing Conference

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- a) Upon written notice by the Board or its duly appointed hearing officer, the parties may be directed to appear at a specified date, time and place for a conference for the purposes of considering an agreement among applicants as to the award of racing dates (see 230 ILCS 5/21(b)).
- b) If an agreed dates schedule is not reached, the Board or the hearing officer shall enter an order addressing preliminary matters, including but not limited to:
- 1) stipulation to matters not in dispute;
 - 2) procedural matters at the hearing;
 - 3) order of witnesses;
 - 4) mutual exchange between parties of prepared testimony or exhibits;
 - 5) scheduling of pre-trial motions; and
 - 6) any other matters to facilitate expeditious conduct of the Licensing Hearing and disposition of the proceeding.

~~A pre-hearing conference shall be conducted on August 24 (or, if August 24 is not a business day, on the next business day thereafter), during which conference the parties and Hearing Officer shall address preliminary matters including discussing stipulations required under Section 204.110 of Title 11, Subtitle B, Chapter I, of the Illinois Administrative Code, the likely number of witnesses or exhibits preliminarily anticipated by any party, and any other matters designed to facilitate expeditious conduct of the Licensing Hearing. The pre-hearing conference may be adjourned and continued to a date selected by the Hearing Officer between the date applications must be filed and the date the Licensing Hearing shall commence. At the adjourned pre-hearing conference, the parties and the Hearing Officer may address objections to evidence filed with applications and also may address further stipulations intended to simplify evidentiary matters.~~

- c) The Board or hearing officer shall rule on pre-trial motions in writing prior to the Licensing Hearing.
- d) The pre-hearing conference may be adjourned and continued to a date selected by the Board or the hearing officer prior to the Licensing Hearing.

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- e) Pre-hearing conferences under this Section shall be open to the public, notice ~~thereof~~ shall be given in the same manner as notice is given of meetings of the Board, and a transcript shall be kept ~~and, which transcript~~ shall become a part of the record in the proceeding.
- f) Under no circumstance shall offers of settlement, offers of agreement, concessions or statements made at the pre-trial conference be admissible in evidence for any purpose at the Licensing Hearing.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.85 Hearing Officer

The Chairman of the Board may preside over any hearings or pre-trial conference in accordance with this Part, or the Chairman may appoint a Board member or an Illinois licensed attorney as a hearing officer to conduct any hearings or pre-trial conference in accordance with this Part. The hearing officer shall perform such duties as provided in 230 ILCS 5/14(a) and 14a.

(Source: Added at 29 Ill. Reg. _____, effective _____)

Section 205.90 Filing and Service of ~~Responsive Evidence &~~ Motions

Any party filing a motion shall serve 15 copies of the motion on the Board and shall also serve a copy on each of the other parties. Service shall be by messenger, overnight delivery, facsimile or in person. Applicants applying for organization licenses at the same race track may file motions to consolidate parties for the purpose of consolidating evidence and testimony. On or before 5:00 p.m. of September 14 (or, if September 14 is not a business day, the next business day thereafter), any party may file with the Board fifteen copies (15), and simultaneously serve on all other parties to the license hearing one copy of prefiled written testimony and exhibits responding to the application, supporting evidence, or exhibits filed by any other party. The responsive testimony and exhibits shall be in the same form as required for evidentiary materials submitted in support of an application. Any motion to strike or limit any prefiled supporting testimony or exhibits shall be filed with the Board and served by messenger or overnight delivery on all other parties on this same date.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.95 Evidence

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- a) Evidence shall be received by way of direct and cross examination of witnesses and introduction of documentary evidence subject to the rules of evidence.
- b) The Chairman of the Board, or a Board member appointed by the Chairman, who is a licensed Illinois attorney, shall decide all evidentiary objections and questions of evidence raised at the Licensing Hearing, subject to de novo review by the Board. The Chairman or Board member appointed to rule on matters of evidence may seek the advice of the other members of the Board on evidentiary issues at his/her discretion. Any evidence ruled inadmissible may be submitted as an offer of proof.
- c) The rules of evidence shall be applied liberally. Any relevant evidence may be admitted and shall be sufficient in itself to support a finding if it is the sort of evidence on which reasonably prudent persons are accustomed to rely in the conduct of serious affairs. The Board or its appointed hearing officer shall exclude immaterial, irrelevant and repetitious evidence.
- d) The rules of evidence shall apply only to the parties. The Board may rely on technical and/or scientific facts within the Board's specialized knowledge. Nothing in this subsection shall be deemed to diminish the ability of the Board to enter documentary or testimonial evidence in its own discretion.

(Source: Added at 29 Ill. Reg. _____, effective _____)

Section 205.100 Licensing Hearing

- a) The License Hearing shall commence on the date fixed by the Board during the last 10 days of September of the year prior to the applicable racing dates. ~~September 7 (or, if September 7 is not a business day, the next business day thereafter).~~
- b) The Board shall conduct, and the Chairman or the duly appointed hearing officer shall preside over, the Licensing Hearing. Any testimony shall be given under oath or affirmation.
- c) Cases shall be presented by category of breed. Applicants for one breed may proceed in alphabetical order, or reverse alphabetical order, as determined by the Chairman.

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- d) Board members may question any applicant or witness during the course of or following testimony.
- e) Each party may conduct adverse examination of witnesses according to the rules of evidence applicable for cross and redirect examination in the Circuit Court of Cook County, Illinois for non-jury trials and as provided in Section 10-40 of the IAPA [5 ILCS 10/10-40].
- b) ~~The members of the Racing Board or hearing officer presiding over the Licensing Hearing shall decide all evidentiary objections raised at the Licensing Hearing, subject to de novo review by the Board of the ruling of any hearing officer the Board may appoint, at the request of any party. Any evidence ruled inadmissible may be submitted as an offer of proof.~~
- e) ~~Each party shall, in alphabetical order, offer into evidence the prefiled written testimony and exhibits of each witness whose testimony it has filed in support of its application. Each such witness will then be subject to oral, cross and redirect examination by all parties according to the rules of evidence applicable for cross and redirect examination in the Circuit Court of Cook County, Illinois for non-jury trials and as provided in Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40]. Thereafter, each party shall, in the same order, offer into evidence the prefiled written testimony and exhibits of each witness whose written testimony and exhibits it has filed in response to another party's application or supporting evidence. Each such witness will then be subject to oral, cross and redirect examination by all parties according to the rules of evidence applicable for cross and redirect examination in the Circuit Court of Cook County, Illinois for non-jury trials and as provided in Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40].~~
- f)d) ~~The ChairmanBoard or hearing officer may limit the time allotted to a participant for cross examination, if the cross examination of witnesses would unduly obstruct the award of an organization license within the time allotted in Section 20(e) of the Act [230 ILCS 5/20(e)].~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.110 Disqualification of Hearing Officer

- (a) Whenever any party believes a hearing officer~~Hearing Officer~~ or any Racing Board member~~Member~~ should be disqualified, for bias, prejudice, conflict of

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interest or any other reason, from conducting, or continuing to conduct, a Licensing Hearing, ~~that such~~ party may file with the Racing Board a motion to disqualify the ~~hearing officer~~Hearing Officer or Board ~~member~~Member, setting forth the alleged grounds for disqualification. A party shall file such a motion promptly, upon learning of any grounds for disqualification. The motion shall be filed as provided in Section 205.90.~~A party filing such a motion shall also serve a copy of such motion on the Hearing Officer and the Board, by messenger or overnight delivery.~~ The Board shall enter a written ruling on ~~the~~such motion within ~~three~~(3) days ~~after~~of the date on which ~~the~~such motion is filed.

- (b) A ~~hearing officer~~Hearing Officer or Board member may recuse himself or herself from presiding at a Licensing Hearing.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.120 Ex Parte Communications

- a) After service of the notice of the Licensing Hearing on the parties, and until such time a formal written Dates Order is executed by the Board, any communication, directly or indirectly, in connection with any matter regarding the award of racing dates, between any Board member, Racing Board employee or hearing officer and any party or representative of any party to the Licensing Hearing shall be considered ex parte pursuant to Section 10-60(a) of the IAPA.
- a) ~~This rule expressly adopts the applicable provision of the IAPA, Section 10-60, regarding ex parte communications. Section 10-60 includes provisions that:~~
- 1) ~~after notice of a hearing in a contested case such as the Licensing Hearing, agency heads, agency employees and hearing officers shall not communicate, directly or indirectly, in connection with any issue of fact, with any person or party, or in connection with any other issue with any party or the representative of any party, except upon notice and opportunity for all parties to participate;~~
 - 2) ~~a Board Member may, however, communicate with other members of the Board, and a Board Member or hearing officer may have the advice of one or more "personal assistants." To avoid any appearance of impropriety, however, the Board and the hearing officer shall utilize "personal assistants" who have no other involvement or participation in the Licensing Hearing. For purposes of this Section, a "personal assistant"~~

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~~shall not be deemed to be subject to a disqualifying involvement or participation in the Licensing Hearing if the "personal assistant" has observed the proceedings or reviewed testimony or exhibits for the purpose of advising a Board Member or the hearing officer.~~

- b) Pursuant to Section 20(e-10) of the Act [230 ILCS 5/20(e-10)], ex parte communication shall be allowed provided that such communications are in the best interest of racing ~~(e.g., the matters enumerated in subsection (e-5)(1) through (8), or suggestions or comments from knowledgeable persons who are not licensees or applicants)~~. The phrase "best interest of racing" includes, among other factors, the quality and integrity of racing, public interest, State revenue and the availability of wagering opportunities. Any and all ex parte communications made pursuant to this subsection~~Such communications~~ shall be made part of the record of the licensing hearing.
- c) Pursuant to Section 10-60(c) of the IAPA, any ex parte communication received by any Board employee, Board member or hearing officer shall be made a part of the record of the Licensing Hearing, including all written communications, all written responses to the communications and a memorandum stating the substance of all oral communications and all responses made, and the identity of each person from whom the ex parte communication was received.
- d) Communications between Board staff and the applicants pursuant to Section 21(a) of the Horse Racing Act [230 ILCS 5/21(a)] regarding the correction of deficiencies of the application within the prescribed 21 day time period after submission of the application shall not be considered ex parte communication under this Section.
- e) Communications regarding matters of procedure and practice, such as format of applications, number of copies required, manner of service and status of proceedings are not considered ex parte communication under this Section.
- f) Ex parte communications pursuant to this Section shall not be exempt from the provisions of the Open Meetings Act [5 ILCS 120].

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.125 Record

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- a) The transcript made in connection with the hearing shall constitute the official transcript.
- b) The record in an administrative hearing shall include:
- 1) Applications, amended applications and exhibits;
 - 2) All notices, motions, briefs and rulings;
 - 3) Evidence received;
 - 4) A statement of matters officially noticed;
 - 5) Past annual reports;
 - 6) Offers of proof, objections and rulings;
 - 7) Official transcript; and
 - 8) Report of Findings of Fact by the hearing officer, if the Licensing Hearing is conducted by a hearing officer.
- c) The complete record of the Licensing Hearing shall be submitted to the Board. If the decision of the Board is unanimous, the Chairman of the Board, or a member of the Board appointed by the Chairman, shall draft the final Dates Order. If the decision of the Board is split, the majority shall draft the Board's final Dates Order. The majority opinion shall be submitted to all Board members who voted with the minority, and the minority Board members may draft a minority opinion. Any and all minority opinions shall be attached to the final Dates Order and made a part of the record. A formal written Dates Order shall be executed by the Board no later than October 15 of the year prior to the racing schedule.

(Source: Added at 29 Ill. Reg. _____, effective _____)

Section 205.130 Incorporation of Part 204 (Repealed)

~~Except as stated herein, or as inconsistent with this Part, the provisions of Sections 204.40 through 204.110, 204.130, and 204.140 of Title 11, Subtitle B, Chapter I of the Illinois Administrative Code shall apply to Licensing Hearings.~~

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(Source: Repealed at 29 Ill. Reg. _____, effective _____)

Section 205.140 Notice to and Acceptance by Applicants

- a) The Board shall, within five days after the date its formal order is executed:
- 1) Send each applicant a copy of that executed order awarding racing dates by certified mail, return receipt requested, addressed to the applicant at the address stated in its application;
 - 2) Issue letters of acceptance to successful applicants for racing dates no later than five days after the date of execution of its formal order. Each applicant shall submit signed acceptance letters to the Board by certified mail, return receipt requested, or by personal delivery at the central office of the Board. Applicants shall furnish signed acceptance letters, together with required fees, to the Board no later than 10 days after receipt of the Board's executed Dates Order~~dates order~~. Acceptance letters, mailed or delivered, shall be received at the central office of the Board on or before the expiration of the 10 day limit. Acceptance of dates pursuant to this Section shall not abridge an applicant's right to appeal.
- b) In the event an applicant does not submit a signed acceptance letter and/or the required fees in the manner and within the 10 day limit ~~as~~ stated in subsection (a)(2) of this Section, the Board may conduct an emergency hearing, as provided in Section 205.150, and may re-award racing dates previously awarded to the applicant. The Board may exercise its discretion not to re-award dates when to do so would not be in the best interest of the~~th~~ sport, industry and/or State of Illinois (instances include, but are not limited to, conflicting meets, failure to maximize State revenue, shortage of horses, inadequate facilities or officials, lack of character or financial fitness of the applicant and inadequate promotional budget).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 205.150 Emergency Hearing to Re-award Dates

- a) Pursuant to Section 20(f-5) of the Act [230 ILCS 5/20(f-5)], the Board may conduct an emergency hearing and may re-award dates if acceptance is not received from the applicant in the 10 days prescribed by the Act or a license to conduct a race meeting has been suspended or revoked.

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- b) The Board shall serve notice to all interested parties of the date of the emergency hearing and dates for filing applications and supporting documentation for the racing dates in question.
- c) A re-award of racing dates shall be based on the criteria contained in Section 20(e-5) of the Act [230 ILCS 5/20(e-5)].
- d) The Illinois Administrative Procedure Act shall not apply to the conducting of an emergency hearing for the reallocation of racing dates pursuant to this Section.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas: because it was not anticipated when they were submitted.

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER f: RULES AND REGULATIONS OF HARNESS RACING

PART 1318
RACING RULES

Section

1318.10	Racing Conduct
1318.20	Complaints
1318.30	Disqualification of Entries
1318.40	Penalties
1318.50	Unsatisfactory Driving
1318.60	Driver Substitution
1318.70	Failure to Finish
1318.80	Improper Conduct
1318.90	Whips and Snappers
1318.100	Goaded Devices
1318.110	Accidents
1318.120	Use of Hopples
1318.130	Breaking
1318.140	Breaking on Purpose
1318.150	Call Out Breaks
1318.160	Right of Course
1318.170	Penalties
1318.180	Harness Tracks Without a Continuous Hub Rail
1318.190	Open Stretch Racing

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Harness Racing (original date not cited in publication); adopted December 22, 1977, filed December 30, 1977; codified at 5 Ill. Reg. 10945; amended at 5 Ill. Reg. 13719, effective December 2, 1981; emergency amendment at 15 Ill. Reg. 15610, effective October 10, 1991, for a maximum of 150 days; emergency expired March 8, 1992; amended at 16 Ill. Reg. 7489, effective April 27, 1992; amended at 17 Ill. Reg. 19303, effective October 25, 1993; amended at 22 Ill. Reg. 7049, effective May 1, 1998; amended at 28 Ill. Reg. 14658, effective November 1, 2004; amended at 29 Ill. Reg. _____, effective _____.

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Section 1318.190 Open Stretch Racing

- a) With approval of the Board, a track may extend the width of its homestretch up to 10 feet inward in relation to the width of the rest of the racetrack. The criteria for Board approval shall include, but not be limited to, the size of the race track, the length of the homestretch, the necessity for conversion from harness to thoroughbred racing surfaces and rails, and the type of existing rail.
- b) In the event the home stretch is expanded pursuant to subsection (a), the following shall apply ~~on 1/2 mile and 5/8 mile tracks:~~
- 1) No horse shall pass on the extended inside lane entering the stretch the first time on a 1/2 mile track.
 - 2) The lead horse in the homestretch shall maintain as straight a course as possible while allowing trailing horses full access to the extended inside lane.
 - 3) Horses using the open stretch must first have complete clearance of the pylons. Any horse or sulky running over the pylons and/or going to the inside of the pylons to clear shall be disqualified.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Admin. Code 1030
- 3) Section Numbers: Proposed Action:
 1030.11 Amendment
 1030.Appendix B Amendment
- 4) Statutory Authority: 625 ILCS 5/6-105.1
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking is in response to an agreement made between the Secretary of State and the Joint Committee on Administrative Rules during the rulemaking process to implement P.A.93-752 signed into law by the Governor on July 16, 2004, creating Section 6-105.1 within the Illinois Vehicle Code. The legislative change and subsequent administrative rule amendments were effective January 1, 2005. The P.A. provides that the Illinois Secretary of State's Office may issue a temporary visitor's driver's license to a foreign national who is legally residing in this country and is ineligible for a social security number. This proposed rulemaking establishes the function and responsibilities of the Central Unit within this process.
- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1030.81	Amendment	29 Ill. Reg.6226; May 6, 2005
1030.83	New Section	29 Ill. Reg.3912; April 8, 2005
1030.91	Amendment	29 Ill. Reg.6877; May 13, 2005
1030.140	New Section	29 Ill. Reg.3865; March 11, 2005

- 10) Statement of Statewide Policy Objectives: This proposed rulemaking is created to set uniform standards for the Central Unit within the Driver Services Department.

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

Office of the Secretary of State
Driver Services Department
Jo Ann Wilson, Legislative Liaison
c/o Director's Office
2701 South Dirksen Parkway
Springfield, IL 62723

(217) 785-1441

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of Professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2005

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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1030
ISSUANCE OF LICENSES

Section	
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License
1030.12	Driver's License Medical Advisory Board
1030.13	Denial of License or Permit
1030.15	Cite for Re-examination
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers – References
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lens(es)
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.82	Charter Bus Driver Endorsement Requirements
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts – Written and/or Road Tests
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Licenses
1030.90	Requirement for Photograph and Signature of Licensee on Driver's License
1030.91	Disabled Person/Handicapped Identification Card
1030.92	Restrictions
1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit
1030.95	Consular Licenses (Repealed)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1030.96 Restricted Commercial Driver's License
- 1030.97 Invalidation of a Driver's License, Permit and/or Driving Privilege
- 1030.98 School Bus Commercial Driver's License
- 1030.100 Anatomical Gift Donor
- 1030.110 Emergency Medical Information Card
- 1030.115 Change-of-Address
- 1030.120 Issuance of a Probationary License
- 1030.130 Grounds for Cancellation of a Probationary License
- 1030.APPENDIX A Questions Asked of a Driver's License Applicant
- 1030.APPENDIX B Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective

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May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001; amended at 25 Ill. Reg. 12646, effective September 24, 2001; emergency amendment at 25 Ill. Reg. 12658, effective September 24, 2001, for a maximum of 150 days; emergency expired February 20, 2002; amended at 26 Ill. Reg. 9961, effective June 24, 2002; amended at 27 Ill. Reg. 855, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 7340, effective April 14, 2003, for a maximum of 150 days; emergency expired September 10, 2003; emergency amendment at 27 Ill. Reg. 16968, effective October 17, 2003, for a maximum of 150 days; emergency expired March 14, 2004; emergency amendment at 28 Ill. Reg. 384, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 8895, effective June 14, 2004; amended at 28 Ill. Reg. 10776, effective July 13, 2004; amended at 29 Ill. Reg. 920, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2469, effective January 31, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. _____, effective _____.

Section 1030.11 Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License

- a) For purposes of this Section, the following definitions shall apply:
 - 1) "Foreign National" – A non-citizen of the United States of America who has been granted temporary, legal entry into this country by the U.S. Citizenship and Immigration Services (USCIS), who is temporarily residing in this State and is ineligible to obtain a social security number through the Social Security Administration, and who is not required to obtain a driver's license issued by the U.S. Department of State, Office of Foreign Missions.

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- 2) "Temporary Visitor's Driver's License" or "TVDL" – A license issued to a foreign national who is authorized to temporarily reside in this country allowing the operation of a motor vehicle under the laws of this State.
- b) A person who wishes to obtain a driver's license shall go to one of the Secretary of State Driver Services Facilities located throughout the state. An application form provided by the Secretary of State pursuant to Section 6-106 of the Illinois Vehicle Code [625 ILCS 5/6-106] shall be completed by the applicant. The questions contained on the application form are provided in Appendix A of this Part. The applicant shall also provide a Driver Services facility employee with acceptable forms of identification provided in Appendix B of this Part establishing the applicant's name, date of birth, signature for comparison, Illinois residency, and social security number.
- c) Any foreign national who wishes to obtain a temporary visitor's driver's license shall go to one of the designated Secretary of State Driver Services facilities located throughout the State. An application form, provided by the Secretary of State pursuant to Section 6-106 of the Illinois Vehicle Code [625 ILCS 5/6-106], shall be completed by the applicant. The questions contained on the application form are provided in Appendix A of this Part. The applicant shall also provide a Driver Services facility employee with acceptable forms of identification provided in Appendix B of this Part to establish the applicant's name, date of birth, signature for comparison, Illinois temporary residency, and authorization of legal presence in this country. The applicant shall also provide a government-issued photo identification document and documentation from the Social Security Administration verifying ineligibility for a social security number.
- d) A temporary visitor's driver's license shall only be issued to an individual who is authorized to reside in this country for 1 or more years and has at least 6 months of his or her authorized presence remaining. Except, individuals currently holding a temporary visitor's driver's license who have been granted a temporary extension to remain in this country pending a decision of his or her request for a status change, upon presentation of documents issued by the USCIS, may be issued a temporary visitor's driver's license for the period of the temporary extension.
- e) The applicant shall take the following tests as required in Section 6-109 of the Illinois Vehicle Code [625 ILCS 5/6-109]:

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- 1) A vision test as provided in Sections 1030.70 and 1030.75 of this Part;
 - 2) A road test, if required, as provided in Section 1030.85 of this Part (exemptions to the road test requirement are provided in Section 1030.88 of this Part); and
 - 3) A written test, if required, as provided in Section 1030.80.
- f) Applicants who are 16 or 17 years of age and not legally emancipated by marriage shall not be issued a driver's license until the applicant has, in accordance with Section 6-107(b) of the Illinois Code [625 ILCS 5/6-107(b)]:
- 1) Held a valid instruction permit for a minimum of 3 months;
 - 2) Passed an approved driver education course and submits proof of having passed the course as may be required;
 - 3) Submits, on a form prepared or approved by the Secretary of State, certification by the parent of the applicant, otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult, that the applicant has had a minimum of 25 hours of behind-the-wheel practice time and is sufficiently prepared and able to safely operate a motor vehicle. The 25 hours shall be in addition to the 6 required hours spent with a driver education instructor. The person completing the certification shall upon signing the certification swear under penalty of perjury that everything contained within the certification is true and correct.
- g) A driver's license or temporary visitor driver's license applicant shall have his/her photograph taken unless exempted as provided in Section 1030.90 of this Part. A driver's license shall be issued upon completion of all the requirements of this Section and Chapter 6 of the Illinois Vehicle Code [625 ILCS 5/Ch. 6].
- h) A temporary visitor's driver's license shall only be issued in non-CDL class D, L or M as established in Section 1030.30 of this Part.
- i) Each original temporary visitor's driver's license shall expire 3 years from the date of issuance or at the time the individual's authorization to remain in this country expires, whichever is less. Except, the temporary visitor's driver's licenses of individuals 81 years of age or older shall expire in accordance with Section 6-

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115(g) of the Illinois Vehicle Code [625 ILCS 5/6-115(g)] or at the time the individual's authorization to remain in this country expires, whichever is less.

- j) Each renewal temporary visitor's driver's license shall expire no more than 3 years from the expiration date of the current license or at the time the individual's authorization to remain in this Country expires, whichever is less. Except, the licenses of individuals 81 years of age or older shall expire in accordance with Section 6-115(g) of the Illinois Vehicle Code [625 ILCS 5/6-115(g)] or at the time the individual's authorization to remain in this country expires, whichever is less.
- k) The fees collected for the issuance of an original, renewal, duplicate or corrected temporary visitor's driver's license shall be in accordance with Section 6-118 of the Illinois Vehicle Code [625 ILCS 5/6-118].
- l) Any person who wishes to renew a temporary visitor's driver's license shall go to one of the designated Secretary of State Driver Services facilities located throughout the State. Renewal shall be allowed no more than 90 days prior to the expiration date of the current driver's license. An application form, provided by the Secretary of State pursuant to Section 6-106 of the Illinois Vehicle Code [625 ILCS 5/6-106], shall be completed by the applicant. The questions contained on the application form are provided in Appendix A of this Part. The applicant shall also provide a Driver Services facility employee with acceptable forms of identification provided in Appendix B of this Part to establish the applicant's name, date of birth, signature for comparison, Illinois temporary residency and authorization of legal presence and extension of his/her stay in this country. The applicant shall also provide a government-issued photo identification document and documentation from the Social Security Administration verifying ineligibility for a social security number. The applicant shall also be retested in accordance with 625 ILCS 5/6-109 of the Illinois Vehicle Code.
- m) The Secretary of State shall not send a renewal notice to the holder of a temporary visitor's driver's license.
- n) The design and contents of a temporary visitor's driver's license shall be in accordance with Section 6-110 of the Illinois Vehicle Code [625 ILCS 5/6-110] and Section 1030.90 of the Illinois Administrative Code, except it shall not contain a social security number. The license shall be distinctive in nature as to identify it as a temporary visitor's driver's license and will contain the phrase "not valid for identification".

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- o) Each temporary visitor's driver's license issued to applicants under 21 years of age shall be in accordance with Sections 6-107.3 and 6-110(e) and (e-1) of the Illinois Vehicle Code [625 ILCS 5/6-107.3 and 6-110(e) and (e-1)]. A temporary visitor's driver's license issued to an individual under the age of 21 years shall expire three years from the issue date or at the time the individual's authorization to remain in this country expires, whichever is less.
- p) A foreign national who is issued a temporary visitor's driver's license shall not be required to surrender his/her foreign country driver's license.
- q) A Central Unit will be established within the Secretary of State Driver Services Department. The responsibilities of this Central Unit shall be to provide assistance to Driver Services facility employees responsible for the issuance of a TVDL and to individuals applying for a TVDL; resolve cases where the USCIS was unable to provide first level verification of USCIS documents, via the Systematic Alien Verification for Entitlements (SAVE) Program, presented by TVDL applicants at the Driver Services facility level; perform liaison services to the USCIS; and provide written notification of an applicant's eligibility or ineligibility for a TVDL.
- 1) When an applicant appears at one of the designated Driver Services facilities and provides the necessary documents to prove identity and legal presence, a facility employee will begin the process by initiating an automated inquiry via the SAVE Program to verify the information on the USCIS documents. Upon receipt of a verification response from the SAVE Program, the facility employee will begin the TVDL application process. If the facility employee receives the response of "initiate additional verification", additional information is submitted to USCIS via the SAVE Program and copies of the applicant's documents are forwarded to the Central Unit for monitoring. The applicant will be advised that he or she will receive written notification from the Central Unit regarding his or her eligibility for a TVDL.
- 2) A response to a 2nd request for verification of USCIS documents via the SAVE Program generally takes 3-5 days. Upon receipt of a response from the 2nd verification request via the SAVE Program, the Central Unit will send a letter to the applicant informing him or her of his or her eligibility or ineligibility for a TVDL.

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- 3) If the Central Unit receives a response of "Need Copies of Docs" from USCIS via the SAVE Program, a third, manual verification process must be completed. This requires photo copies of the documents submitted for identification, accompanied by a G-845 Form, to be forwarded to the Department of Homeland Security, Citizenship and Immigration Services Office in Chicago, Illinois. Upon receipt of a written response from USCIS, the Central Unit will send a letter to the applicant informing him or her of his or her eligibility or ineligibility for a TVDL.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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Section 1030.APPENDIX B Acceptable Identification Documents

- a) An applicant applying for a driver's license or identification card for the first time in the State of Illinois must present one document from each of Group A, B, C, and D as outlined in subsection (d) of this Section.
- b) A foreign national applying for a temporary visitor's driver's license shall submit one document from Groups A, B and D to prove name, date of birth, temporary residency, legal presence and verification of signature. Temporary visitor's driver's license applicants are not required to present documents verifying their social security numbers. Instead, they shall submit a letter on Social Security Administration letterhead, issued within ~~90~~30 days prior to the date of application for a temporary visitor's driver's license, verifying ineligibility for a social security number. Acceptance of documents not listed in Groups A, B, and D below must be approved through the Division Administrator.
- c) An applicant applying for either a duplicate or corrected driver's license or identification card must present one form of identification from Group A, and at least one form from either Group B, C, or D as outlined in subsection (d) of this Section. An applicant who requests a change in name, date of birth, social security number or gender must provide acceptable identification to create a link pertaining to the change between the previous information and the new information.
- d) A foreign national applying for a duplicate or corrected temporary visitor's driver's license shall submit one document from Groups A, B, and D to prove name, date of birth, temporary residency, legal presence and verification of signature. An applicant who requests a change in name, date of birth or gender must provide acceptable identification to create a link pertaining to the change between the previous information and the new information. Acceptance of documents not listed in Groups A, B, and D below must be approved through the Division Administrator.
- e) Applicants renewing their current Illinois driver's license or identification card need only present their current valid license or ID card. If they do not have their current driver's license or ID card, they must present one form of identification from Group A and at least one form from one of Group B, C, or D as outlined in subsection (f) of this Section.
- f) Documents of identification that are acceptable for the purpose of obtaining a

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driver's license, permit and/or identification card are listed below by group.
Photocopies will not be accepted.

1) GROUP A (Written Signature)

Canceled Check (w/in 90 days)

CDTP Certification Form

Court Order

Credit Card – Major Brand

Driver Education Certificate (Blue Slip)

Government Driver's License

Government Identification Card

Illinois Driver's License – "current"

Illinois Identification Card – "current"

U.S. Citizenship and Immigration Services (USCIS)
forms:

I-551 (Alien Registration Card)

I-688 (Temporary Resident Card)

I-688A (Employment Authorization Card)

I-688B (Employment Authorization Card)

I-766 (Employment Authorization Card)

I-94 (Arrival/Departure Record) with Valid Passport

Medicare Card – with suffix A, J, H, M, or T

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Military Driver's License – US

Military Identification Card – US

Military Service Record – DD214

Mortgage or Installment Loan Documents

Out-of-State Driver's License/ID Card – "current"

Passport – Valid US or Foreign

Social Security Card

2) GROUP B (Proof of Date of Birth)

Adoption Records

Birth Certificate

Court Order – Change of Birth Date

Official Grade/High School Transcript

Illinois Driver's License – "current"

Illinois Identification Card – "current"

U.S. Citizenship and Immigration Services (USCIS) forms:

I-551 (Alien Registration Card)

I-571 Refugee Travel Document

I-688 (Temporary Resident Card)

-688A (Employment Authorization Card)

I-688B (Employment Authorization Card)

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I-766 (Employment Authorization Card)

I-797 Notice of Action Status Change

I-94 (Arrival/Departure Record) with Valid Passport

Military Driver's License – US

Military Identification Card – US

Military Service Record – DD214

Naturalization Certificate

Passport – Valid with Complete Date of Birth

Social Security Award Letter (Primary Beneficiary Only)

3) GROUP C (Social Security Number)

Illinois Driver's License Record

Illinois Identification Card Record

Military Driver's License – US

Military Identification Card – US

Military Service Record – DD214

Social Security Award Letter (Primary Beneficiary Only)

Social Security Card – issued by Social Security Administration

4) GROUP D (Residency/Personal Data)

Examples of residency may be, but are not limited to, the following:

Utility Bill

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Vehicle Registration Card

Voter Registration Card

Lease Agreement

- g) Current forms of identification with an Illinois street address that do not appear on the list of unacceptable identification may also be used to verify residency. Any document listed in Group A, B, or C as outlined in subsection (d) of this Section, and other forms of identification not listed as unacceptable may be used to verify personal data.
- h) For a name change, the identification must be a document that provides a link to the established DL/ID file.
- i) Group B documents, as outlined in subsection (d) of this Section, must contain the applicant's full name and date of birth and must be verifiable. To be verifiable, it must be possible to contact the regulatory authority to confirm the authenticity of the document. Birth certificate must be the original or certified by a Board of Health or Bureau of Vital Statistics within the US or by the US State Department, US Territories, or Canada. A certified copy is a document produced by the issuing jurisdiction that has an embossed seal or an original stamped impression. Foreign birth certificates are accepted as "proof" if accompanied with any other item listed in Group B.
- j) After review of all identification presented, management has the right to accept or refuse any document.
- k) Unacceptable identification documents are:
 - Bond Receipt or Bond Card
 - Business Cards
 - Check Cashing Cards
 - Club or Fraternal Membership Cards
 - College or University Identification Cards

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Commercially produced (non-State or unofficial) ID cards

Firearms Owner ID

Fishing License

Handwritten ID or Employment Cards

Hunting License

IDPA (Public Aid) Cards

Instruction Permit/Receipts

Insurance and/or Bail Bond Cards

Library Card

Temporary Driver's License

Traffic Citation (Arrest Ticket)

Verification by family members other than father, mother or legal guardian

Verification by non-family members other than high school driver education instructor or Secretary of State personnel

Video Club Membership Cards

Wallet IDs

Unlicensed Financial Institution Loan Papers

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
310.210	Amend
310.230	Amend
310.280	Amend
310.290	Amend
310.Appendix A Table L	Amend
310.Appendix A Table W	Amend
310.Appendix A Table Y	Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a]
- 5) Effective date of amendments: May 23, 2005
- 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. Copies of all Pay Plan amendments and Collective Bargaining contracts are available upon request from the Division of Technical Services.
- 9) Notices of Proposed Published in the Illinois Register: The proposed amendments were published in the February 14, 2005, Issue #7, 29 Ill. Reg. 2105.
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: Changes to the Source Notes reflect: the expiration of the emergency amendments at 28 Ill. Reg. 14174 (effective October 15, 2004) so that “; emergency expired March 14, 2005” was added; the adoption of preemptory amendments at 29 Ill. Reg. 4125, effective February 23, 2005; the adoption of the proposed amendments at 29 Ill. Reg. 5375, effective April 4, 2005; the adoption of preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; the adoption of preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; and the adoption of preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005.

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In Section 310.210, the “-” is added between the words “Engineer” and “Chief” as listed on the class specification.

In Section 310.230, the Apiary Inspector and Labor Relations Investigator titles are removed based on the preemptory amendments at 29 Ill. Reg. 7217 effective May 16, 2005, and the proposed amendments adopted at 29 Ill. Reg. 5375 effective April 4, 2005, respectively.

In Section 310.290, the Revenue Auditor I, II, and III, and their rates are removed based on the preemptory amendments adopted at 29 Ill. Reg. 6105 effective April 14, 2005.

In Section 310.Appendix A Table W, the change listed in the First Notice is indicated as preferred by JCAR. The word “Institution” is stricken and the word “Institutions” is added in the Financial Institution Examiner I, Financial Institution Examiner II, Financial Institution Examiner III, and Financial Institution Examiner Trainee titles. Also in Table W, the Public Information Officer III and IV titles with their salary grades and title codes are added based on the preemptory amendments at 29 Ill. Reg. 4125 effective February 23, 2005.

Also, in Table W, the Insurance Company Claims Examiner 2 title is changed to Insurance Company Claims Examiner II. Rearranging the Behavioral Analyst Associate, Natural Resources Advanced Specialist, Site Assistant Superintendent I and II, and Property Consultant titles corrects the alphabetic order of the titles. The Child Protection Advanced Specialist, Child Protection Associate Specialist, Child Protection Specialist, Child Welfare Associate Specialist, Criminal Justice Specialist Trainee, Disability Claims Adjudicator Trainee, Human Rights Investigator I, II, and III, Human Rights Specialist I and II, Insurance Performance Examiner II, Real Estate Professions Examiner, and Unemployment Insurance Special Agent titles are added. The salaries are revised for Disability Claims Adjudicator I and II, Disability Claims Specialist, and Health Services Investigator II – Option C and D. The title Insurance Performance Examiner is corrected to include the “I”. The titles of Substance Abuse Specialist I, II, and II, and Unemployment Insurance Special Agent I and II are removed. The titles Child Protective Associate Investigator, Child Protective Lead Investigator, Child Protective Investigator, and Child Welfare Specialist I (incorrectly in the table as Child Welfare Specialist) are removed. These are made based on the proposed amendments adopted at 29 Ill. Reg. 5375 on April 4, 2005.

Also, in Table W and in the table of titles, the rates for the positions out-of-state within the Revenue Auditor I, II and III titles, and all positions within the Revenue Computer Audit Specialist title, and the designation for the rates within Illinois for the Revenue

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Auditor I, II and III titles are added based on the preemptory amendments adopted at 29 Ill. Reg. 6105 on April 14, 2005.

Also, in Table W, the Health and Safety Officer I, II, and Trainee, and the Carnival and Amusement Safety Inspector and Trainee titles are removed. The Public Safety Inspector and Public Safety Inspector Trainee titles with their rates are added. This is based on the preemptory amendments adopted at 29 Ill. Reg. 7840 on May 10, 2005.

In Section 310.Appendix A Table Y, twelve-month designations are added to the existing tables and nine-month pay schedule is added as reflected in the contract based on the proposed amendments adopted at 29 Ill. Reg. 5375 on April 4, 2005.

- 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 an emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.Appendix A, Table D	Amend	28 Ill. Reg. 13949, 10/29/04
310.Appendix A, Table E	Amend	28 Ill. Reg. 13949, 10/29/04
310.Appendix A, Table F	Amend	28 Ill. Reg. 13949, 10/29/04
310.100	Amend	29 Ill. Reg. 2884, 2/25/05
310.490	Amend	29 Ill. Reg. 2884, 2/25/05
310.Appendix A, Table W	Amend	29 Ill. Reg. 2884, 2/25/05
310.100	Amend	29 Ill. Reg. 4186, 3/18/05
310.110	Amend	29 Ill. Reg. 4186, 3/18/05
310.130	Amend	29 Ill. Reg. 4186, 3/18/05
310.280	Amend	29 Ill. Reg. 4186, 3/18/05
310.290	Amend	29 Ill. Reg. 4186, 3/18/05
310.530	Amend	29 Ill. Reg. 4186, 3/18/05
310.540	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table G	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table H	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table I	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table J	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table K	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table M	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table N	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table O	Amend	29 Ill. Reg. 4186, 3/18/05

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.Appendix A Table P	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table Q	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table R	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table V	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table W	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table X	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table Z	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix B	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix C	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix D	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix G	Amend	29 Ill. Reg. 4186, 3/18/05
310.230	Amend	29 Ill. Reg. 6148, 5/6/05
310.280	Amend	29 Ill. Reg. 6148, 5/6/05
310.320	Repeal	29 Ill. Reg. 6148, 5/6/05
310.410	Amend	29 Ill. Reg. 6148, 5/6/05
310.Appendix A Table W	Amend	29 Ill. Reg. 6148, 5/6/05

- 15) Summary and purpose of amendments: In Section 310.210 Prevailing Rate, the Teacher of Beauty Culture and Trades Tender titles, which were inadvertently omitted in Pay Plan amendments adopted in 1993, are added, and the Motion Picture Operator title, which was abolished September 5, 1991, is removed.

In Section 310.230 Part-time Daily or Hourly Special Services Rate, the pay rate minimums change to comply with the Public Act 93-058 amendments to the Minimum Wage Law. The hourly rate minimum is \$6.50 and the daily minimum is \$49.00 effective January 1, 2005.

In Section 310.280 Designated Rate, at the request of the Department of Commerce and Economic Opportunity, the position number 34202-42-00-000-01-02 is added. This position has the Private Secretary II title and receives the annual salary of \$60,000 effective January 12, 2005.

In Section 310.290 Out-of-State or Foreign Service Rate, the column heading is changed to reflect the current fiscal year.

In Section 310.Appendix A Table L RC-008 (Boilermakers), the monthly salaries effective January 1, 2005, for the Boiler Safety Specialist title in the Northern and Central Regions are corrected to 6535.44 and 5141.70, respectively.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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In Section 310.Appendix A Table W RC-062 (Technical Employees, AFSCME), the following titles are removed as they were abolished on the following dates: Vocational Assessment Specialist in the Memorandum of Understanding effective June 16, 2002; and Network Control Center Specialist, Network Control Center Technician I, Network Control Center Technician II and Network Control Center Technician Trainee through the Civil Service Commission approval on December 16, 2004. The Historical Exhibits Designer title (Title Code 18985) is added to the salary grade RC-062-15 effective July 29, 2004 through the Memorandum of Understanding. The other changes are made so that each title reflects the title as listed in the Class Specification. In this way, the Financial Institution Examiner I, II, III and Trainee titles are changed to Financial Institutions Examiner I, II, III and Trainee.

In Section 310.Appendix A Table Y RC-063 (Educator, AFSCME), the Educator rate in Step 8, where the employee has a BA and the rate is subject to the maximum security retirement formula, is corrected to 4644 effective January 1, 2004, and 4772 effective January 1, 2005.

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

Ms. Anne McElroy
Deputy Director and Chief of the Bureau of Personnel
Department of Central Management Services
503 William G. Stratton Building
Springfield IL 62706

217/524-8773
Fax: 217/558-4497

- 17) Does this rulemaking require the preview of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code [30 ILCS 50/5-25]? No

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2005
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 310.300 Educator Schedule for RC-063 and HR-010
 310.310 Physician Specialist Rate
 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
 310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section

- 310.410 Jurisdiction
 310.420 Objectives
 310.430 Responsibilities
 310.440 Merit Compensation Salary Schedule
 310.450 Procedures for Determining Annual Merit Increases
 310.455 Intermittent Merit Increase
 310.456 Merit Zone (Repealed)
 310.460 Other Pay Increases
 310.470 Adjustment
 310.480 Decreases in Pay
 310.490 Other Pay Provisions
 310.495 Broad-Band Pay Range Classes
 310.500 Definitions
 310.510 Conversion of Base Salary to Pay Period Units (Repealed)
 310.520 Conversion of Base Salary to Daily or Hourly Equivalents
 310.530 Implementation
 310.540 Annual Merit Increase Guidechart for Fiscal Year 2005
 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

310.APPENDIX A Negotiated Rates of Pay

- 310.TABLE A HR-190 (Department of Central Management Services – State of Illinois Building – SEIU) (Repealed)
 310.TABLE B HR-200 (Department of Labor – Chicago, Illinois – SEIU) (Repealed)
 310.TABLE C RC-069 (Firefighters, AFSCME) (Repealed)
 310.TABLE D HR-001 (Teamsters Local #726)
 310.TABLE E RC-020 (Teamsters Local #330)
 310.TABLE F RC-019 (Teamsters Local #25)
 310.TABLE G RC-045 (Automotive Mechanics, IFPE)
 310.TABLE H RC-006 (Corrections Employees, AFSCME)

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NOTICE OF ADOPTED AMENDMENTS

310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers) (Repealed)
310.APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2005
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2005
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2005
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2005

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984;

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emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27,

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1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective

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August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective

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December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20,

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2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2680, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 14, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005.

SUBPART B: SCHEDULE OF RATES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.210 Prevailing Rate

The rate of pay for each class and locality certified as being correct by the Director of Labor and approved by the Director of Central Management Services; or as established under "An Act regulating wages for laborers, mechanics, and other workmen employed in any public work by the state, county or city or any public body or any political subdivision or by anyone under contract for public works", approved June 26, 1941, as amended [820 ILCS 130]. The following are prevailing rate classes:

Baker	Roofer
Barber	Sewage Plant Operator
Beautician	Sign Hanger
Brickmason	Sign Hanger Foreman
Carpenter	Sign Painter
Carpenter Foreman	Sign Painter Helper
Cement Finisher	Stationary Engineer
Electrician	Stationary Engineer – Assistant Chief
Highway Construction Equipment Operator	Stationary Engineer – Chief
Laborer	Stationary Fireman
Laborer (Building)	Steamfitter
Machinist	Teacher of Barbering
Maintenance Worker (Power Plant)	Teacher of Beauty Culture
Motion Picture Operator	Tinsmith
Painter	Trades Tender
Plasterer	Water Plant Operator
Plumber	

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

Section 310.230 Part-Time Daily or Hourly Special Services Rate

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

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<u>Position</u>	<u>Rates</u>
Account Technician II	14.10 to 19.49 (hourly)
Building/Grounds Laborer	106 to 146 (daily)
Building/Grounds Lead I	6.505-50 to 6.00 (hourly)
Building/Grounds Lead II	6.505-50 to 7.00 (hourly)
Building/Grounds Maintenance Worker	6.505-50 to 8.00 (hourly)
Chaplain I	4944 to 70 (daily)
Chemist I	4944 to 45 (daily)
Conservation/Historic Preservation Worker	6.505-50 to 9.00 (hourly)
Conservation/Historic Preservation Worker (2nd season – site interpretation)	6.505-50 to 9.00 (hourly)
Conservation/Historic Preservation Worker (3rd season – site interpretation)	6.505-50 to 9.00 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	4944 to 85 (daily)
Educator Aide	4944 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Advanced Specialist	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	6.505-50 (hourly)
Labor Maintenance Lead Worker	6.505-50 to 6.00 (hourly)
Laborer (Maintenance)	7.05 to 8.00 (hourly)
Maintenance Worker	6.505-50 (hourly)
Occupational Therapist Program Coordinator	4944 to 160 (daily)
Office Aide	10.45 to 13.46 (hourly)
Office Assistant	78 to 101 (daily)
Office Associate	12.18 to 16.04 (hourly)
Office Clerk	91 to 120 (daily)
Office Associate	12.24 to 16.42 (hourly)
Office Clerk	92 to 123 (daily)
Office Clerk	11.55 to 15.08 (hourly)
Optometrist	87 to 113 (daily)
Physician	15 to 35 (hourly)
	50 to 160 (daily)
	100 to 300 (daily)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Physician Specialist (A)	20 to 60 (hourly) 100 to 325 (daily)
Physician Specialist (B)	20 to 70 (hourly) 100 to 350 (daily)
Physician Specialist (C)	20 to 105 (hourly) 100 to 360 (daily)
Physician Specialist (D)	20 to 115 (hourly) 100 to 370 (daily)
Podiatrist	50 to 125 (daily)
Psychologist I	4944 to 80 (daily)
Psychologist II	4944 to 125 (daily)
Psychologist III	4944 to 150 (daily)
Recreation Worker I	6.505-50 (hourly) 4944 to 45 (daily)
Registered Nurse I	4944 to 54 (daily)
Registered Nurse I (2nd or 3rd shift)	4944 to 56 (daily)
Registered Nurse I (Cook County)	4944 to 58 (daily)
Registered Nurse I (Cook County – 2nd or 3rd shift)	4944 to 59 (daily)
Registered Nurse II	4944 to 58 (daily)
Registered Nurse II (2nd or 3rd shift)	4944 to 59 (daily)
Registered Nurse II (Cook County)	4945 to 60 (daily)
Registered Nurse II (Cook County – 2nd or 3rd shift)	4947 to 62 (daily)
Revenue Tax Specialist I	14.10 to 19.49 (hourly) 106 to 146 (daily)
Social Worker II	4944 to 75 (daily)
Social Worker III	4944 to 80 (daily)
Student Worker	6.505-50 to 8.00 (hourly)
Technical Advisor II	32 to 35 (hourly)
Technical Advisor III	32 to 60 (hourly)
Veterinarian II	95 to 130 (daily)

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Children & Family Services

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Public Service Administrator
(Pos. No. 37015-16-23-120-00-01) Annual Salary
85,104

Department of Commerce & Economic Opportunity

Private Secretary II
(Pos. No. 34202-42-00-000-01-02) Annual Salary
60,000

Public Service Administrator
(Pos. No. 37015-42-10-900-10-01) Annual Salary
86,474

Department of Human Services

Administrative Assistant I
(Pos. No. 00501-10-68-010-80-21) Annual Salary
55,200

Medical Administrator I, Option D
(Pos. No. 26401-10-79-006-00-21) Annual Salary
142,368

Medical Administrator V
(Pos. No. 26406-10-76-000-00-01) Annual Salary
186,000

Public Service Administrator
(Pos. No. 37015-10-23-100-30-01) Annual Salary
76,572

Senior Public Service Administrator
(Pos. No. 40070-10-65-000-00-01) Annual Salary
105,475

Senior Public Service Administrator
(Pos. No. 40070-10-81-920-00-21) Annual Salary
105,480

Illinois Labor Relations Board

Private Secretary II
(Pos. No. 34202-50-19-000-00-01) Annual Salary
51,900

Department of Natural Resources

Administrative Assistant II Annual Salary

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

(Pos. No. 00502-12-30-000-20-01)	50,520
<u>Department of Public Aid</u>	
Senior Public Service Administrator (Pos. No. 40070-33-20-000-00-61)	<u>Annual Salary</u> 123,060
<u>Department of Public Health</u>	
Senior Public Service Administrator (Pos. No. 40070-20-80-000-00-81)	<u>Annual Salary</u> 134,000
<u>Department of Revenue</u>	
Public Service Administrator (Pos. No. 37015-25-61-140-80-01)	<u>Annual Salary</u> 76,668
Public Service Administrator (Pos. No. 37015-25-61-140-90-01)	<u>Annual Salary</u> 74,904
<u>Department of State Police</u>	
Senior Public Service Administrator (Pos. No. 40070-21-10-000-00-01)	<u>Annual Salary</u> 117,828
Senior Public Service Administrator (Pos. No. 40070-21-40-000-00-01)	<u>Annual Salary</u> 117,828

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

Section 310.290 Out-of-State or Foreign Service Rate

The rate of pay for employees occupying positions which require payment in accordance with the economic conditions and social legislation of another state or foreign country. An adjustment may be made to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. The Director of the Department of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances. (Effective July 1, 2003, increases are suspended.)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Title	Range Effective Fiscal Year 2005 2004
Executive II (States Other Than California and New Jersey) (CA, NJ)	3269-5894 3696-6663
Foreign Service Economic Development Executive I	3848-7082
Foreign Service Economic Development Executive II	4929-9283
Foreign Service Economic Development Representative	3269-5894
Office Administrator IV (States Other Than California and New Jersey) (CA, NJ)	2570-4452 2906-5032
Office Assistant (Foreign Service)	2169-2862
Office Associate (States Other Than California and New Jersey) (CA, NJ)	2295-3081 2595-3483
Office Coordinator (States Other Than California and New Jersey) (CA, NJ)	2370-3199 2679-3617
Public Service Administrator (States Other Than California and New Jersey) (CA, NJ)	3445-7542 3895-8525
Revenue Auditor Trainee (States Other Than California and New Jersey) (CA, NJ)	2645-3657 2990-4134
Revenue Tax Specialist I (States Other Than California and New Jersey) (CA, NJ)	2645-3657 2990-4134
Revenue Tax Specialist II	

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

(States Other Than California and New Jersey)	2861-4047
(CA, NJ)	3234-4575
Revenue Tax Specialist Trainee	
(States Other Than California and New Jersey)	2448-3335
(CA, NJ)	2768-3770
Senior Public Service Administrator	
(States Other Than California and New Jersey)	4750-11161
(CA, NJ)	5369-12617

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE L RC-008 (Boilermakers)**

Title	Title Code	Region	Effective Date	Monthly Salary
Boiler Safety Specialist	04910	Northern	January 1, 2005	6535.44 <u>6534.81</u>
Boiler Safety Specialist	04910	Central	January 1, 2005	5141.70 <u>5141.60</u>
Boiler Safety Specialist	04910	Southern	January 1, 2005	4791.96

Northern Region: Boone, Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, Will, and Winnebago Counties.

Central Region: Bureau, Carroll, Champaign, DeWitt, Ford, Fulton, Hancock, Henderson, Henry, Iroquois, JoDaviess, Knox, LaSalle, Lee, Livingston, Logan, Marshall, Mason, McDonough, McLean, Mercer, Ogle, Peoria, Putman, Rock Island, Schuyler, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, and Woodford Counties.

Southern Region: Adams, Alexander, Bond, Brown, Calhoun, Cass, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macon, Macoupin, Madison, Marion, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Scott, Shelby, Union, Wabash, Washington, Wayne, White, and Williamson Counties.

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE W RC-062 (Technical Employees, AFSCME)**

<u>Title</u>	<u>Salary Grade</u>	<u>Code</u>
Accountant	RC-062-14	00130
Accountant Advanced	RC-062-16	00133
Accounting and Fiscal Administration Career Trainee	RC-062-12	00140
Activity Therapist	RC-062-15	00157
Activity Therapist Coordinator	RC-062-17	00160
Actuarial Assistant	RC-062-16	00187
Actuarial Examiner	RC-062-16	00195
Actuarial Examiner Trainee	RC-062-13	00196
Actuarial Senior Examiner	RC-062-19	00197
Actuary I	RC-062-20	00201
Actuary II	RC-062-24	00202
Agricultural Market News Assistant	RC-062-12	00804
Agricultural Marketing Generalist	RC-062-14	00805
Agricultural Marketing Reporter	RC-062-18	00807
Agricultural Marketing Representative	RC-062-18	00810
Agriculture Land and Water Resource Specialist I	RC-062-14	00831
Agriculture Land and Water Resource Specialist II	RC-062-17	00832
Agriculture Land and Water Resource Specialist III	RC-062-20	00833
Aircraft Pilot I	RC-062-19	00955
Aircraft Pilot II	RC-062-22	00956
Appraisal Specialist I	RC-062-14	01251
Appraisal Specialist II	RC-062-16	01252
Appraisal Specialist III	RC-062-18	01253
Arts Council Associate	RC-062-12	01523
Arts Council Program Coordinator	RC-062-18	01526
Arts Council Program Representative	RC-062-15	01527
Assignment Coordinator	RC-062-20	01530
Bank Examiner I	RC-062-16	04131
Bank Examiner II	RC-062-19	04132
Bank Examiner III	RC-062-22	04133
Behavioral Analyst Associate	RC-062-15	04355
Behavioral Analyst I	RC-062-17	04351
Behavioral Analyst II	RC-062-19	04352
Business Administrative Specialist	RC-062-16	05810
Buyer	RC-062-18	05900

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Chemist I	RC-062-16	06941
Chemist II	RC-062-19	06942
Chemist III	RC-062-21	06943
Child Protection Advanced Specialist	RC-062-19	07161
Child Protection Associate Specialist	RC-062-16	07162
Child Protection Specialist	RC-062-18	07163
Child Welfare Associate Specialist	RC-062-16	07216
Child Welfare Staff Development Coordinator I	RC-062-17	07201
Child Welfare Staff Development Coordinator II	RC-062-19	07202
Child Welfare Staff Development Coordinator III	RC-062-20	07203
Child Welfare Staff Development Coordinator IV	RC-062-22	07204
Children and Family Service Intern – Option 1	RC-062-12	07241
Children and Family Service Intern – Option 2	RC-062-15	07242
Clinical Laboratory Technologist I	RC-062-18	08220
Clinical Laboratory Technologist II	RC-062-19	08221
Clinical Laboratory Technologist Trainee	RC-062-14	08229
Communications Systems Specialist	RC-062-23	08860
Community Management Specialist I	RC-062-15	08891
Community Management Specialist II	RC-062-17	08892
Community Management Specialist III	RC-062-19	08893
Community Planner I	RC-062-15	08901
Community Planner II	RC-062-17	08902
Community Planner III	RC-062-19	08903
Conservation Education Representative	RC-062-12	09300
Conservation Grant Administrator I	RC-062-18	09311
Conservation Grant Administrator II	RC-062-20	09312
Conservation Grant Administrator III	RC-062-22	09313
Construction Program Assistant	RC-062-12	09525
Correctional Counselor I	RC-062-15	09661
Correctional Counselor II	RC-062-17	09662
Correctional Counselor III	RC-062-19	09663
Corrections Academy Trainer	RC-062-17	09732
Corrections Apprehension Specialist	RC-062-19	09750
Corrections Industries Marketing Representative	RC-062-17	09803
Corrections Leisure Activities Specialist I	RC-062-15	09811
Corrections Leisure Activities Specialist II	RC-062-17	09812
Corrections Leisure Activities Specialist III	RC-062-19	09813
Corrections Parole Agent	RC-062-17	09842
Corrections Senior Parole Agent	RC-062-19	09844
Criminal Intelligence Analyst I	RC-062-18	10161

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Criminal Intelligence Analyst II	RC-062-20	10162
Criminal Intelligence Analyst Specialist	RC-062-22	10165
Criminal Justice Specialist I	RC-062-16	10231
Criminal Justice Specialist II	RC-062-20	10232
Criminal Justice Specialist Trainee	RC-062-13	10236
Curator of the Lincoln Collection	RC-062-16	10750
Day Care Licensing Representative I	RC-062-16	11471
Developmental Disabilities Council Program Planner I	RC-062-12	12361
Developmental Disabilities Council Program Planner II	RC-062-16	12362
Developmental Disabilities Council Program Planner III	RC-062-18	12363
Dietitian	RC-062-15	12510
Disability Appeals Officer	RC-062-22	12530
Disability Claims Adjudicator I	RC-062-16	12537
Disability Claims Adjudicator II	RC-062-18	12538
Disability Claims Adjudicator Trainee	RC-062-13	12539
Disability Claims Analyst	RC-062-20	12540
Disability Claims Specialist	RC-062-19	12558
Disaster Services Planner	RC-062-19	12585
Document Examiner	RC-062-22	12640
Educator – Provisional	RC-062-12	13105
Employment Security Manpower Representative I	RC-062-12	13621
Employment Security Manpower Representative II	RC-062-14	13622
Employment Security Program Representative	RC-062-14	13650
Employment Security Program Representative – Intermittent	RC-062-14H	13651
Employment Security Service Representative	RC-062-16	13667
Employment Security Specialist I	RC-062-14	13671
Employment Security Specialist II	RC-062-16	13672
Employment Security Specialist III	RC-062-19	13673
Employment Security Tax Auditor I	RC-062-17	13681
Employment Security Tax Auditor II	RC-062-19	13682
Energy and Natural Resources Specialist I	RC-062-15	13711
Energy and Natural Resources Specialist II	RC-062-17	13712
Energy and Natural Resources Specialist III	RC-062-19	13713
Energy and Natural Resources Specialist Trainee	RC-062-12	13715
Environmental Health Specialist I	RC-062-14	13768
Environmental Health Specialist II	RC-062-16	13769
Environmental Health Specialist III	RC-062-18	13770
Environmental Protection Associate	RC-062-12	13785
Environmental Protection Specialist I	RC-062-14	13821
Environmental Protection Specialist II	RC-062-16	13822

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Environmental Protection Specialist III	RC-062-18	13823
Environmental Protection Specialist IV	RC-062-22	13824
Financial Institutions Institution -Examiner I	RC-062-16	14971
Financial Institutions Institution -Examiner II	RC-062-19	14972
Financial Institutions Institution -Examiner III	RC-062-22	14973
Financial Institutions Institution -Examiner Trainee	RC-062-13	14978
Flight Safety Coordinator	RC-062-21	15640
Forensic Scientist I	RC-062-18	15891
Forensic Scientist II	RC-062-20	15892
Forensic Scientist III	RC-062-22	15893
Forensic Scientist Trainee	RC-062-15	15897
Guardianship Representative	RC-062-17	17710
Habilitation Program Coordinator	RC-062-17	17960
Handicapped Services Representative I	RC-062-11	17981
Health Facilities Surveyor I	RC-062-16	18011
Health Facilities Surveyor II	RC-062-19	18012
Health Facilities Surveyor III	RC-062-20	18013
Health Planning Specialist I	RC-062-19	18154
Health Planning Specialist II	RC-062-22	18155
Health Services Investigator I – Opt. A	RC-062-19	18181
Health Services Investigator I – Opt. B	RC-062-20	18182
Health Services Investigator II – Opt. A	RC-062-22	18185
Health Services Investigator II – Opt. B	RC-062-22	18186
Health Services Investigator II – Opt. C	RC-062-25	18187
Health Services Investigator II – Opt. D	RC-062-25	18188
Historical Documents Conservator I	RC-062-13	18981
Historical Exhibits Designer	RC-062-15	18985
Historical Research Editor II	RC-062-14	19002
Human Relations Representative	RC-062-16	19670
Human Rights Investigator I	RC-062-15	19774
Human Rights Investigator II	RC-062-17	19775
Human Rights Investigator III	RC-062-18	19776
Human Rights Specialist I	RC-062-14	19778
Human Rights Specialist II	RC-062-16	19779
Human Services Caseworker	RC-062-16	19785
Human Services Grants Coordinator I	RC-062-14	19791
Human Services Grants Coordinator II	RC-062-17	19792
Human Services Grants Coordinator III	RC-062-20	19793
Human Services Grants Coordinator Trainee	RC-062-12	19796
Human Services Sign Language Interpreter	RC-062-16	19810

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Iconographer	RC-062-12	19880
Industrial Services Consultant I	RC-062-14	21121
Industrial Services Consultant II	RC-062-16	21122
Industrial Services Consultant Trainee	RC-062-11	21125
Industrial Services Hygienist	RC-062-19	21127
Industrial Services Hygienist Technician	RC-062-16	21130
Industrial Services Hygienist Trainee	RC-062-12	21133
Information Technology/Communications Systems Specialist I	RC-062-19	21216
Information Technology/Communications Systems Specialist II	RC-062-24	21217
Instrument Designer	RC-062-18	21500
Insurance Analyst III	RC-062-14	21563
Insurance Analyst IV	RC-062-16	21564
Insurance Company Claims Examiner II	RC-062-19	21602
Insurance Company Field Staff Examiner	RC-062-16	21608
Insurance Company Financial Examiner Trainee	RC-062-13	21610
Insurance Performance Examiner I	RC-062-14	21671
Insurance Performance Examiner II	RC-062-16	21672
Insurance Performance Examiner III	RC-062-20	21673
Intermittent Unemployment Insurance Representative	RC-062-12H	21689
Internal Auditor I	RC-062-17	21721
Labor Conciliator	RC-062-20	22750
Laboratory Equipment Specialist	RC-062-18	22990
Laboratory Quality Specialist I	RC-062-19	23021
Laboratory Quality Specialist II	RC-062-21	23022
Laboratory Research Specialist I	RC-062-19	23027
Laboratory Research Specialist II	RC-062-21	23028
Land Acquisition Agent I	RC-062-15	23091
Land Acquisition Agent II	RC-062-18	23092
Land Acquisition Agent III	RC-062-21	23093
Land Reclamation Specialist I	RC-062-14	23131
Land Reclamation Specialist II	RC-062-17	23132
Liability Claims Adjuster I	RC-062-14	23371
Library Associate	RC-062-12	23430
Life Sciences Career Trainee	RC-062-12	23600
Liquor Control Special Agent II	RC-062-15	23752
Local Historical Services Representative	RC-062-17	24000
Local Housing Advisor I	RC-062-14	24031
Local Housing Advisor II	RC-062-16	24032
Local Housing Advisor III	RC-062-18	24033
Local Revenue and Fiscal Advisor I	RC-062-15	24101

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Local Revenue and Fiscal Advisor II	RC-062-17	24102
Local Revenue and Fiscal Advisor III	RC-062-19	24103
Lottery Sales Representative	RC-062-16	24515
Management Operations Analyst I	RC-062-18	25541
Management Operations Analyst II	RC-062-20	25542
Manpower Planner I	RC-062-14	25591
Manpower Planner II	RC-062-17	25592
Manpower Planner III	RC-062-20	25593
Manpower Planner Trainee	RC-062-12	25597
Medical Assistance Consultant I	RC-062-13	26501
Medical Assistance Consultant II	RC-062-16	26502
Medical Assistance Consultant III	RC-062-19	26503
Mental Health Specialist I	RC-062-12	26924
Mental Health Specialist II	RC-062-14	26925
Mental Health Specialist III	RC-062-16	26926
Mental Health Specialist Trainee	RC-062-11	26928
Meteorologist	RC-062-18	27120
Methods and Procedures Advisor I	RC-062-14	27131
Methods and Procedures Advisor II	RC-062-16	27132
Methods and Procedures Career Associate I	RC-062-11	27135
Methods and Procedures Career Associate II	RC-062-12	27136
Methods and Procedures Career Associate Trainee	RC-062-09	27137
Metrologist Associate	RC-062-15	27146
Microbiologist I	RC-062-16	27151
Microbiologist II	RC-062-19	27152
Natural Resources Advanced Specialist	RC-062-20	28833
Natural Resources Coordinator	RC-062-15	28831
Natural Resources Specialist	RC-062-18	28832
Network Control Center Specialist	RC-062-21	28873
Network Control Center Technician I	RC-062-13	28875
Network Control Center Technician II	RC-062-16	28876
Network Control Center Technician Trainee	RC-062-10	28879
Paralegal Assistant	RC-062-14	30860
Police Training Specialist	RC-062-17	32990
Program Integrity Auditor I	RC-062-16	34631
Program Integrity Auditor II	RC-062-19	34632
Program Integrity Auditor Trainee	RC-062-12	34635
Property Consultant	RC-062-15	34900
Property Tax Analyst I	RC-062-12	34921
Property Tax Analyst II	RC-062-14	34922

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Public Aid Appeals Advisor	RC-062-18	35750
Public Aid Family Support Specialist I	RC-062-17	35841
Public Aid Investigator	RC-062-19	35870
Public Aid Investigator Trainee	RC-062-14	35874
Public Aid Lead Casework Specialist	RC-062-17	35880
Public Aid Program Quality Analyst	RC-062-19	35890
Public Aid Quality Control Reviewer	RC-062-17	35892
Public Aid Staff Development Specialist I	RC-062-15	36071
Public Aid Staff Development Specialist II	RC-062-17	36072
Public Health Educator Associate	RC-062-14	36434
Public Health Program Specialist I	RC-062-14	36611
Public Health Program Specialist II	RC-062-16	36612
Public Health Program Specialist Trainee	RC-062-12	36615
Public Information Officer I	RC-062-12	37001
Public Information Officer II	RC-062-14	37002
Public Information Officer III	RC-062-19	37003
Public Information Officer IV	RC-062-21	37004
Public Safety Inspector	RC-062-16	37007
Public Safety Inspector Trainee	RC-062-10	37010
Railroad Safety Specialist I	RC-062-19	37601
Railroad Safety Specialist II	RC-062-21	37602
Railroad Safety Specialist III	RC-062-23	37603
Railroad Safety Specialist IV	RC-062-25	37604
Real Estate Investigator	RC-062-19	37730
Real Estate Professions Examiner	RC-062-22	37760
Recreation Worker I	RC-062-12	38001
Recreation Worker II	RC-062-14	38002
Rehabilitation Counselor	RC-062-17	38145
Rehabilitation Counselor Senior	RC-062-19	38158
Rehabilitation Counselor Trainee	RC-062-15	38159
Rehabilitation Services Advisor I	RC-062-20	38176
Rehabilitation Workshop Supervisor I	RC-062-12	38194
Rehabilitation Workshop Supervisor II	RC-062-14	38195
Reimbursement Officer I	RC-062-14	38199
Reimbursement Officer II	RC-062-16	38200
Research Economist I	RC-062-18	38207
Research Scientist I	RC-062-13	38231
Research Scientist II	RC-062-16	38232
Research Scientist III	RC-062-20	38233
Resource Planner I	RC-062-17	38281

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Resource Planner II	RC-062-19	38282
Resource Planner III	RC-062-22	38283
Revenue Auditor I (IL)	RC-062-16	38371
Revenue Auditor I (states other than IL, CA or NJ)	RC-062-19	38371
Revenue Auditor I (CA or NJ)	RC-062-21	38371
Revenue Auditor II (IL)	RC-062-19	38372
Revenue Auditor II (states other than IL, CA or NJ)	RC-062-22	38372
Revenue Auditor II (CA or NJ)	RC-062-24	38372
Revenue Auditor III (IL)	RC-062-22	38373
Revenue Auditor III (states other than IL, CA or NJ)	RC-062-24	38373
Revenue Auditor III (CA or NJ)	RC-062-26	38373
Revenue Auditor Trainee	RC-062-12	38375
Revenue Collection Officer I	RC-062-15	38401
Revenue Collection Officer II	RC-062-17	38402
Revenue Collection Officer III	RC-062-19	38403
Revenue Collection Officer Trainee	RC-062-12	38405
Revenue Computer Audit Specialist (IL)	RC-062-23	38425
Revenue Computer Audit Specialist (states other than IL, CA or NJ)	RC-062-25	38425
Revenue Computer Audit Specialist (CA or NJ)	RC-062-27	38425
Revenue Senior Special Agent	RC-062-23	38557
Revenue Special Agent	RC-062-19	38558
Revenue Special Agent Trainee	RC-062-14	38565
Revenue Tax Specialist I	RC-062-12	38571
Revenue Tax Specialist II	RC-062-14	38572
Revenue Tax Specialist III	RC-062-17	38573
Revenue Tax Specialist Trainee	RC-062-10	38575
Site Assistant Superintendent I	RC-062-15	41071
Site Assistant Superintendent II	RC-062-17	41072
Site Interpretive Coordinator	RC-062-13	41093
Site Services Specialist I	RC-062-15	41117
Site Services Specialist II	RC-062-17	41118
Social Service Consultant I	RC-062-18	41301
Social Service Consultant II	RC-062-19	41302
Social Service Program Planner I	RC-062-15	41311
Social Service Program Planner II	RC-062-17	41312
Social Service Program Planner III	RC-062-20	41313
Social Service Program Planner IV	RC-062-22	41314
Social Services Career Trainee	RC-062-12	41320
Social Worker I	RC-062-16	41411
Staff Development Technician I	RC-062-12	41781

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

State Police Field Specialist I	RC-062-18	42001
State Police Field Specialist II	RC-062-20	42002
Statistical Research Specialist I	RC-062-12	42741
Statistical Research Specialist II	RC-062-14	42742
Statistical Research Specialist III	RC-062-17	42743
Storage Tank Safety Specialist	RC-062-18	43005
Telecommunications Specialist	RC-062-15	45295
Telecommunications Systems Analyst	RC-062-17	45308
Telecommunications Systems Technician I	RC-062-10	45312
Telecommunications Systems Technician II	RC-062-13	45313
Unemployment Insurance Adjudicator I	RC-062-11	47001
Unemployment Insurance Adjudicator II	RC-062-13	47002
Unemployment Insurance Adjudicator III	RC-062-15	47003
Unemployment Insurance Revenue Analyst I	RC-062-15	47081
Unemployment Insurance Revenue Analyst II	RC-062-17	47082
Unemployment Insurance Revenue Specialist	RC-062-13	47087
Unemployment Insurance Special Agent	RC-062-18	47096
Veterans Educational Specialist I	RC-062-15	47681
Veterans Educational Specialist II	RC-062-17	47682
Veterans Educational Specialist III	RC-062-21	47683
Veterans Employment Representative I	RC-062-14	47701
Veterans Employment Representative II	RC-062-16	47702
Vocational Assessment Specialist	RC-062-18	48160
Volunteer Services Coordinator I	RC-062-13	48481
Volunteer Services Coordinator II	RC-062-16	48482
Wage Claims Specialist	RC-062-09	48770
Weatherization Specialist I	RC-062-14	49101
Weatherization Specialist II	RC-062-17	49102
Weatherization Specialist III	RC-062-20	49103
Weatherization Specialist Trainee	RC-062-12	49105

Effective July 1, 2003

S T E P S

	1c	1b	1a	1	2	3	4	5	6	7	8	Eff. 1/1/04
RC-062-09	2161	2214	2268	2324	2396	2474	2549	2630	2709	2836	2893	2921
RC-062-09Q	2214	2268	2324	2382	2456	2536	2614	2700	2781	2913	2971	3000
RC-062-09S	2265	2320	2376	2433	2507	2588	2668	2753	2835	2968	3027	3057

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-062-10	2229	2284	2341	2399	2486	2561	2645	2728	2814	2957	3016	3046
RC-062-10Q	2284	2341	2399	2459	2549	2627	2714	2801	2889	3041	3102	3132
RC-062-10S	2335	2392	2451	2510	2600	2680	2768	2854	2945	3099	3161	3192
RC-062-11	2310	2367	2426	2487	2573	2656	2751	2842	2930	3085	3147	3178
RC-062-11Q	2367	2426	2487	2550	2640	2727	2824	2919	3012	3174	3237	3269
RC-062-11S	2419	2478	2538	2601	2694	2780	2878	2974	3070	3231	3296	3328
RC-062-12	2400	2460	2522	2586	2681	2771	2874	2968	3077	3243	3308	3340
RC-062-12Q	2460	2522	2586	2654	2752	2844	2954	3053	3166	3337	3404	3437
RC-062-12S	2512	2573	2638	2707	2806	2898	3010	3111	3224	3397	3465	3499
RC-062-12H	14.77	15.14	15.52	15.91	16.50	17.05	17.69	18.26	18.94	19.96	20.36	20.55
RC-062-12HQ	15.14	15.52	15.91	16.33	16.94	17.50	18.18	18.79	19.48	20.54	20.95	21.15
RC-062-12HS	15.46	15.83	16.23	16.66	17.27	17.83	18.52	19.14	19.84	20.90	21.32	21.53
RC-062-13	2487	2550	2616	2684	2783	2889	2998	3108	3223	3403	3471	3505
RC-062-13Q	2550	2616	2684	2755	2857	2969	3085	3197	3316	3505	3575	3610
RC-062-13S	2601	2669	2738	2809	2912	3026	3143	3255	3376	3565	3636	3672
RC-062-14	2588	2656	2727	2800	2907	3020	3152	3267	3391	3588	3660	3696
RC-062-14Q	2656	2727	2800	2875	2988	3108	3243	3364	3493	3696	3770	3807
RC-062-14S	2709	2780	2853	2930	3045	3165	3301	3423	3552	3755	3830	3868
RC-062-14H	15.93	16.34	16.78	17.23	17.89	18.58	19.40	20.10	20.87	22.08	22.52	22.74
RC-062-14HQ	16.34	16.78	17.23	17.69	18.39	19.13	19.96	20.70	21.50	22.74	23.20	23.43
RC-062-14HS	16.67	17.11	17.56	18.03	18.74	19.48	20.31	21.06	21.86	23.11	23.57	23.80
RC-062-15	2688	2760	2834	2911	3038	3164	3288	3423	3550	3763	3838	3876
RC-062-15Q	2760	2834	2911	2992	3125	3255	3386	3527	3656	3875	3953	3991
RC-062-15S	2813	2887	2966	3049	3183	3312	3447	3585	3715	3935	4014	4053
RC-062-16	2808	2883	2963	3047	3184	3324	3463	3607	3751	3973	4052	4092
RC-062-16Q	2883	2963	3047	3136	3276	3424	3568	3714	3864	4092	4174	4215
RC-062-16S	2939	3020	3105	3193	3335	3484	3628	3774	3924	4151	4234	4276
RC-062-17	2932	3015	3102	3192	3340	3494	3642	3789	3943	4178	4262	4303
RC-062-17Q	3015	3102	3192	3284	3440	3599	3750	3903	4061	4304	4390	4433
RC-062-17S	3072	3160	3250	3343	3501	3660	3811	3963	4120	4364	4451	4495

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-062-18	3082	3171	3262	3359	3522	3686	3853	4011	4172	4421	4509	4554
RC-062-18Q	3171	3262	3359	3460	3630	3797	3970	4133	4297	4553	4644	4690
RC-062-18S	3228	3320	3420	3518	3689	3857	4029	4192	4358	4612	4704	4750
RC-062-19	3244	3338	3437	3541	3722	3897	4079	4249	4427	4695	4789	4836
RC-062-19Q	3338	3437	3541	3647	3833	4012	4202	4377	4561	4836	4933	4981
RC-062-19S	3398	3499	3602	3707	3894	4073	4261	4438	4621	4895	4993	5042
RC-062-20	3425	3529	3634	3742	3931	4114	4309	4496	4681	4967	5066	5116
RC-062-20Q	3529	3634	3742	3854	4049	4238	4439	4630	4822	5117	5219	5271
RC-062-20S	3587	3694	3802	3914	4108	4297	4498	4690	4882	5175	5279	5330
RC-062-21	3616	3725	3837	3950	4153	4354	4558	4766	4964	5273	5378	5431
RC-062-21Q	3725	3837	3950	4068	4279	4484	4695	4908	5113	5432	5541	5595
RC-062-21S	3785	3897	4010	4130	4338	4544	4755	4968	5172	5491	5601	5656
RC-062-22	3822	3937	4056	4177	4394	4609	4827	5050	5261	5587	5699	5755
RC-062-22Q	3937	4056	4177	4302	4526	4748	4971	5201	5419	5755	5870	5928
RC-062-22S	3997	4114	4237	4363	4584	4808	5029	5260	5480	5815	5931	5989
RC-062-23	4056	4177	4302	4430	4665	4904	5137	5374	5608	5959	6078	6138
RC-062-23Q	4177	4302	4430	4565	4806	5052	5290	5534	5775	6137	6260	6321
RC-062-23S	4237	4363	4491	4624	4865	5111	5350	5594	5835	6197	6321	6383
RC-062-24	4315	4444	4577	4715	4966	5225	5476	5729	5988	6363	6490	6554
RC-062-24Q	4444	4577	4715	4858	5116	5381	5641	5901	6167	6555	6686	6752
RC-062-24S	4504	4637	4775	4918	5174	5440	5700	5961	6228	6614	6746	6812
RC-062-25	4599	4737	4879	5025	5301	5580	5858	6137	6416	6828	6965	7033
RC-062-25Q	4737	4879	5025	5175	5460	5746	6034	6322	6608	7032	7173	7243
RC-062-25S	4798	4938	5086	5235	5520	5805	6093	6381	6667	7092	7234	7305

Effective December 2, 2004

S T E P S

	1c	1b	1a	1	2	3	4	5	6	7	8
RC-062-26	4861	5007	5158	5365	5657	5956	6259	6550	6844	7287	7506

Effective January 1, 2005

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-062

	S T E P S										
	1c	1b	1a	1	2	3	4	5	6	7	8
09	2204	2258	2313	2370	2444	2523	2600	2683	2763	2893	2979
09Q	2275	2330	2388	2448	2524	2606	2686	2774	2857	2993	3083
09S	2327	2384	2441	2500	2576	2659	2741	2829	2913	3050	3141
10	2274	2330	2388	2447	2536	2612	2698	2783	2870	3016	3107
10Q	2347	2405	2465	2527	2619	2699	2789	2878	2968	3125	3218
10S	2399	2458	2518	2579	2672	2754	2844	2932	3026	3184	3280
11	2356	2414	2475	2537	2624	2709	2806	2899	2989	3147	3242
11Q	2432	2493	2555	2620	2713	2802	2902	2999	3095	3261	3359
11S	2486	2546	2608	2673	2768	2856	2957	3056	3154	3320	3420
12	2448	2509	2572	2638	2735	2826	2931	3027	3139	3308	3407
12Q	2528	2591	2657	2727	2828	2922	3035	3137	3253	3429	3532
12S	2581	2644	2711	2781	2883	2978	3093	3197	3313	3490	3595
12H	15.06	15.44	15.83	16.23	16.83	17.39	18.04	18.63	19.32	20.36	20.97
12HQ	15.56	15.94	16.35	16.78	17.40	17.98	18.68	19.30	20.02	21.10	21.74
12HS	15.88	16.27	16.68	17.11	17.74	18.33	19.03	19.67	20.39	21.48	22.12
13	2537	2601	2668	2738	2839	2947	3058	3170	3287	3471	3575
13Q	2620	2688	2758	2831	2936	3051	3170	3285	3407	3601	3709
13S	2673	2742	2813	2886	2992	3109	3229	3345	3469	3663	3773
14	2640	2709	2782	2856	2965	3080	3215	3332	3459	3660	3770
14Q	2729	2802	2877	2954	3070	3193	3332	3457	3589	3798	3912
14S	2783	2856	2931	3011	3129	3252	3392	3517	3650	3858	3974
14H	16.25	16.67	17.12	17.58	18.25	18.95	19.78	20.50	21.29	22.52	23.20
14HQ	16.79	17.24	17.70	18.18	18.89	19.65	20.50	21.27	22.09	23.37	24.07
14HS	17.13	17.58	18.04	18.53	19.26	20.01	20.87	21.64	22.46	23.74	24.46
15	2742	2815	2891	2969	3099	3227	3354	3491	3621	3838	3954
15Q	2836	2912	2991	3074	3211	3345	3479	3624	3757	3982	4101

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

15S	2890	2966	3048	3133	3271	3403	3542	3684	3817	4043	4164
16	2864	2941	3022	3108	3248	3390	3532	3679	3826	4052	4174
16Q	2962	3044	3131	3222	3366	3518	3666	3816	3970	4205	4331
16S	3020	3103	3190	3281	3427	3580	3728	3878	4032	4265	4394
17	2991	3075	3164	3256	3407	3564	3715	3865	4022	4262	4389
17Q	3098	3187	3280	3374	3535	3698	3853	4010	4173	4422	4555
17S	3156	3247	3339	3435	3597	3761	3916	4072	4233	4484	4619
18	3144	3234	3327	3426	3592	3760	3930	4091	4255	4509	4645
18Q	3258	3352	3451	3555	3730	3901	4079	4247	4415	4678	4819
18S	3317	3411	3514	3615	3790	3963	4140	4307	4478	4739	4881
19	3309	3405	3506	3612	3796	3975	4161	4334	4516	4789	4933
19Q	3430	3532	3638	3747	3938	4122	4318	4497	4686	4969	5118
19S	3491	3595	3701	3809	4001	4185	4378	4560	4748	5030	5181
20	3494	3600	3707	3817	4010	4196	4395	4586	4775	5066	5218
20Q	3626	3734	3845	3960	4160	4355	4561	4757	4955	5258	5416
20S	3686	3796	3907	4022	4221	4415	4622	4819	5016	5317	5477
21	3688	3800	3914	4029	4236	4441	4649	4861	5063	5378	5540
21Q	3827	3943	4059	4180	4397	4607	4824	5043	5254	5581	5749
21S	3889	4004	4120	4244	4457	4669	4886	5105	5314	5642	5812
22	3898	4016	4137	4261	4482	4701	4924	5151	5366	5699	5870
22Q	4045	4168	4292	4420	4650	4879	5108	5344	5568	5913	6091
22S	4107	4227	4354	4483	4710	4940	5167	5405	5631	5975	6154
23	4137	4261	4388	4519	4758	5002	5240	5481	5720	6078	6261
23Q	4292	4420	4552	4691	4938	5191	5435	5686	5934	6306	6495
23S	4354	4483	4615	4751	4999	5252	5497	5748	5995	6367	6559
24	4401	4533	4669	4809	5065	5330	5586	5844	6108	6490	6685
24Q	4566	4703	4845	4992	5257	5529	5796	6063	6337	6735	6938
24S	4628	4765	4906	5053	5316	5590	5857	6125	6399	6796	6999

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

25	4691	4832	4977	5126	5407	5692	5975	6260	6544	6965	7174
25Q	4867	5013	5163	5317	5610	5904	6200	6496	6790	7225	7442
25S	4930	5074	5226	5379	5672	5965	6261	6556	6850	7287	7506
26	4958	5107	5262	5472	5770	6075	6384	6681	6981	7433	7656
27	5241	5398	5561	5839	6157	6482	6812	7129	7449	7931	8169

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE Y RC-063 (Educator, AFSCME)**

Effective January 1, 2004

		S T E P S										
2 Month												
Lane	Educational Level	1c	1b	1a	1	2	3	4	5	6	7	8
1	BA	2995	3082	3171	3262	3414	3565	3728	3921	4103	4450	4584
2	BA + 8 Hours	3074	3163	3254	3349	3504	3661	3852	4051	4243	4600	4738
3	BA + 16 Hours	3142	3232	3328	3428	3592	3775	3975	4167	4378	4748	4890
4	BA + 24 Hours	3214	3306	3405	3507	3683	3889	4094	4307	4514	4904	5051
5	MA	3292	3390	3491	3596	3787	4002	4216	4438	4649	5052	5204
6	MA + 16 Hours	3350	3452	3555	3662	3875	4089	4306	4529	4740	5153	5308
7	MA + 32 Hours	3455	3558	3665	3774	3986	4206	4425	4646	4860	5277	5435

Maximum Security Institutions Schedule

Effective January 1, 2004

		S T E P S										
12-Month												
Lane	Educational Level	1c	1b	1a	1	2	3	4	5	6	7	8
1	BA	3053	3140	3228	3320	3474	3623	3787	3980	4163	4509	4644 4664
2	BA + 8 Hours	3132	3221	3311	3410	3564	3720	3911	4110	4304	4659	4799
3	BA + 16 Hours	3199	3291	3386	3487	3651	3834	4034	4227	4439	4808	4952
4	BA + 24 Hours	3271	3366	3464	3568	3742	3948	4153	4367	4574	4965	5114
5	MA	3350	3451	3551	3656	3847	4061	4275	4497	4708	5111	5264
6	MA + 16 Hours	3411	3511	3615	3721	3935	4148	4366	4588	4801	5211	5367
7	MA + 32 Hours	3514	3618	3725	3833	4047	4265	4484	4706	4920	5336	5496

Effective January 1, 2005

		S T E P S										
12-Month												
Lane	Educational Level	1c	1b	1a	1	2	3	4	5	6	7	8
1	BA	3077	3167	3258	3352	3508	3663	3831	4029	4216	4572	4710
2	BA + 8 Hours	3159	3250	3343	3441	3600	3762	3958	4162	4360	4727	4868
3	BA + 16 Hours	3228	3321	3420	3522	3691	3879	4084	4282	4498	4879	5024

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

4	BA + 24 Hours	3302	3397	3499	3603	3784	3996	4207	4425	4638	5039	5190
5	MA	3383	3483	3587	3695	3891	4112	4332	4560	4777	5191	5347
6	MA + 16 Hours	3442	3547	3653	3763	3982	4201	4424	4654	4870	5295	5454
7	MA + 32 Hours	3550	3656	3766	3878	4096	4322	4547	4774	4994	5422	5584

Maximum Security Institutions Schedule
Effective January 1, 2005

S T E P S

12- Month Lane	Educational Level	1c	1b	1a	1	2	3	4	5	6	7	8
1	BA	3137	3226	3317	3411	3570	3723	3891	4089	4277	4633	<u>4772</u> <u>4792</u>
2	BA + 8 Hours	3218	3310	3402	3504	3662	3822	4019	4223	4422	4787	4931
3	BA + 16 Hours	3287	3382	3479	3583	3751	3939	4145	4343	4561	4940	5088
4	BA + 24 Hours	3361	3459	3559	3666	3845	4057	4267	4487	4700	5102	5255
5	MA	3442	3546	3649	3757	3953	4173	4393	4621	4837	5252	5409
6	MA + 16 Hours	3505	3608	3714	3823	4043	4262	4486	4714	4933	5354	5515
7	MA + 32 Hours	3611	3717	3827	3938	4158	4382	4607	4835	5055	5483	5647

Effective July 1, 2004

S T E P S

9-Month Lane	Educational Level	1	2	3	4	5	6	7	8
1	BA	2408	2540	2677	2813	2957	3094	3394	3496
2	BA + 8 Hours	2483	2618	2762	2905	3055	3199	3505	3610
3	BA + 16 Hours	2548	2698	2849	2998	3142	3300	3619	3727
4	BA + 24 Hours	2620	2777	2933	3089	3249	3404	3735	3847
5	MA	2700	2857	3017	3181	3346	3504	3846	3961
6	MA + 16 Hours	2764	2923	3084	3248	3414	3573	3920	4038
7	MA + 32 Hours	2848	3007	3170	3335	3503	3663	4016	4136

Effective January 1, 2005

S T E P S

9-Month Lane	Educational Level	1	2	3	4	5	6	7	8
1	BA	2474	2610	2751	2890	3038	3179	3487	3592
2	BA + 8 Hours	2551	2690	2838	2985	3139	3287	3601	3709
2	BA + 16 Hours	2618	2772	2927	3080	3228	3391	3719	3829

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

4	BA + 24 Hours	2692	2853	3014	3174	3338	3498	3838	3953
5	MA	2774	2936	3100	3268	3438	3600	3950	4070
6	MA + 16 Hours	2840	3003	3169	3337	3508	3671	4028	4149
7	MA + 32 Hours	2926	3090	3257	3427	3599	3764	4126	4250

(Source: Amended at 29 Ill. Reg. 8110, effective May 23, 2005)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: General Administrative Provisions
- 2) Code Citation: 89 Ill. Adm. Code 10
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
10.270	Amendment
10.380	Amendment
- 4) Statutory Authority: Implementing Articles I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IX and 12-13]
- 5) Effective date of amendments: May 18, 2005
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in Illinois Register: August 13, 2004; 28 Ill. Reg. 11643
- 10) Has JCAR Issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: No substantive changes were made in the text of the proposed amendments.
- 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 amendments currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of amendments: In order to make TANF budgeting policy consistent with medical assistance policy, this rulemaking eliminates stepparent liability budgeting for the TANF Program. The stepparent will continue to be responsible for his or her spouse. If the stepparent's spouse is in the home, the TANF Payment Level will be used to determine the stepparent's ability to support. This rulemaking also corrects

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

the references for appeals from 89 Ill. Adm. Code 102 to 89 Ill. Adm. Code 10 and 89 Ill. Adm. Code 104 to 89 Ill. Adm. Code 14.

Companion amendments are also being adopted in 89 Ill. Adm. Code 20 and 89 Ill. Adm. Code 112.

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

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

217/785-9772

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

DEPARTMENT OF HUMAN SERVICES

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONSPART 10
GENERAL ADMINISTRATIVE PROVISIONS

SUBPART A: APPLICABILITY AND DEFINITIONS

Section	
10.101	Incorporation by Reference
10.110	Applicability
10.120	Definitions
10.130	Assistance Programs
10.140	Assistance Program Restrictions

SUBPART B: RIGHTS AND RESPONSIBILITIES

Section	
10.210	Rights of Clients
10.220	Nondiscrimination
10.225	Grievance Rights of Clients
10.230	Confidentiality of Case Information
10.235	Case Records
10.250	Reporting Change of Circumstances
10.263	Reporting Child Abuse/Neglect
10.268	Reporting Elder Abuse/Neglect
10.270	Notice to Client
10.280	Right to Appeal
10.281	Continuation of Assistance Pending Appeal
10.282	Time Limit for Filing an Appeal
10.283	Examining Department Records
10.284	Child Care
10.290	Voluntary Repayment of Assistance
10.295	Correction of Underpayments
10.300	Recovery of Assistance
10.310	Estate Claims
10.320	Real Property Liens
10.330	Filing and Renewal of Liens
10.340	Foreclosure of Liens
10.350	Release of Liens

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- 10.360 Personal Injury Claims
- 10.370 Convictions of Fraud – Eligibility
- 10.380 Single Conviction of Fraud – Administrative Review Board

SUBPART C: APPLICATION PROCESS

Section

- 10.410 Application for Assistance
- 10.415 Local Office Action on Application for Public Assistance
- 10.420 Time Limitations on the Disposition of an Application
- 10.430 Approval of an Application and Initial Authorization of Financial Assistance
- 10.438 General Assistance Approval Provisions
- 10.440 Denial of an Application

AUTHORITY: Implementing Articles I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IX and 12-13].

SOURCE: Emergency rules adopted at 21 Ill. Reg. 9515, effective July 1, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 15515, effective November 26, 1997; amended at 22 Ill. Reg. 19816, effective November 1, 1998; amended at 23 Ill. Reg. 6944, effective June 1, 1999; amended at 24 Ill. Reg. 7856, effective May 16, 2000; amended at 24 Ill. Reg. 18153, effective November 30, 2000; amended at 25 Ill. Reg. 7170, effective May 24, 2001; amended at 28 Ill. Reg. 1083, effective December 31, 2003; amended at 28 Ill. Reg. 5650, effective March 22, 2004; amended at 29 Ill. Reg. 8148, effective May 18, 2005.

SUBPART B: RIGHTS AND RESPONSIBILITIES

Section 10.270 Notice to Client

- a) Every applicant for assistance shall be sent or given a written notice of disposition of the application.
- b) Every recipient for assistance shall be sent or given a written notice whenever assistance is reduced or discontinued.
- c) Notices denying, reducing, or discontinuing assistance shall contain the following information:
 - 1) A clear statement of the action being taken.
 - 2) A clear statement of the reason for the action.

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- 3) A reference to the statute, rule, or policy provision under the authority of which the action is taken. From March 1997 through March 1998, references to provisions of the Department's policy manuals using the numbering system in use in 1996 shall be deemed to be references to the corresponding provisions of the new numbering system introduced in 1997.
 - 4) A complete statement of the client's right to appeal (see subsection (d) below and Sections 10.280 through 10.282).
- d) Timely Notice
- 1) All notices concerning local office reduction or discontinuance of assistance shall be "timely". A "timely" notice shall be mailed or given at least ten calendar days prior to the date the reduction or discontinuance will occur, and shall inform the client that if the client files an appeal by the date the reduction or discontinuance will occur, his or her assistance will be continued at its previous level, pending the results of the appeal unless the client specifically requests that the assistance benefits not be continued. The notice shall be dated with the date it is mailed or given. (Day one of the ten-day period is the day following the date on the notice. Day ten may be no later than the date the reduction or discontinuance will occur.)
 - 2) Notices sent concerning reduction or discontinuance of assistance by agency action initiated centrally may be either "timely" or "adequate", as defined by federal regulation. When timely notice is not required and an adequate notice is sent less than ten days before the date of change, the client may receive continued benefits if the appeal is filed within ten days after the date of notice. (See 89 Ill. Adm. Code 112.302.)
- e) Temporary Assistance for Needy Families
- 1) Every recipient who makes a written request for a grant increase or a special authorization shall be sent or given written notice of the disposition of the request within 45 days after the date of the request.
 - 2) Every recipient who makes a request for General Assistance (89 Ill. Adm. Code 116) shall be sent or given a written notice of the disposition of the

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request within 45 days after the date of the request.

- f) Approval of General Assistance as a result of cancellation of TANF or AABD or reduction of TANF (Applicable Only in City of Chicago)
- 1) A notice of intended cancellation or reduction of benefits is sent to a TANF or AABD recipient, in the City of Chicago, whose assistance is discontinued or a person deleted from the assistance unit (AFDC only) for one of the following reasons:
 - A) AABD: no longer blind, disabled.
 - B) TANF: ~~i) no longer an eligible child in the home;~~
 - ii) ~~stepparent's liability sufficient to meet need;~~
 - iii) ~~stepparent failed to verify income.~~
 - 2) If a recipient from one of the programs listed in subsection (f)(1) of this Section applies for General Assistance (GA) within 30 days after the notice of cancellation or reduction of benefits and if that recipient is determined to be eligible for GA, such benefits shall be authorized with no gap in assistance (see also Section 10.430).
- g) Food Stamp households shall be notified:
- 1) If there is no change in benefits following submission of a change report form.
 - 2) If food stamp benefits are being reduced or discontinued, the following additional information shall be included on the notice:
 - A) the telephone number of the local DHS office;
 - B) a statement indicating the household's liability for benefits received while waiting for a fair hearing decision, if the decision is adverse to the household; and
 - C) a statement indicating the general availability of outside individuals or organizations providing free legal representation and

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the telephone numbers of those individuals or organizations.

- 3) A notice of approval shall be sent to eligible households by the 30th day following the date of application. If the household is found not eligible to participate, the notice of denial shall be sent by the 30th day following the date of application.
- 4) If the local office cannot act on an application by the 30th day because the case file is incomplete due to a household's delay, a notice of denial shall be sent on the 30th day. However, the household has an additional 30 days to complete the application. If the delay is caused by the local office, a notice of pending status shall be sent to the household by the 30th day.

(Source: Amended at 29 Ill. Reg. 8148, effective May 18, 2005)

Section 10.380 Single Conviction of Fraud – Administrative Review Board

Except as provided in Section 10.370, any person who has been found guilty of a criminal violation of Article VIII A of the Illinois Public Aid Code [305 ILCS 5/Art. VIII A] or of any law of the United States or of any state that is substantially similar to Sections 8A-2 through 8A-5 for violations related to public assistance programs and who has not previously been convicted for a criminal violation of Article VIII A or of any law of the United States or of any state that is substantially similar to Sections 8A-2 through 8A-5 for violations related to public assistance programs shall be subject to the provisions of this Section upon filing a subsequent application for public assistance under TANF, AABD, Refugee Assistance, or the GA program (in the City of Chicago).

- a) The application will be reviewed by an Administrative Review Board (ARB) prior to approval or disapproval. The ARB shall consist of the Local Office Administrator of the local office where the application is made and a representative of the Zone Office, appointed by the Zone Office Administrator.
- b) The review by the ARB shall be for the purpose of determining the person's eligibility for assistance and to determine whether any additional administrative safeguards are required to prevent any future violations of Article VIII A.
- c) The review shall be informal. The applicant will be notified, in writing, of the review at least five days in advance. The review will be held in the county where the applicant resides. The applicant may attend the review and may bring other persons to the review to speak on his or her behalf, including an attorney, relatives

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or friends. The review shall be open to the public, unless the applicant and the ARB determine otherwise. The review shall be held within such a time as not to delay the decision on the application beyond the time allowed under State and Federal law and regulations- (see Section 10.420-).₂

- d) If the ARB determines the applicant is not eligible for public assistance, based on applicable eligibility factors of the program or programs for which the applicant is applying, the applicant will be notified in the same manner as other applicants. The applicant shall be entitled to appeal any decision of denial. (The grounds for appeal and appeal procedure to be followed are found at 89 Ill. Adm. Code ~~10102~~ and ~~14104~~.)
- e) If the ARB determines the applicant is eligible for public assistance, the ARB shall also determine what administrative safeguards, if any, are required to ensure that the person does not commit further violations of Article VIII A. Such safeguards shall be based on the individual factors of each case and may include, but are not limited to, more frequent home visits, more frequent reports regarding financial or other factors, appointment of a substitute payee, or any other actions that are permitted by State and Federal law and regulations.
- f) The applicant will be notified, in writing, of the decision of the ARB and an explanation of the administrative safeguards required in his or her case. The applicant shall be entitled to appeal any decision of the ARB.
- g) The ARB shall review the necessity for any administrative safeguard every six months. At the review, the necessity to continue or reverse the administrative safeguards will be determined.

(Source: Amended at 29 Ill. Reg. 8148, effective May 18, 2005)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Support Responsibility of Relatives
- 2) Code Citation: 89 Ill. Adm. Code 20
- 3) Section Number: 20.20 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X]
- 5) Effective date of amendment: May 18, 2005
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in Illinois Register: August 13, 2004; 28 Ill. Reg. 11651
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: No substantive changes were made in the text of the proposed amendments.
- 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 amendment replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part: No
- 15) Summary and purpose of amendment: In order to make TANF budgeting policy consistent with medical assistance policy, this rulemaking eliminates stepparent liability budgeting for the TANF Program. The stepparent will continue to be responsible for his or her spouse. If the stepparent's spouse is in the home, the TANF Payment Level will be used to determine the stepparent's ability to support.

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Companion amendments are also being adopted in 89 Ill. Adm. Code 10 and 89 Ill. Adm. Code 112.

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

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Bldg., 3rd Floor
Springfield, Illinois 62762

217/785-9772

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

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NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONSPART 20
SUPPORT RESPONSIBILITY OF RELATIVES

Section

20.1	Incorporation by Reference
20.10	Support from Responsible Relatives
20.20	Determination of Ability to Support
20.25	Establishment of Support Obligations
20.30	Redetermination of Ability to Support
20.35	Enforcement of Administrative Support Orders
20.40	Failure or Refusal to Provide Information Regarding Ability to Support
20.50	Modification or Release from Support Order
20.TABLE A	Standard for Determining Responsible Relative Liability

AUTHORITY: Implementing and authorized by Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X].

SOURCE: Adopted at 22 Ill. Reg. 19830, effective November 1, 1998; amended at 29 Ill. Reg. 8156, effective May 18, 2005.

Section 20.20 Determination of Ability to Support

- a) Responsible relatives living apart from the recipient/assistance unit.
 - 1) For responsible relatives living apart from the recipient/assistance unit, a responsible relative is liable for all assistance provided to or in behalf of the recipient, unless the relative establishes a lesser ability to support by providing the Department with income and asset information from which it can determine the relative's ability to support. However, the monthly support obligation assessed a responsible relative determined able to pay shall not exceed the average monthly amount of assistance provided by the Department to or in behalf of the recipient.
 - 2) Except in Title IV-D cases where the guidelines set out in 89 Ill. Adm. Code 160.60(c) shall apply, the Department shall apply Table A of this Part to the gross income figure contained on the relative's most recent

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Federal Income Tax return to determine the relative's ability to support. The relative must submit a copy of his or her most recent Federal Income Tax return for this determination or remain liable for all assistance provided to or in behalf of the recipient. If the responsible relative has filed a joint tax return with a non-responsible relative, only such income that is attributable to the responsible relative will be considered.

- b) Responsible relatives living apart or with the recipient/assistance unit.
- 1) For responsible relatives living with the recipient/assistance unit, the Department shall determine a responsible relative's ability to support dependents according to the standards and asset limitation indicated below:
 - A) Aid to the Aged, Blind or Disabled (AABD)
The Department shall use the AABD financial assistance standard and the appropriate asset limitations, as set out in 89 Ill. Adm. Code 113.245 through 113.262 and 113.140, to determine the relative's ability to support.
 - B) General Assistance (GA) (City of Chicago Only)
The Department shall use the family or adult payment level, as set out in 89 Ill. Adm. Code 114.250, to determine the relative's ability to support.
 - C) TANF
The Department shall use the family or adult payment level, as set out in 89 Ill. Adm. Code 112.250, to determine the relative's ability to support.
 - 2) For responsible relatives living apart from the recipient/assistance unit, the Department shall apply Table A of this Part to the gross income figure contained on the relative's most recent Federal Income Tax return to determine the relative's ability to support. The relative must submit a copy of his or her most recent Federal Income Tax return for this determination or remain liable for all assistance provided to or in behalf of the recipient. If the responsible relative has filed a joint return with a non-responsible relative, only such income that is attributable to the responsible relative will be considered.

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- c) Hospitalized or institutionalized individual living with a responsible relative.
- 1) Aid to the Aged, Blind or Disabled (AABD)
The client is considered as living apart from a responsible relative for any month the client is hospitalized or institutionalized the first day of the calendar month through the last day of the calendar month. If an infant is hospitalized from birth through the end of the calendar month, the client is considered hospitalized for the entire month. If a client is in a hospital or institution on the first day of the calendar month but dies prior to the end of the calendar month, the individual is considered living apart from the responsible ~~relatives~~relative(s).
 - 2) Temporary Assistance for Needy Families (TANF)
A hospitalized individual is considered as living with the responsible relative if the individual is under the relative's control and supervision regardless of the length of hospitalization.

(Source: Amended at 29 Ill. Reg. 8156, effective May 18, 2005)

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112.9	Amendment	28 Ill. Reg. 14340; 12-20-04
112.40	Amendment	28 Ill. Reg. 15424; 12-03-04
112.65	Amendment	28 Ill. Reg. 14340; 12-20-04
112.69	Amendment	28 Ill. Reg. 14340; 12-20-04
112.127	Amendment	28 Ill. Reg. 14340; 12-20-04
112.150	Amendment	28 Ill. Reg. 14340; 12-20-04
112.151	Repeal	28 Ill. Reg. 14340; 12-20-04
112.152	Repeal	28 Ill. Reg. 14340; 12-20-04
112.153	Repeal	28 Ill. Reg. 14340; 12-20-04
112.305	Amendment	28 Ill. Reg. 14340; 12-20-04
112.307	Amendment	28 Ill. Reg. 14340; 12-20-04
112.320	Amendment	28 Ill. Reg. 15424; 12-20-04

- 15) Summary and purpose of amendments: In order to make TANF budgeting policy consistent with medical assistance policy, this rulemaking eliminates stepparent liability budgeting for the TANF Program. The stepparent will continue to be responsible for his or her spouse. If the stepparent's spouse is in the home, the TANF Payment Level will be used to determine the stepparent's ability to support. This rulemaking also deletes an obsolete reference to the Job Training Partnership Act.

Companion amendments are being adopted in 89 Ill. Adm. Code 10 and 89 Ill. Adm. Code 20.

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

Tracie Drew, Bureau Chief
 Bureau of Administrative Rules and Procedures
 Department of Human Services
 100 South Grand Avenue East
 Harris Bldg., 3rd Floor
 Springfield, Illinois 62762

217/785-9772

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

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

SUBPART A: GENERAL PROVISIONS

Section

- 112.1 Description of the Assistance Program and Time Limit
- 112.2 Time Limit on Receipt of Benefits for Clients Enrolled in Post-Secondary Education
- 112.3 Receipt of Cash Benefits Beyond the 60 Month Lifetime Limit
- 112.5 Incorporation by Reference
- 112.6 The Family Violence Option

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 112.8 Caretaker Relative
- 112.9 Client Cooperation
- 112.10 Citizenship
- 112.20 Residence
- 112.30 Age
- 112.40 Relationship
- 112.50 Living Arrangement
- 112.52 Social Security Numbers
- 112.54 Assignment of Medical Support Rights
- 112.60 Basis of Eligibility
- 112.61 Death of a Parent (Repealed)
- 112.62 Incapacity of a Parent (Repealed)
- 112.63 Continued Absence of a Parent (Repealed)
- 112.64 Unemployment of the Parent (Repealed)
- 112.65 Responsibility and Services Plan
- 112.66 Alcohol and Substance Abuse Treatment
- 112.67 Restriction in Payment to Households Headed by a Minor Parent
- 112.68 School Attendance Initiative
- 112.69 Felons and Violators of Parole or Probation

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SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section

- 112.70 Employment and Work Activity Requirements
- 112.71 Individuals Exempt from TANF Employment and Work Activity Requirements
- 112.72 Participation/Cooperation Requirements
- 112.73 Adolescent Parent Program (Repealed)
- 112.74 Responsibility and Services Plan
- 112.75 Teen Parent Personal Responsibility Plan (Repealed)
- 112.76 TANF Orientation
- 112.77 Reconciliation and Fair Hearings
- 112.78 TANF Employment and Work Activities
- 112.79 Sanctions
- 112.80 Good Cause for Failure to Comply with TANF Participation Requirements
- 112.81 Responsible Relative Eligibility for JOBS (Repealed)
- 112.82 Supportive Services
- 112.83 Teen Parent Services
- 112.84 Employment Retention and Advancement Project
- 112.85 Four Year College/Vocational Training Demonstration Project (Repealed)

SUBPART E: PROJECT ADVANCE

Section

- 112.86 Project Advance (Repealed)
- 112.87 Project Advance Experimental and Control Groups (Repealed)
- 112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
- 112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
- 112.90 Project Advance Sanctions (Repealed)
- 112.91 Good Cause for Failure to Comply with Project Advance (Repealed)
- 112.93 Individuals Exempt From Project Advance (Repealed)
- 112.95 Project Advance Supportive Services (Repealed)

SUBPART F: EXCHANGE PROGRAM

Section

- 112.98 Exchange Program (Repealed)

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SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 112.100 Unearned Income
- 112.101 Unearned Income of ~~Stepparent or~~ Parent
- 112.105 Budgeting Unearned Income
- 112.106 Budgeting Unearned Income of Applicants
- 112.107 Initial Receipt of Unearned Income
- 112.108 Termination of Unearned Income
- 112.110 Exempt Unearned Income
- 112.115 Education Benefits
- 112.120 Incentive Allowances
- 112.125 Unearned Income In-Kind
- 112.126 Earmarked Income
- 112.127 Lump-Sum Payments
- 112.128 Protected Income (Repealed)
- 112.130 Earned Income
- 112.131 Earned Income Tax Credit
- 112.132 Budgeting Earned Income
- 112.133 Budgeting Earned Income of Employed Applicants
- 112.134 Initial Employment
- 112.135 Budgeting Earned Income For Contractual Employees
- 112.136 Budgeting Earned Income For Non-contractual School Employees
- 112.137 Termination of Employment
- 112.138 Transitional Payments (Repealed)
- 112.140 Exempt Earned Income
- 112.141 Earned Income Exemption
- 112.142 Exclusion from Earned Income Exemption
- 112.143 Recognized Employment Expenses
- 112.144 Income from Work-Study and Training Programs
- 112.145 Earned Income From Self-Employment
- 112.146 Earned Income From Roomer and Boarder
- 112.147 Income From Rental Property
- 112.148 Payments from the Illinois Department of Children and Family Services
- 112.149 Earned Income In-Kind
- 112.150 Assets
- 112.151 Exempt Assets
- 112.152 Asset Disregards

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- 112.153 Deferral of Consideration of Assets
- 112.154 Property Transfers (Repealed)
- 112.155 Income Limit

SUBPART H: PAYMENT AMOUNTS

Section

- 112.250 Grant Levels
- 112.251 Payment Levels
- 112.252 Payment Levels in Group I Counties
- 112.253 Payment Levels in Group II Counties
- 112.254 Payment Levels in Group III Counties
- 112.255 Limitation on Amount of TANF Assistance to Recipients from Other States (Repealed)

SUBPART I: OTHER PROVISIONS

Section

- 112.300 Persons Who May Be Included in the Assistance Unit
- 112.301 Presumptive Eligibility
- 112.302 Reporting Requirements for Clients with Earnings
- 112.303 Budgeting
- 112.304 Budgeting Schedule
- 112.305 Strikers
- 112.306 Foster Care Program
- 112.307 Responsibility of Sponsors of Non-Citizens Entering the Country Prior to 8/22/96
- 112.308 Responsibility of Sponsors of Non-Citizens Entering the Country On or After 8/22/96
- 112.309 Institutional Status
- 112.310 Child Care for Representative Payees
- 112.315 Young Parents Program (Renumbered)
- 112.320 Redetermination of Eligibility
- 112.330 Extension of Medical Assistance Due to Increased Income from Employment
- 112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
- 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
- 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities (Repealed)

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SUBPART J: CHILD CARE

Section

112.350	Child Care (Repealed)
112.352	Child Care Eligibility (Repealed)
112.354	Qualified Provider (Repealed)
112.356	Notification of Available Services (Repealed)
112.358	Participant Rights and Responsibilities (Repealed)
112.362	Additional Service to Secure or Maintain Child Care Arrangements (Repealed)
112.364	Rates of Payment for Child Care (Repealed)
112.366	Method of Providing Child Care (Repealed)
112.370	Non-JOBS Education and Training Program (Repealed)

SUBPART K: TRANSITIONAL CHILD CARE

Section

112.400	Transitional Child Care Eligibility (Repealed)
112.404	Duration of Eligibility for Transitional Child Care (Repealed)
112.406	Loss of Eligibility for Transitional Child Care (Repealed)
112.408	Qualified Child Care Providers (Repealed)
112.410	Notification of Available Services (Repealed)
112.412	Participant Rights and Responsibilities (Repealed)
112.414	Child Care Overpayments and Recoveries (Repealed)
112.416	Fees for Service for Transitional Child Care (Repealed)
112.418	Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective

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October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at

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8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to

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SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency

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amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amendment at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15597, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14420, effective July 24, 1998; amended at 22 Ill. Reg. 14744, effective August 1, 1998; amended at 22 Ill. Reg. 16256, effective September 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 18082, effective October 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19840, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 598, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 942, effective January 6, 1999; emergency amendment at 23 Ill. Reg. 1133, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1682, effective January 20, 1999; emergency amendment at 23 Ill. Reg. 5881, effective May 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6958, effective May 30, 1999; amended at 23 Ill. Reg. 7091, effective June 4, 1999; amended at 23 Ill. Reg. 7896, effective July 1, 1999; emergency amendment at 23 Ill. Reg. 8672, effective July 13, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 10530, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12648, effective September 27, 1999; amended at 23 Ill. Reg. 13898, effective November 19, 1999; amended at 24 Ill. Reg. 289, effective December 28, 1999; amended at 24 Ill. Reg. 2348, effective February 1, 2000; amended at 25 Ill. Reg. 10336, effective August 3, 2001; emergency amendment at 25 Ill. Reg. 11584, effective September 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 14865, effective November 1, 2001; amended at 26 Ill. Reg. 138, effective January 1, 2002; amended at 26 Ill. Reg. 924, effective January 15, 2002; emergency

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amendment at 26 Ill. Reg. 3329, effective February 19, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9803, effective June 24, 2002; amended at 26 Ill. Reg. 10492, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10994, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17182, effective November 15, 2002; amended at 27 Ill. Reg. 4545, effective February 28, 2003; amended at 27 Ill. Reg. 7240, effective April 7, 2003; amended at 27 Ill. Reg. 18417, effective November 20, 2003; amended at 28 Ill. Reg. 1090, effective December 31, 2003; amended at 28 Ill. Reg. 5655, effective March 22, 2004; amended at 29 Ill. Reg. 8161, effective May 18, 2005.

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 112.54 Assignment of Medical Support Rightsa) Rights to Support

- 1) As a condition of eligibility for medical assistance under the TANF AFDC program, each applicant or recipient by operation of State law, automatically assigns to the Department any rights to support which the applicant or recipient may have. This assignment gives the Department the right to collect support money directly from the absent parent in order to be reimbursed for assistance given to the dependent children.
- 2) This right includes support money paid in the applicant/ recipient own behalf, such as alimony, and money paid in behalf of any other family member for whom assistance is requested, such as child support.

- b) As a condition of eligibility for medical assistance under the TANF AFDC program each legally able applicant and recipient must cooperate (see 89 Ill. Adm. Code 120.320(b)) with the Department in obtaining medical support or payments. ("Legally able" means the applicant/recipient has the legal authority to execute an assignment of medical support rights.) This includes support or payments for the applicant/recipient and/or for any person for whom the applicant/recipient receives medical assistance.

c) Refusal/Failure to Cooperate

- 1) If the applicant/recipient refuses to cooperate with the Department in obtaining medical support or payments, he/she is ineligible for medical assistance and will be removed from the assistance unit for medical

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assistance. (Non-cooperation is failure/refusal to comply with the requirements of 89 Ill. Adm. Code 120.320(b).): However, the applicant/recipient remains eligible for ~~TANF~~AFDC cash benefits.

- 2) Cooperation in obtaining medical support and/or payments includes enrolling dependents for no cost dependent health insurance coverage.
 - 3) If the applicant/recipient fails/refuses to cooperate in obtaining medical support/payments or sign up for no cost medical insurance, he/she is ineligible for medical assistance as long as he/she continues to fail/refuse to cooperate. If the applicant/recipient later wishes to receive medical assistance then he/she must cooperate by complying with the ~~requirements~~requirement(s) (see 89 Ill. Adm. Code 120.320(b)) that he/she previously failed/refused to meet.
 - 4) An applicant/recipient can appeal the Department's determination that he/she refused to cooperate in obtaining medical support/payments or that he/she refused to sign up for no cost medical insurance. Such appeal shall be in accordance with 89 Ill. Adm. Code ~~14104~~: Subpart A.
- d) The Department will provide or continue to provide medical assistance to any applicant or recipient who is not legally able to cooperate in securing medical support, and would otherwise be eligible for medical assistance but for the refusal by a person legally able to cooperate.

(Source: Amended at 29 Ill. Reg. 8161, effective May 18, 2005)

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.101 Unearned Income of ~~Stepparent or~~ Parent

- a) In determining eligibility and level of assistance, ~~the following shall be considered: 1) the unearned income of a stepparent of a child if the stepparent lives with the assistance unit; 2)~~ the unearned income of a parent of a person under age 18 who is receiving assistance as a parent or dependent child if they are all living in the same household ~~is considered~~.
- b) The amount of the total available income of the ~~stepparent or~~ parent under subsection (a) ~~of this Section~~above shall be the income remaining after the

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following amounts have been deducted:

- 1) an amount equal to 3 times the TANF payment level for a family size taking into account the needs of the ~~stepparent or~~parent and the needs of individuals residing with the ~~stepparent or~~parent not included in the assistance unit whom the ~~stepparent or~~parent claims as federal tax dependents;
- 2) court ordered support obligations of the ~~stepparent or~~parent; or
- 3) amounts paid by the ~~stepparent or~~parent to individuals outside the home whom the ~~stepparent or~~parent claims as federal tax dependents.

(Source: Amended at 29 Ill. Reg. 8161, effective May 18, 2005)

Section 112.110 Exempt Unearned Income

The following unearned income shall be exempt from consideration in determining eligibility and the level of assistance payment:

- a) The value of the coupon allotment under the Food Stamp Act of 1977 (7 USC 2017(b));
- b) The value of the U.S. Department of Agriculture donated foods (surplus commodities);
- c) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4636);
- d) Any funds distributed per capita to or held in trust for members of any Indian Tribe under P.L. 92-254, P.L. 93-134, P.L. 94-114 or P.L. 94-540;
- e) Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended (42 USC 3045 et seq.);
- f) Any compensation provided to individual volunteers under the Volunteers in Service to America (VISTA) Program (known as Americorps VISTA). Payments made under Americorps State/National programs, funded under the National and Community Service Act of 1993, are not exempt. Stipends or living allowance

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payments made under this program are considered nonexempt earned income. These payments are subject to the general rules concerning the budgeting of earned income;

- g) Income received under the provisions of Section 4(c) of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act [320 ILCS 25/4]. This includes both the benefits commonly known as the circuit breaker and additional grants;
- h) Payments for supporting services or reimbursement for out-of-pocket expenses made to volunteers serving as senior health aides, senior companions, foster grandparents, and persons serving in the Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE) and any other programs under Titles II and III, pursuant to Section 418 of P.L. 93-113;
- i) Unearned income such as need based payments, cash assistance, compensation in lieu of wages and allowances received through the Workforce Investment Act (WIA);
- j) Social Security death benefit expended on a funeral and/or burial;
- k) The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended (42 USC 1780(b)) and the special food service program for children under the National School Lunch Act, as amended (42 USC 1760);
- l) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 USC 1626);
- m) Payments received under Title I of P.L. 100-383 of the Civil Liberties Act of 1988 (50 USC 1989b through 1989b-8);
- n) Payments received under Title II of P.L. 100-383 of the Aleutian and Pribilof Islands Restitution Act (50 USC 1989c through 1989c-8);
- o) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump-sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201;

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- p) Payments received under the federal Radiation Exposure Compensation Act (42 USC 2210 nt);
- q) Federal subsidized housing payments under Section 8 of the Housing and Community Development Act (42 USC 1437f);
- r) Any adoption subsidy payment or foster care payment received from DCFS or from a state welfare agency of another state are exempt for MAG and MANG. Independent Living Arrangement Payments are not exempt for MAG and MANG;
- s) Supportive Service payments (Section 112.82);
- t) Benefits paid to eligible households under the Low Income Home Energy Assistance Act of 1981 pursuant to Section 2605(f) of P.L. 97-35;
- u) Disaster relief payments provided by federal, state or local government or a disaster assistance organization;
- v) Any payment provided by the Department of Human Services under the Family Assistance Program for Mentally Disabled Children under P.A. 86-921;
- w) GA Emergency Financial Assistance issued through vendor payment. These payments can only be issued once in a twelve-month period to persons who do not currently receive TANF cash assistance;
- x) A nonrecurring lump-sum SSI or SSA payment made to an individual in a TANF assistance unit. The nonrecurring SSA lump sum is exempt if it is based on disability. The monthly amount, up to the monthly SSI level for one, is exempt. For those individuals not in a TANF assistance unit whose income is used to determine TANF eligibility for others (for example, the parent of a person under age 18 who is receiving assistance as a parent~~stepparents, parents~~), the lump-sum payment is nonexempt income for the month received;
- y) Payments made to individuals because of their status as victims of Nazi persecution pursuant to P.L. 103-286;
- z) Payments to a member of the Passamquoddy Indian Tribe, the Penobscot Nation of the Houlton Band of the Maliseet Indians pursuant to the Maine Indian Claims Settlement Act of 1980;

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- aa) Up to \$2000 per year of income received by individual Indians, which is derived from leases or other uses of individually-owned trust or restricted lands pursuant to Section 13736 of P.L. 103-66;
- bb) Payments based on disability status are disregarded in an amount up to the Supplemental Security Income (SSI) payment level for one person with no income. This disregard applies to disability benefits from Social Security (including SSI), Railroad Retirement Disability, Department of Veterans' Affairs (100% disability only) and Black Lung;
- cc) Payments made under the federal Crime Act of 1984 (as amended by P.L. 104-132, Section 234, Crime Victims Fund);
- dd) Inconsequential income, which is defined as gifts, prizes or other unearned income (excluding those unearned income items referenced in subsections (a)(1) through (a)(28) described in other provisions of the Section) of up to \$50 per person per quarter;
- ee) The value of home produce which is used for personal consumption;
- ff) Child support payments made to an assistance unit by the Department which represents the first \$50 or any lesser amount of support collected in a month;
- gg) Two dollars of every \$3 of excess child support distributed by the child support agency to a family with earnings budgeted. This includes the wage supplementation programs of On-the-Job Training, Job Corps, Americorps VISTA, and work study;
- hh) Payments from the principal or trust of a trust fund made to or on behalf of a dependent child when the court orders the money released for a specific purpose other than the income maintenance needs of the child;
- ii) Earmarked child support payments received by the client for the support of a child not included in the assistance unit;
- jj) Cash which is exchanged for purposes of satisfying payment of shelter-related obligations in situations where the assistance unit shares a dwelling unit with another family, individual or individuals. The money is not available to meet the

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needs of the party who received and disburses the shelter-related payment;

- kk) Employment-related reimbursements for past or future expenses to the extent that they do not exceed actual expenses incurred and do not represent a gain or benefit to the client;
- ll) All educational loans, grants, scholarships, fellowships, veteran's educational benefits, and federal and State work study programs.

(Source: Amended at 29 Ill. Reg. 8161, effective May 18, 2005)

Section 112.130 Earned Income

- a) All currently available income which is not specified as exempt shall be considered in the determination of eligibility and the level of the assistance payment.
- b) Earned income is remuneration acquired through the receipt of salaries or wages for services performed as an employee or profits from an activity in which the individual is self-employed.
- c) In determining eligibility and level of assistance, ~~the following shall be considered: 1) the earned income of a stepparent of a child if the stepparent lives with the assistance unit; 2) the earned income of a parent of a person under age 18 who is receiving assistance as a parent or dependent child if they are all living in the same household~~ is considered.
- d) The amount of the total available income of the ~~stepparent or~~ parent under subsection (c) of this Section shall be the income remaining after the following amounts have been deducted:
 - 1) As employment expenses, \$90 from the gross earned income or income remaining after deducting self-employment business expenses for an employed person (see Section 112.145);
 - 2) An amount equal to 3 times the TANF payment level for a family size taking into account the needs of the ~~stepparent or~~ parent; and the needs of individuals residing with the ~~stepparent or~~ parent not included in the assistance unit whom the ~~stepparent or~~ parent claims or could claim as

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federal tax dependents;

- 3) Amounts paid by the ~~stepparent or~~ parent for alimony or child support to individuals outside the home;
- 4) Amounts paid by the ~~stepparent or~~ parent to individuals outside the home whom the ~~stepparent or~~ parent claims or who could be claimed as federal tax dependents.
- e) ~~Earned income received through the Job Training Partnership Act by all dependent children is exempt.~~ Earned income received by all dependent children.

(Source: Amended at 29 Ill. Reg. 8161, effective May 18, 2005)

Section 112.150 Assets

- a) The value of nonexempt assets shall be considered in determining eligibility for an assistance payment.
- b) The entire equity value of a jointly-held liquid asset or the client's proportional share of a jointly-held non-liquid asset shall be considered in determining eligibility for an assistance payment, unless:
 - 1) the asset is a joint income tax refund;
 - 2) the client can document the amount of his or her legal interest in the asset, and that such amount is less than the entire value of the asset, the documented amount shall be considered. Appropriate documentation, may include, but is not limited to, bank documents, trust documents, signature cards, divorce papers, or court orders;
 - 3) the asset is held jointly with a client or clients of any Department assistance program other than food stamps;
 - 4) the client documents that he or she does not have access to the asset. Appropriate documentation may include but is not limited to, bank documents, trust documents, signature cards, divorce papers, or court orders;

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- 5) the client documents that the asset or a portion of the asset is not owned by the client and the client's accessibility to the asset is changed (see subsections (b)(2) and (4) of this Section for examples of documentation);
 - 6) the co-owner refuses to make the asset available; or
 - 7) the co-owner has engaged in violent activity against a family member in the past.
- c) Income tax refunds shall be considered available assets and are to be considered against the appropriate non-exempt asset limitation of the assistance unit. One-half of joint tax refunds shall be considered available for each payee. A client who declares that less than one-half of the joint income tax was received may claim an exception. Only the amount claimed to be received shall be considered.
- d) An applicant or recipient can appeal the Department's decision relating to consideration of assets in accordance with 89 Ill. Adm. Code [14104](#).
- e) [Pension plans are exempt from consideration as an asset, including accounts owned solely by an individual, such as an Individual Retirement Account \(IRA\), 401 K or Keogh Plan.](#)

(Source: Amended at 29 Ill. Reg. 8161, effective May 18, 2005)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Definitions and General Provisions
- 2) Code citation: 35 Ill. Adm. Code 211
- 3) Section number: 211.7150 Proposed Action: Amend
- 4) Statutory authority: 415 ILCS 5/7.2, 9.1(e), and 27.
- 5) Effective date of amendments: May 23, 2005
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Statement of availability: The adopted amendments, a copy of the Board's opinion and order adopted May 19, 2005 in docket R05-16, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) Notice of proposal published in Illinois Register: March 18, 2005, 29 Ill. Reg. 4323
- 10) Has JCAR issued a Statement of Objection to this amendment? No. Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between proposal and final version: A table that appears in the Board's opinion and order of May 19, 2005 in docket R05-16 summarizes the differences between the amendments adopted in that order and those proposed by the Board in an opinion and order dated March 3, 2005, in docket R05-16. Many of the differences are explained in greater detail in the Board's opinion and order adopting the amendments.

The differences are limited to correction of an *Illinois Register* citation in the main source note for Part 211 and changing punctuation in the text of the amendments. The changes are intended to have no substantive effect. The intent is to add clarity to the rules without deviation from the substance of the federal amendments on which this proceeding is based.

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- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

Since the Notices of Proposed Amendments appeared in the March 18, 2005 issue of the *Illinois Register*, the Board received suggestions for revisions from JCAR. The Board evaluated each suggestion and incorporated changes into the text as a result, as detailed in the opinion and order of May 19, 2005 in docket R05-16, as indicated in item 11 above. See the May 19, 2005 opinion and order in docket R05-16 for additional details on the JCAR suggestions and the Board actions with regard to each.

- 13) Will this amendment replace any emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? Yes. Proposed amendments in the following general rulemakings affect 35 Ill. Adm. Code 211:

Amendments to Emissions Reduction Market System, 35 Ill. Adm. Code 205 and 211, R05-16 (Dec. 2, 2004), which appeared in the December 17, 2004 issue of the *Illinois Register*; and

Technical Correction to Formulas in 35 Ill. Adm. Code 214 "Sulfur Limitations", R04-12, Clean-Up Part III, Amendments to 35 Ill. Adm. Code Part 211, 218, and 219, R04-20 (Apr. 21, 2005) (consolidated), which appeared in the May 27, 2005 issue of the *Illinois Register*.

<u>Section number</u>	<u>Proposed action</u>	<u>Illinois Register citation</u>
211.953	Add	29 Ill. Reg. 7418, May 27, 2005
211.3695	Amend	28 Ill. Reg. 16180, December 17, 2004
211.5880	Add	29 Ill. Reg. 7418, May 27, 2005

- 15) Summary and purpose of amendments: The following briefly describes the subjects and issues involved in this rulemaking. A comprehensive description is contained in the Board's opinion and order of March 3, 2005, adopting amendments in docket R05-16, which opinion and order is available from the address below.

The R05-16 proceeding relates to the listings of compounds exempted from the State definition of "volatile organic material" (VOM) or "volatile organic compound" (VOC)

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in 35 Ill. Adm. Code 211.7150 of the Illinois air pollution control rules. These amendments update the definition of to correspond with amendments to the corresponding definition of VOC in the federal regulations at 40 C.F.R. 51.100(s) that the United States Environmental Protection Agency (USEPA) adopted during the period July 1, 2004 through December 31, 2004. To satisfy the requirements of the federal Clean Air Act, the Board held a public hearing on this proposal in Chicago on April 12, 2005.

During the update period, USEPA amended its definition of VOC as follows:

Federal Action	Summary
November 29, 2004 (69 Fed. Reg. 69290)	USEPA added four compounds to the list of those excluded from the definition of volatile organic compound: 1,1,1,2,2,3,3-heptafluoro-3-methoxypropane (HFE-7000); 3-ethoxy-1,1,2,3,4,4,5,5,6,6,6-docecafluoro-2-(trifluouromethyl)hexane (HFE-7500, HFE-s702, T-7145, or L-15381); 1,1,1,2,2,3,3-heptafluoropropane (HFC-227ea); and methyl formate.
November 29, 2004 (69 Fed. Reg. 69298)	USEPA added one compound to the list of those excluded from the definition of volatile organic compound: tert-butyl acetate (TBAC). Although USEPA has exempted the compound from the definition of VOM for the purposes of emissions controls, USEPA will continue to consider TBAC to be VOC for the purposes of recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements.

Tables appear in the Board's opinion and order of May 19, 2005 in docket R05-16 that list corrections and amendments that are not based on current federal amendments. Persons interested in the details of those corrections and amendments should refer to the May 19, 2005 opinion and order in docket R05-16.

Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

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

Please reference consolidated Docket R05-16 and direct inquiries to the following person:

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Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60601

312-814-6924

Request copies of the Board's opinion and order of May 19, 2005 at 312-814-3620.
Alternatively, you may obtain a copy of the Board's opinion and order from the Internet
at <http://www.ipcb.state.il.us>.

The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCESPART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section	
211.101	Incorporations by Reference
211.102	Abbreviations and Conversion Factors

SUBPART B: DEFINITIONS

Section	
211.121	Other Definitions
211.122	Definitions (Repealed)
211.130	Accelacota
211.150	Accumulator
211.170	Acid Gases
211.210	Actual Heat Input
211.230	Adhesive
211.240	Adhesion Promoter
211.250	Aeration
211.270	Aerosol Can Filling Line
211.290	Afterburner
211.310	Air Contaminant
211.330	Air Dried Coatings
211.350	Air Oxidation Process
211.370	Air Pollutant
211.390	Air Pollution
211.410	Air Pollution Control Equipment
211.430	Air Suspension Coater/Dryer
211.450	Airless Spray
211.470	Air Assisted Airless Spray
211.474	Alcohol
211.479	Allowance

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211.484	Animal
211.485	Animal Pathological Waste
211.490	Annual Grain Through-Put
211.495	Anti-Glare/Safety Coating
211.510	Application Area
211.530	Architectural Coating
211.550	As Applied
211.560	As-Applied Fountain Solution
211.570	Asphalt
211.590	Asphalt Prime Coat
211.610	Automobile
211.630	Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant
211.650	Automobile or Light-Duty Truck Refinishing
211.660	Automotive/Transportation Plastic Parts
211.670	Baked Coatings
211.680	Bakery Oven
211.685	Basecoat/Clearcoat System
211.690	Batch Loading
211.695	Batch Operation
211.696	Batch Process Train
211.710	Bead-Dipping
211.730	Binders
211.750	British Thermal Unit
211.770	Brush or Wipe Coating
211.790	Bulk Gasoline Plant
211.810	Bulk Gasoline Terminal
211.820	Business Machine Plastic Parts
211.830	Can
211.850	Can Coating
211.870	Can Coating Line
211.890	Capture
211.910	Capture Device
211.930	Capture Efficiency
211.950	Capture System
211.955	Cement
211.960	Cement Kiln
211.970	Certified Investigation
211.980	Chemical Manufacturing Process Unit
211.990	Choke Loading

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211.1010	Clean Air Act
211.1050	Cleaning and Separating Operation
211.1070	Cleaning Materials
211.1090	Clear Coating
211.1110	Clear Topcoat
211.1120	Clinker
211.1130	Closed Purge System
211.1150	Closed Vent System
211.1170	Coal Refuse
211.1190	Coating
211.1210	Coating Applicator
211.1230	Coating Line
211.1250	Coating Plant
211.1270	Coil Coating
211.1290	Coil Coating Line
211.1310	Cold Cleaning
211.1312	Combined Cycle System
211.1316	Combustion Turbine
211.1320	Commence Commercial Operation
211.1324	Commence Operation
211.1328	Common Stack
211.1330	Complete Combustion
211.1350	Component
211.1370	Concrete Curing Compounds
211.1390	Concentrated Nitric Acid Manufacturing Process
211.1410	Condensate
211.1430	Condensable PM-10
211.1465	Continuous Automatic Stoking
211.1467	Continuous Coater
211.1470	Continuous Process
211.1490	Control Device
211.1510	Control Device Efficiency
211.1515	Control Period
211.1520	Conventional Air Spray
211.1530	Conventional Soybean Crushing Source
211.1550	Conveyorized Degreasing
211.1570	Crude Oil
211.1590	Crude Oil Gathering
211.1610	Crushing
211.1630	Custody Transfer

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211.1650	Cutback Asphalt
211.1670	Daily-Weighted Average VOM Content
211.1690	Day
211.1710	Degreaser
211.1730	Delivery Vessel
211.1750	Dip Coating
211.1770	Distillate Fuel Oil
211.1780	Distillation Unit
211.1790	Drum
211.1810	Dry Cleaning Operation or Dry Cleaning Facility
211.1830	Dump-Pit Area
211.1850	Effective Grate Area
211.1870	Effluent Water Separator
211.1875	Elastomeric Materials
211.1880	Electromagnetic Interference/Radio Frequency Interference (EMI/RFI) Shielding Coatings
211.1885	Electronic Component
211.1890	Electrostatic Bell or Disc Spray
211.1900	Electrostatic Prep Coat
211.1910	Electrostatic Spray
211.1920	Emergency or Standby Unit
211.1930	Emission Rate
211.1950	Emission Unit
211.1970	Enamel
211.1990	Enclose
211.2010	End Sealing Compound Coat
211.2030	Enhanced Under-the-Cup Fill
211.2050	Ethanol Blend Gasoline
211.2070	Excess Air
211.2080	Excess Emissions
211.2090	Excessive Release
211.2110	Existing Grain-Drying Operation (Repealed)
211.2130	Existing Grain-Handling Operation (Repealed)
211.2150	Exterior Base Coat
211.2170	Exterior End Coat
211.2190	External Floating Roof
211.2210	Extreme Performance Coating
211.2230	Fabric Coating
211.2250	Fabric Coating Line
211.2270	Federally Enforceable Limitations and Conditions

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211.2285	Feed Mill
211.2290	Fermentation Time
211.2300	Fill
211.2310	Final Repair Coat
211.2330	Firebox
211.2350	Fixed-Roof Tank
211.2360	Flexible Coating
211.2365	Flexible Operation Unit
211.2370	Flexographic Printing
211.2390	Flexographic Printing Line
211.2410	Floating Roof
211.2420	Fossil Fuel
211.2425	Fossil Fuel-Fired
211.2430	Fountain Solution
211.2450	Freeboard Height
211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source
211.2490	Fugitive Particulate Matter
211.2510	Full Operating Flowrate
211.2530	Gas Service
211.2550	Gas/Gas Method
211.2570	Gasoline
211.2590	Gasoline Dispensing Operation or Gasoline Dispensing Facility
211.2610	Gel Coat
211.2620	Generator
211.2630	Gloss Reducers
211.2650	Grain
211.2670	Grain-Drying Operation
211.2690	Grain-Handling and Conditioning Operation
211.2710	Grain-Handling Operation
211.2730	Green-Tire Spraying
211.2750	Green Tires
211.2770	Gross Heating Value
211.2790	Gross Vehicle Weight Rating
211.2810	Heated Airless Spray
211.2815	Heat Input
211.2820	Heat Input Rate
211.2830	Heatset
211.2850	Heatset Web Offset Lithographic Printing Line
211.2870	Heavy Liquid
211.2890	Heavy Metals

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211.2910	Heavy Off-Highway Vehicle Products
211.2930	Heavy Off-Highway Vehicle Products Coating
211.2950	Heavy Off-Highway Vehicle Products Coating Line
211.2970	High Temperature Aluminum Coating
211.2990	High Volume Low Pressure (HVLP) Spray
211.3010	Hood
211.3030	Hot Well
211.3050	Housekeeping Practices
211.3070	Incinerator
211.3090	Indirect Heat Transfer
211.3110	Ink
211.3130	In-Process Tank
211.3150	In-Situ Sampling Systems
211.3170	Interior Body Spray Coat
211.3190	Internal-Floating Roof
211.3210	Internal Transferring Area
211.3230	Lacquers
211.3250	Large Appliance
211.3270	Large Appliance Coating
211.3290	Large Appliance Coating Line
211.3310	Light Liquid
211.3330	Light-Duty Truck
211.3350	Light Oil
211.3370	Liquid/Gas Method
211.3390	Liquid-Mounted Seal
211.3410	Liquid Service
211.3430	Liquids Dripping
211.3450	Lithographic Printing Line
211.3470	Load-Out Area
211.3480	Loading Event
211.3483	Long Dry Kiln
211.3485	Long Wet Kiln
211.3487	Low-NO _x Burner
211.3490	Low Solvent Coating
211.3500	Lubricating Oil
211.3510	Magnet Wire
211.3530	Magnet Wire Coating
211.3550	Magnet Wire Coating Line
211.3570	Major Dump Pit
211.3590	Major Metropolitan Area (MMA)

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211.3610	Major Population Area (MPA)
211.3620	Manually Operated Equipment
211.3630	Manufacturing Process
211.3650	Marine Terminal
211.3660	Marine Vessel
211.3670	Material Recovery Section
211.3690	Maximum Theoretical Emissions
211.3695	Maximum True Vapor Pressure
211.3710	Metal Furniture
211.3730	Metal Furniture Coating
211.3750	Metal Furniture Coating Line
211.3770	Metallic Shoe-Type Seal
211.3780	Mid-Kiln Firing
211.3790	Miscellaneous Fabricated Product Manufacturing Process
211.3810	Miscellaneous Formulation Manufacturing Process
211.3830	Miscellaneous Metal Parts and Products
211.3850	Miscellaneous Metal Parts and Products Coating
211.3870	Miscellaneous Metal Parts or Products Coating Line
211.3890	Miscellaneous Organic Chemical Manufacturing Process
211.3910	Mixing Operation
211.3915	Mobile Equipment
211.3930	Monitor
211.3950	Monomer
211.3960	Motor Vehicles
211.3965	Motor Vehicle Refinishing
211.3970	Multiple Package Coating
211.3980	Nameplate Capacity
211.3990	New Grain-Drying Operation (Repealed)
211.4010	New Grain-Handling Operation (Repealed)
211.4030	No Detectable Volatile Organic Material Emissions
211.4050	Non-Contact Process Water Cooling Tower
211.4055	Non-Flexible Coating
211.4065	Non-Heatset
211.4067	NO _x Trading Program
211.4070	Offset
211.4090	One Hundred Percent Acid
211.4110	One-Turn Storage Space
211.4130	Opacity
211.4150	Opaque Stains
211.4170	Open Top Vapor Degreasing

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211.4190	Open-Ended Valve
211.4210	Operator of a Gasoline Dispensing Operation or Operator of a Gasoline Dispensing Facility
211.4230	Organic Compound
211.4250	Organic Material and Organic Materials
211.4260	Organic Solvent
211.4270	Organic Vapor
211.4290	Oven
211.4310	Overall Control
211.4330	Overvarnish
211.4350	Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
211.4370	Owner or Operator
211.4390	Packaging Rotogravure Printing
211.4410	Packaging Rotogravure Printing Line
211.4430	Pail
211.4450	Paint Manufacturing Source or Paint Manufacturing Plant
211.4470	Paper Coating
211.4490	Paper Coating Line
211.4510	Particulate Matter
211.4530	Parts Per Million (Volume) or PPM (Vol)
211.4550	Person
211.4590	Petroleum
211.4610	Petroleum Liquid
211.4630	Petroleum Refinery
211.4650	Pharmaceutical
211.4670	Pharmaceutical Coating Operation
211.4690	Photochemically Reactive Material
211.4710	Pigmented Coatings
211.4730	Plant
211.4740	Plastic Part
211.4750	Plasticizers
211.4770	PM-10
211.4790	Pneumatic Rubber Tire Manufacture
211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process
211.4830	Polyester Resin Material(s)
211.4850	Polyester Resin Products Manufacturing Process
211.4870	Polystyrene Plant
211.4890	Polystyrene Resin
211.4910	Portable Grain-Handling Equipment

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211.4930	Portland Cement Manufacturing Process Emission Source
211.4950	Portland Cement Process or Portland Cement Manufacturing Plant
211.4960	Potential Electrical Output Capacity
211.4970	Potential to Emit
211.4990	Power Driven Fastener Coating
211.5010	Precoat
211.5015	Preheater Kiln
211.5020	Preheater/Precalciner Kiln
211.5030	Pressure Release
211.5050	Pressure Tank
211.5060	Pressure/Vacuum Relief Valve
211.5061	Pretreatment Wash Primer
211.5065	Primary Product
211.5070	Prime Coat
211.5080	Primer Sealer
211.5090	Primer Surfacer Coat
211.5110	Primer Surfacer Operation
211.5130	Primers
211.5150	Printing
211.5170	Printing Line
211.5185	Process Emission Source
211.5190	Process Emission Unit
211.5210	Process Unit
211.5230	Process Unit Shutdown
211.5245	Process Vent
211.5250	Process Weight Rate
211.5270	Production Equipment Exhaust System
211.5310	Publication Rotogravure Printing Line
211.5330	Purged Process Fluid
211.5340	Rated Heat Input Capacity
211.5350	Reactor
211.5370	Reasonably Available Control Technology (RACT)
211.5390	Reclamation System
211.5410	Refiner
211.5430	Refinery Fuel Gas
211.5450	Refinery Fuel Gas System
211.5470	Refinery Unit or Refinery Process Unit
211.5480	Reflective Argent Coating
211.5490	Refrigerated Condenser
211.5500	Regulated Air Pollutant

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211.5510	Reid Vapor Pressure
211.5530	Repair
211.5550	Repair Coat
211.5570	Repaired
211.5580	Repowering
211.5590	Residual Fuel Oil
211.5600	Resist Coat
211.5610	Restricted Area
211.5630	Retail Outlet
211.5650	Ringelmann Chart
211.5670	Roadway
211.5690	Roll Coater
211.5710	Roll Coating
211.5730	Roll Printer
211.5750	Roll Printing
211.5770	Rotogravure Printing
211.5790	Rotogravure Printing Line
211.5810	Safety Relief Valve
211.5830	Sandblasting
211.5850	Sanding Sealers
211.5870	Screening
211.5890	Sealer
211.5910	Semi-Transparent Stains
211.5930	Sensor
211.5950	Set of Safety Relief Valves
211.5970	Sheet Basecoat
211.5980	Sheet-Fed
211.5990	Shotblasting
211.6010	Side-Seam Spray Coat
211.6025	Single Unit Operation
211.6030	Smoke
211.6050	Smokeless Flare
211.6060	Soft Coat
211.6070	Solvent
211.6090	Solvent Cleaning
211.6110	Solvent Recovery System
211.6130	Source
211.6140	Specialty Coatings
211.6145	Specialty Coatings for Motor Vehicles
211.6150	Specialty High Gloss Catalyzed Coating

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211.6170	Specialty Leather
211.6190	Specialty Soybean Crushing Source
211.6210	Splash Loading
211.6230	Stack
211.6250	Stain Coating
211.6270	Standard Conditions
211.6290	Standard Cubic Foot (scf)
211.6310	Start-Up
211.6330	Stationary Emission Source
211.6350	Stationary Emission Unit
211.6355	Stationary Gas Turbine
211.6360	Stationary Reciprocating Internal Combustion Engine
211.6370	Stationary Source
211.6390	Stationary Storage Tank
211.6400	Stencil Coat
211.6410	Storage Tank or Storage Vessel
211.6420	Strippable Spray Booth Coating
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser
211.6540	Surface Preparation Materials
211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570	Tablet Coating Operation
211.6580	Texture Coat
211.6590	Thirty-Day Rolling Average
211.6610	Three-Piece Can
211.6620	Three or Four Stage Coating System
211.6630	Through-the-Valve Fill
211.6650	Tooling Resin
211.6670	Topcoat
211.6690	Topcoat Operation
211.6695	Topcoat System
211.6710	Touch-Up
211.6720	Touch-Up Coating
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure

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211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Under-the-Cup Fill
211.6850	Undertread Cementing
211.6860	Uniform Finish Blender
211.6870	Unregulated Safety Relief Valve
211.6880	Vacuum Metallizing
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
211.7010	Vapor-Mounted Primary Seal
211.7030	Vapor Recovery System
211.7050	Vapor-Suppressed Polyester Resin
211.7070	Vinyl Coating
211.7090	Vinyl Coating Line
211.7110	Volatile Organic Liquid (VOL)
211.7130	Volatile Organic Material Content (VOMC)
211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatile Petroleum Liquid
211.7190	Wash Coat
211.7200	Washoff Operations
211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase – Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating
211.7330	Wood Furniture Coating Line
211.7350	Woodworking
211.7400	Yeast Percentage

211.APPENDIX A Rule into Section Table

211.APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1, 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 9.9, 10, 27 and 28.5].

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NOTICE OF ADOPTED AMENDMENT

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. 6489, effective May 16, 1997; amended in R97-24 at 21 Ill. Reg. 7695, effective June 9, 1997; amended in R96-17 at 21 Ill. Reg. 7856, effective June 17, 1997; amended in R97-31 at 22 Ill. Reg. 3497, effective February 2, 1998; amended in R98-17 at 22 Ill. Reg. 11405, effective June 22, 1998; amended in R01-9 at 25 Ill. Reg. 108, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4582, effective March 15, 2001; amended in R01-17 at 25 Ill. Reg. 5900, effective April 17, 2001; amended in R05-16 at 29 Ill. Reg. 8181, effective May 23, 2005.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

SUBPART B: DEFINITIONS

Section 211.7150 Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)

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"Volatile organic material (VOM)" or "volatile organic compound (VOC)" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that which participates in atmospheric photochemical reactions.

- a) This includes any such organic compound other than the following, which have been determined by USEPA to have negligible photochemical reactivity:

Acetone (2-propanone or dimethylketone)

tertiary-Butyl acetate

1-Chloro-1,1-difluoroethane (HCFC-142b)

Chlorodifluoromethane (CFC-22)

1-Chloro-1-fluoroethane (HCFC-151a)

2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)

Chlorofluoromethane (HCFC-31)

Chloropentafluoroethane (CFC-115)

1,1,1,2,3,4,4,5,5,5-Decafluoropentane (HFC-43-10mee)

Dichlorodifluoromethane (CFC-12)

1,1-Dichloro-1-fluoroethane (HCFC-141b)

3,3-Dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)

1,3-Dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)

1,2-Dichloro-1,1,2,2-tetrafluoroethane (CFC-114)

1,2-Dichloro-1,1,2-trifluoroethane (HCFC-123a)

1,1-Difluoroethane (HFC-152a)

Difluoromethane (HFC-32)

2-(Difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane

((CF₃)₂CFCF₂OCH₃)

Ethane

2-(Ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane

((CF₃)₂CFCF₂OC₂H₅)

Ethylfluoride (HFC-161)

1-Ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅ or HFE-7200)

3-Ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane

(HFE-7500)

1,1,1,2,2,3,3-Heptafluoro-3-methoxypropane (n-C₃F₇OCH₃ or HFE-7000)

1,1,1,2,3,3,3-Heptafluoropropane (HFC-227ea)

1,1,1,2,3,3,3-Hexafluoropropane (HFC-236ea)

1,1,1,3,3,3-Hexafluoropropane (HFC-236fa)

Methane

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Methyl acetate

Methylene chloride (dichloromethane)

Methyl formate (HCOOCH₃)

1,1,1,2,2,3,3,4,4-Nonafluoro-4-methoxybutane (C₄F₉OCH₃ or HFE-7100)

Parachlorobenzotrifluoride (PCBTF)

1,1,1,3,3-Pentafluorobutane (HFC-365mfc)

Pentafluoroethane (HFC-125)

1,1,2,2,3-Pentafluoropropane (HFC-245ca)

1,1,2,3,3-Pentafluoropropane (HFC-245ea)

1,1,1,2,3-Pentafluoropropane (HFC-245eb)

1,1,1,3,3-Pentafluoropropane (HFC-245fa)

Perchloroethylene (tetrachloroethylene)

Perfluorocarbon compounds that fall into the following classes:

Cyclic, branched, or linear, completely fluorinated alkanes

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations and

Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine

Siloxanes: cyclic, branched, or linear, completely-methylated

1,1,2,2-Tetrafluoroethane (HFC-134)

1,1,1,2-Tetrafluoroethane (HFC-134a)

1,1,1-Trichloroethane (methyl chloroform)

Trichlorofluoromethane (CFC-11)

1,1,2-Trichloro-1,2,2-trifluoroethane (CFC-113)

1,1,1-Trifluoro-2,2-dichloroethane (HCFC-123)

1,1,1-Trifluoroethane (HFC-143a)

Trifluoromethane (HFC-23)

methane;

ethane;

methylene chloride (dichloromethane);

1,1,1-trichloroethane (methyl chloroform);

1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);

trichlorofluoromethane (CFC-11);

dichlorodifluoromethane (CFC-12);

chlorodifluoromethane (CFC-22);

trifluoromethane (HFC-23);

difluoromethane (HFC-32);

ethylfluoride (HFC-161);

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~~1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
chloropentafluoroethane (CFC-115);
1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
1,1,1,2-tetrafluoroethane (HFC-134a);
1,1,1,2,3,3-hexafluoropropane (HFC-236ea);
1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
1,1,2,2,3-pentafluoropropane (HFC-245ea);
1,1,2,3,3-pentafluoropropane (HFC-245ea);
1,1,1,2,3-pentafluoropropane (HFC-245eb);
1,1,1,3,3-pentafluoropropane (HFC-245fa);
1,1,1,3,3-pentafluorobutane (HFC-365mfc);
chlorofluoromethane (HCFC-31);
1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
1,1-dichloro-1-fluoroethane (HCFC-141b);
1-chloro-1,1-difluoroethane (HCFC-142b);
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
1-chloro-1-fluoroethane (HCFC-151a);
pentafluoroethane (HFC-125);
3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ea);
1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225eb);
1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee);
1,1,2,2-tetrafluoroethane (HFC-134);
1,1,1-trifluoroethane (HFC-143a);
1,1-difluoroethane (HFC-152a);
parachlorobenzotrifluoride (PCBTF);
1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane (C[4]F[9]OCH[3]);
1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C[4]F[9]OC[2]H[5]);
2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane
(CF[3])[2]CF[2]OCH[3]);
2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane
(CF[3])[2]CF[2]OC[2]H[5]);
perchloroethylene (tetrachloroethylene);
cyclic, branched, or linear completely methylated siloxanes;
acetone (2-propanone or dimethylketone);
methyl acetate; and
perfluorocarbon compounds which fall into these classes:~~

- ~~1) Cyclic, branched, or linear, completely fluorinated alkanes;~~
- ~~2) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;~~
- ~~3) Cyclic, branched, or linear, completely fluorinated tertiary amines with no~~

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- 4) ~~unsaturations; and Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.~~
- b) For purposes of determining VOM emissions and compliance with emissions limits, VOM will be measured by the test methods in the approved implementation plan or 40 CFR 60, Appendix A, incorporated by reference at 35 Ill. Adm. Code 215.105, 218.112, and 219.112, as applicable, or by source-specific test methods that have been established pursuant to a permit issued ~~underpursuant to~~ a program approved or promulgated under Title V of the Clean Air Act; under 40 CFR 51, Subpart I or Appendix S, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112; or under 40 CFR 52.21, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOM if the amount of such compounds is accurately quantified and the exclusion is approved by the Agency.
- c) As a precondition to excluding these negligibly-reactive compounds as VOM, or at any time thereafter, the Agency may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Agency, the amount of negligibly-reactive compounds in the source's emissions.
- d) The USEPA ~~will~~ shall not be bound by any State determination as to appropriate methods for testing or monitoring negligibly-reactive compounds if such determination is not reflected in any of the test methods in subsection (b) above.
- e) The following compound is VOM for the purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements that apply to VOM, and it must be uniquely identified in emission reports, but it is not VOM for the purposes of VOM emissions limitations or VOM content requirements: t-butyl acetate.

(Source: Amended at 29 Ill. Reg. 8181, effective May 23, 2005)

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- 1) Heading of the Part: Illinois State Library Talking Books and Braille Service (TBBS)
- 2) Code Citation: 23 Ill. Adm. Code 3025
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
3025.10	Amended
3025.15	Amended
3025.30	Amended
3025.40	Amended
3025.100	Added
3025.150	Added
- 4) Statutory Authority: Implementing Section 18 of the Illinois State Library Act [15 ILCS 320/18]; Accessible Electronic Information Act [15 ILCS 323], and 36 CFR 701.10, and authorized by Section 2 of the Illinois State Library Act [15 ILCS 320/2]
- 5) Effective Date: June 1, 2005
- 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 and available at the Illinois State Library, Gwendolyn Brooks Building, 300 South Second Street, Springfield IL 62701-1796.
- 9) Notice of Proposal Published in the Illinois Register: December 27, 2004; 28 Ill. Reg. 16451
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Difference between proposal and final version:

In Section 3025.10, added the following definitions:

"Eligible Patron" means a blind person whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting lenses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees. Other eligible physically handicapped persons whose visual disability, with correction and regardless of optical measurement, is certified by

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competent authority as preventing the reading of standard printed material; persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations; and persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner. Senior citizens are eligible for this program.

"Illinois Radio Information Services" (IRIS)" means the network that broadcasts accessible electronic information services on a daily basis on a special radio called a sideband receiver. The receivers are distributed at no cost to eligible patrons. Local newspapers are read and usually include pieces of news that may not generally be heard on the television news broadcasts. A variety of topics are available including comics, grocery ads and obituaries. IRIS also produces public affairs programs and listener call-in shows.

"Qualified Provider" means any entity that can provide high quality and timely information that is accessible through an electronic information service.

In the definition of "Free Matter", added the sentence: Examples of free material are books and magazines on tape, large-print material, Braille books and magazines, descriptive video, old-time radio shows, playback machines and other sound enhancement accessories.

In the definition of "Talking Book Centers, added the incorporation by reference regarding free matter for the blind and physically handicapped postage subsidy as defined in in Section E040 of the Domestic Mail Manual published in The Postal Bulletin (PB 22081, July 23, 2003), which can be ordered from the United States Postal Service, 475 L' Enfant Plaza SW, Washington DC 20260-5540.

Retained Section 3025.40, and added the following text:

- a) The geographic boundaries of a TBC shall be those boundaries approved by the State Librarian. In setting TBC boundaries, the State Librarian shall place primary importance on the statewide implication of resource sharing, the efficient use of public funds, the impact on affected eligible patrons, and the impact on services provided by the affected TBC.
- b) To qualify for an annual grant as a TBC, the applicant entity shall be jointly designated by the Illinois State Library and the Library of Congress National Library Service for the Blind and Physically Handicapped for such purpose. An annual

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contract with the State Library shall be executed that specifies the objectives and budget for the service. The application shall consist of:

- 1) A statement on the proposed use of the grant for that application is being made that shall show how grant funds will be used to expand TBC services to eligible patrons. Grant funds may be used for staff, materials, equipment and services.
- 2) A report on the use of the previous year's grant, if a grant was received, that shall show how the grant was used; and an evaluation detailing the impact of the program.
- 3) A certification stating that:
 - A) the grant funds will be kept in a separate account;
 - B) local funding for library service will not diminish as a result of the program;
 - C) the library will submit quarterly financial and programmatic reports to the Illinois State Library on October 30, January 30, April 30 and July 30 of each year covering the use of the funds.
- c) Funds allocated for statewide services under this program are awarded in the form of grants to units of government that are exempt from the Illinois Procurement Code.
- d) The State Library will maintain an updated list of TBCs on its Web site.

In Section 3025.100, the language was changed as follows:

- a) The Director shall annually announce and accept grant applications or contract proposals from multi-state service centers or qualified providers to supply accessible electronic information service for eligible patrons.
- b) Grant applications or contract proposals shall include:
 - 1) Scope and subject matter of services offered by the qualified provider to eligible patrons;

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- 2) How the entity will provide eligible patrons with international, national, State and local news, opinions, advertisements and other items of general interest using high-speed computers, telecommunications and attendant technologies;
 - 3) A recital that the grant agreement is subject to the Grant Funds Recovery Act [30 ILCS 705];
 - 4) Currency of the news and information to be provided, the method of access to the news and information, and the hours of distribution; and
 - 5) A fee schedule of any costs to be paid by the eligible patron or ancillary items not provided by the qualified provider.
- c) The service provider shall agree to the terms and conditions of the grant contract agreement. Such terms and conditions shall include: annual grant application deadline; grant monetary ceiling; a provision stating the grant is subject to the terms and conditions of the Grant Funds Recovery Act [30 ILCS 705] (including Sections 4-11); a provision permitting the Library to inspect records and conduct audits; name, address and business organization status of the grantee; reporting dates and statistical information required of a grantee for users of the program; date the agreement was executed; and term of the grant award.
 - d) The service provider shall submit annually and on an ongoing basis throughout the year statistical information regarding usage of the program.
 - e) Funds allocated for services under this program are exempt from the Illinois Procurement Code [30 ILCS 500].
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter from JCAR? Yes
 - 13) Will this rulemaking replace any emergency amendments currently in effect? No
 - 14) Are there any other amendments pending on this Part? No
 - 15) A Complete Description of the Subjects and Issues Involved: The policy objective is to implement the Accessible Electronic Information Act in order to provide news and information on a timely basis to persons who are eligible to qualify in the Illinois State Library Talking Book and Braille program. The Illinois Commerce Commission has

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proposed amendments to Digital Divide Elimination Infrastructure Fund (83 Ill. Adm. Code 759) at 28 Ill. Reg. 4405 to provide funding for the program.

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

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
Springfield, IL 62701-1796

217-558-4185; jnatale@ilsos.net

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE B: CULTURAL RESOURCES
CHAPTER I: SECRETARY OF STATE

PART 3025

ILLINOIS STATE LIBRARY TALKING BOOK AND BRAILLE SERVICE (TBBS)

SUBPART A: TBBS PROGRAM

Section

- 3025.10 Definitions
- 3025.15 Purpose
- 3025.20 Eligibility
- 3025.30 Application
- 3025.40 Talking Book Centers

SUBPART B: INFORMATION TRANSMISSION SERVICES

Section

- 3025.100 Provision of Service
- 3025.150 Remittance for Service

AUTHORITY: Implementing Section 18 of the Illinois State Library Act [15 ILCS 320/18], the Accessible Electronic Information Act [15 ILCS 323] and 36 CFR 701.10, and authorized by Section 2 of the Illinois State Library Act [15 ILCS 320/2].

SOURCE: Adopted at 26 Ill. Reg. 9943, effective June 27, 2002; amended at 29 Ill. Reg. 8202, effective June 1, 2005.

SUBPART A: TBBS PROGRAM

Section 3025.10 Definitions

"Accessible Electronic Information Service" means news and other timely information (including newspapers) provided to eligible patrons from multi-state service centers or qualified providers as designated by the Director, using high-speed computers, telecommunication and attendant technologies for acquisition of contents and rapid distribution.

"Competent Authority" means, in cases of blindness, visual disability or physical

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limitations, physicians licensed to practice medicine in the State of Illinois or comparable licensing authority; doctors of osteopathy; ophthalmologists; optometrists; registered nurses; physical therapists; and professional staff of hospitals, institutions and public or welfare agencies, such as social workers, case workers, counselors, rehabilitation teachers, and school superintendents. In the absence of any of these, certification of eligibility may be made by professional librarians or any person whose competence under specific circumstances is acceptable to the Library of Congress. In the case of reading disability from organic dysfunction, "competent authority" means physicians licensed to practice medicine by the State of Illinois or comparable licensing authority who may consult with colleagues in associated disciplines.

"Director" means the State Librarian.

"Eligible Patron" means a blind person whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting lenses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees. Other eligible physically handicapped persons include persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material; persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations; and persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner. Senior citizens are eligible for this program.

"Free Matter" means postage free mailing of specified materials for the network of cooperating libraries and for eligible patrons. The cost for Free Matter is provided directly to the United State Postal Service by the Congress of the United States through the USPS budget. Examples of free material are books and magazines on tape, large-print material, Braille books and magazines, descriptive video, old-time radio shows, playback machines and other sound enhancement accessories.

"Illinois Radio Information Services" or "IRIS" means the network that broadcasts accessible electronic information services on a daily basis on a special radio called a sideband receiver. The receivers are distributed at no cost to eligible patrons. Local newspapers are read and usually include pieces of news that may not generally be heard on the television news broadcasts. A variety of topics are available, including comics, grocery ads and obituaries. IRIS also

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produces public affairs programs and listener call-in shows.

"National Library Service for the Blind and Physically Handicapped" or "(NLS)" means a part of the Library of Congress. NLS produces books and magazines, in recorded and Braille formats, playback equipment for listening to the books, an international online catalog of available books, and catalogs of available books in accessible formats. These materials are distributed to a network of cooperating libraries throughout the United States that serve eligible patrons~~individuals~~ on a temporary or permanent basis.

"Qualified Provider" means any entity that can provide high quality and timely information that is accessible through an electronic information service.

"Regional Library for the Blind and Physically Handicapped" (LBPH) means the Talking Book and Braille Service (TBBS) for blind and physically disabled individuals that is administered by the Illinois State Library as designated by NLS.

"Talking Book Centers" or "TBCs"(TCBs) means facilities in Illinois designated by the Director of the Illinois State Library that are geographically dispersed throughout the State ~~that~~and provide direct library service to eligible patrons delivered primarily through the free matter for the blind and physically handicapped postage subsidy as defined in Section E040 of the Domestic Mail Manual published in The Postal Bulletin (PB 22081, July 23, 2003), which can be ordered from the United States Postal Service, 475 L' Enfant Plaza SW, Washington DC 20260-5540.~~readers, usually through the US Postal Service.~~

(Source: Amended at 29 Ill. Reg. 8202, effective June 1, 2005)

Section 3025.15 Purpose

- a) ~~TBBS~~Illinois State Library Talking Book and Braille Service (TBBS) provides postage-free mail order public library service to any Illinois resident who is unable to read standard print material due to a permanent or temporary visual or physical disability. NLS supplies the talking book and Braille book collection. Under the direction of the TBBS, ~~TBCs six Talking Book Centers~~ provide this service directly to the residents of the geographic areas they serve by providing customer service by telephone, mail or online.
- b) TBBS is the administrator of the grant funds that support this program. It also

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provides automation support, collection backup, bibliographic control, continuing education opportunities and organized leadership for the group.

(Source: Amended at 29 Ill. Reg. 8202, effective June 1, 2005)

Section 3025.30 Application

- a) ~~Applications to receive the service~~ Application forms are available at Talking Book Centers and furnished by the library for the blind and physically handicapped, talking book centers, public libraries, and ~~from~~ health and social services professionals. The forms ask for such information as name, address, date of birth, education, type of disability, items an applicant intends to borrow, and machinery that will be necessary to access that material.
- b) Each applicant must be certified as eligible and meeting requirements by a competent authority.
- c) For an application, write the Illinois State Library Talking Book and Braille Service, 401 E. Washington, Springfield IL 62701.

(Source: Amended at 29 Ill. Reg. 8202, effective June 1, 2005)

Section 3025.40 Talking Book Centers

- a) The geographic boundaries of a TBC shall be those boundaries approved by the State Librarian. In setting TBC boundaries, the State Librarian shall place primary importance on the statewide implication of resource sharing, the efficient use of public funds, the impact on affected eligible patrons, and the impact on services provided by the affected TBC.
- b) To qualify for an annual grant as a TBC, the applicant entity shall be jointly designated by the Illinois State Library and the Library of Congress National Library Service for the Blind and Physically Handicapped for such purpose. An annual contract with the State Library shall be executed that specifies the objectives and budget for the service. The application shall consist of:
 - 1) A statement on the proposed use of the grant for which application is being made that shall show how grant funds will be used to expand TBC services to eligible patrons. Grant funds may be used for staff, materials, equipment and services.

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- 2) A report on the use of the previous year's grant, if a grant was received, that shall show how the grant was used, and an evaluation detailing the impact of the program.
- 3) A certification stating that:
 - A) the grant funds will be kept in a separate account;
 - B) local funding for library service will not diminish as a result of the program;
 - C) the library will submit quarterly financial and programmatic reports to the Illinois State Library on October 30, January 30, April 30 and July 30 of each year covering the use of the funds.
- c) Funds allocated for statewide services under this program are awarded in the form of grants to units of government that are exempt from the Illinois Procurement Code.
- d) The State Library will maintain an updated list of TBCs on its Web site.

The location and addresses of the Talking Book Centers in the State of Illinois are as follows:

Talking Book Center of Northwest Illinois
River Bend Library System
P.O. Box 125
Coal Valley IL 61240

Mid-Illinois TBC, Quincy
Alliance Library System
515 York Street
Quincy IL 62301

Voices of Vision TBC
DuPage Library System
127 S. First Street
Geneva IL 60134

Harold Washington Library Talking Book Center

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~~400 S. State St.
Chicago IL 60605~~

~~Mid-Illinois TBC, Pekin
Alliance Library System
845 Brenkman Drive
Pekin IL 61554~~

~~Southern Illinois TBC
Shawnee Library System
607 Greenbriar Road
Carterville IL 62918~~

(Source: Amended at 29 Ill. Reg. 8202, effective June 1, 2005)

SUBPART B: INFORMATION TRANSMISSION SERVICESSection 3025.100 Provision of Service

- a) The Director shall annually announce and accept grant applications or contract proposals from multi-state service centers or qualified providers to supply accessible electronic information service for eligible patrons.
- b) Grant applications or contract proposals shall include:
 - 1) Scope and subject matter of services offered by the qualified provider to eligible patrons;
 - 2) How the entity will provide eligible patrons with international, national, State and local news, opinions, advertisements and other items of general interest using high-speed computers, telecommunications and attendant technologies;
 - 3) A recital that the grant agreement is subject to the Grant Funds Recovery Act [30 ILCS 705];
 - 4) Currency of the news and information to be provided, the method of access to the news and information, and the hours of distribution; and

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- 5) A fee schedule of any costs to be paid by the eligible patron or ancillary items not provided by the qualified provider.
- c) The service provider shall agree to the terms and conditions of the grant contract agreement. Such terms and conditions shall include: annual grant application deadline; grant monetary ceiling; a provision stating the grant is subject to the terms and conditions of the Grant Funds Recovery Act [30 ILCS 705] (including Sections 4-11); a provision permitting the Library to inspect records and conduct audits; name, address and business organization status of the grantee; reporting dates and statistical information required of a grantee for users of the program; date the agreement was executed; and term of the grant award.
- d) The service provider shall submit annually and on an ongoing basis throughout the year statistical information regarding usage of the program.
- e) Funds allocated for services under this program are exempt from the Illinois Procurement Code [30 ILCS 500].

(Source: Added at 29 Ill. Reg. 8202, effective June 1, 2005)

Section 3025.150 Remittance for Service

Upon acceptance of a grant application or contract proposal by the Director, a contract will be executed by the Office of the Secretary of State and paid from the Accessible Electronic Information Service Fund.

(Source: Added at 29 Ill. Reg. 8202, effective June 1, 2005)

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: 310.Appendix A, Table N Peremptory Action: Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services is amending the Pay Plan (80 Ill. Adm. Code 310.Appendix A, Table N) to reflect the newly established classification of Technical Advisor Advanced Program Specialist, which is represented by the American Federation of State, County and Municipal Employees (AFSCME). Effective May 1, 2005, the Civil Service Commission approved the establishment of the Technical Advisor Advanced Program Specialist title. Effective September 23, 2004, certain positions in the Public Service Administrator title requiring a license to practice law in Illinois and located in the Departments of Revenue and Financial and Professional Regulation, are certified as being included under RC-010, reclassified into the Technical Advisor Advanced Program Specialist title, and assigned the salary grade of RC-010-24, as provided in the Memorandum of Understanding between the Department of Central Management Services and AFSCME signed March 15, 2005.
- 5) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 6) Effective Date: May 23, 2005
- 7) A Complete Description of the Subjects and Issues Involved: Section 310.Appendix A Table N is amended to reflect the AFSCME representation of the Technical Advisor Advanced Program Specialist title. The Technical Advisor Advanced Program Specialist title has a title code of 45256 and a salary grade of RC-010-24. This information and the rates assigned to the salary grade's steps, effective September 23, 2004 and effective January 1, 2005, are included in the appropriate tables of Table N.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: May 23, 2005
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.

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- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes
- 12) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.Appendix A Table D	Amendment	28 Ill. Reg. 13949, 10/29/04
310.Appendix A Table E	Amendment	28 Ill. Reg. 13949, 10/29/04
310.Appendix A Table F	Amendment	28 Ill. Reg. 13949, 10/29/04
310.210	Amendment	29 Ill. Reg. 2105, 2/14/05
310.230	Amendment	29 Ill. Reg. 2105, 2/14/05
310.280	Amendment	29 Ill. Reg. 2105, 2/14/05
310.290	Amendment	29 Ill. Reg. 2105, 2/14/05
310.Appendix A Table L	Amendment	29 Ill. Reg. 2105, 2/14/05
310.Appendix A Table W	Amendment	29 Ill. Reg. 2105, 2/14/05
310.Appendix A Table Y	Amendment	29 Ill. Reg. 2105, 2/14/05
310.100	Amendment	29 Ill. Reg. 2884, 2/25/05
310.490	Amendment	29 Ill. Reg. 2884, 2/25/05
310.Appendix A Table W	Amendment	29 Ill. Reg. 2884, 2/25/05
310.100	Amendment	29 Ill. Reg. 4186, 3/18/05
310.110	Amendment	29 Ill. Reg. 4186, 3/18/05
310.130	Amendment	29 Ill. Reg. 4186, 3/18/05
310.280	Amendment	29 Ill. Reg. 4186, 3/18/05
310.290	Amendment	29 Ill. Reg. 4186, 3/18/05
310.530	Amendment	29 Ill. Reg. 4186, 3/18/05
310.540	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table G	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table H	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table I	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table J	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table K	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table M	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table N	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table O	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table P	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table Q	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table R	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table V	Amendment	29 Ill. Reg. 4186, 3/18/05

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.Appendix A Table W	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table X	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table Z	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix B	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix C	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix D	Amendment	29 Ill. Reg. 4186, 3/18/05
310.Appendix G	Amendment	29 Ill. Reg. 4186, 3/18/05
310.230	Amendment	29 Ill. Reg.6148, 5/6/05
310.280	Amendment	29 Ill. Reg.6148, 5/6/05
310.320	Amendment	29 Ill. Reg.6148, 5/6/05
310.410	Amendment	29 Ill. Reg.6148, 5/6/05
310. Appendix A Table W	Amendment	29 Ill. Reg.6148, 5/6/05

- 13) Statement of Statewide Policy Objectives: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.
- 14) Information and questions regarding this peremptory amendment shall be directed to:

Ms. Anne McElroy
 Deputy Director
 Department of Central Management Services
 503 William G. Stratton Building
 Springfield IL 62706

217/524-8773
 Fax: 217/558-4497

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2005
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate

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- 310.300 Educator Schedule for RC-063 and HR-010
- 310.310 Physician Specialist Rate
- 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
- 310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section

- 310.410 Jurisdiction
- 310.420 Objectives
- 310.430 Responsibilities
- 310.440 Merit Compensation Salary Schedule
- 310.450 Procedures for Determining Annual Merit Increases
- 310.455 Intermittent Merit Increase
- 310.456 Merit Zone (Repealed)
- 310.460 Other Pay Increases
- 310.470 Adjustment
- 310.480 Decreases in Pay
- 310.490 Other Pay Provisions
- 310.495 Broad-Band Pay Range Classes
- 310.500 Definitions
- 310.510 Conversion of Base Salary to Pay Period Units (Repealed)
- 310.520 Conversion of Base Salary to Daily or Hourly Equivalents
- 310.530 Implementation
- 310.540 Annual Merit Increase Guidechart for Fiscal Year 2005
- 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

310.APPENDIX A Negotiated Rates of Pay

- 310.TABLE A HR-190 (Department of Central Management Services – State of Illinois Building – SEIU) (Repealed)
- 310.TABLE B HR-200 (Department of Labor – Chicago, Illinois – SEIU) (Repealed)
- 310.TABLE C RC-069 (Firefighters, AFSCME) (Repealed)
- 310.TABLE D HR-001 (Teamsters Local #726)
- 310.TABLE E RC-020 (Teamsters Local #330)
- 310.TABLE F RC-019 (Teamsters Local #25)
- 310.TABLE G RC-045 (Automotive Mechanics, IFPE)
- 310.TABLE H RC-006 (Corrections Employees, AFSCME)

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310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers) (Repealed)
310.APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2005
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2005
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2005
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2005

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984;

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emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27,

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1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective

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August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective

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December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2680, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 14, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005.

Section 310.APPENDIX A Negotiated Rates of Pay

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.TABLE N RC-010 (Professional Legal Unit, AFSCME)

<u>Title</u>	<u>Salary Grade</u>	<u>Code</u>
Hearings Referee	RC-010-23	18300
Hearings Referee – Intermittent	RC-010-23H	18301
<u>Technical Advisor Advanced Program Specialist</u>	<u>RC-010-24</u>	<u>45256</u>
Technical Advisor I	RC-010-18	45251
Technical Advisor II	RC-010-20	45252
Technical Advisor III	RC-010-23	45253

Effective July 1, 2004

	S T E P S										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
RC-010-18	3082	3171	3262	3359	3522	3686	3853	4011	4172	4421	4554
RC-010-18Q	3171	3262	3359	3460	3630	3797	3970	4133	4297	4553	4690
RC-010-20	3425	3529	3634	3742	3931	4114	4309	4496	4681	4967	5116
RC-010-20Q	3529	3634	3742	3854	4049	4238	4439	4630	4822	5117	5271
RC-010-23	4056	4177	4302	4430	4665	4904	5137	5374	5608	5959	6138
RC-010-23Q	4177	4302	4430	4565	4806	5052	5290	5534	5775	6137	6321
RC-010-23H	24.96	25.70	26.47	27.26	28.71	30.18	31.61	33.07	34.51	36.67	37.77

Effective September 23, 2004

	S T E P S										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>RC-010-24</u>	<u>4315</u>	<u>4444</u>	<u>4577</u>	<u>4715</u>	<u>4966</u>	<u>5225</u>	<u>5476</u>	<u>5729</u>	<u>5988</u>	<u>6363</u>	<u>6554</u>

Effective January 1, 2005

RC-010

S T E P S

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

	1c	1b	1a	1	2	3	4	5	6	7	8
18	3144	3234	3327	3426	3592	3760	3930	4091	4255	4509	4645
18Q	3258	3352	3451	3555	3730	3901	4079	4247	4415	4678	4819
20	3494	3600	3707	3817	4010	4196	4395	4586	4775	5066	5218
20Q	3626	3734	3845	3960	4160	4355	4561	4757	4955	5258	5416
23	4137	4261	4388	4519	4758	5002	5240	5481	5720	6078	6261
23Q	4292	4420	4552	4691	4938	5191	5435	5686	5934	6306	6495
23H	25.46	26.22	27.00	27.81	29.28	30.78	32.25	33.73	35.20	37.40	38.53
24	4401	4533	4669	4809	5065	5330	5586	5844	6108	6490	6685

(Source: Peremptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICE RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 23, 2005 through May 30, 2005 and have been scheduled for review by the Committee at its June 14, 2005 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
7/6/05	<u>State Board of Education</u> , Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)	3/11/05 29 Ill. Reg. 3414	6/14/05
7/6/05	<u>State Board of Education</u> , Certification (23 Ill. Adm. Code 25)	3/11/05 29 Ill. Reg. 3421	6/14/05
7/6/05	<u>State Board of Education</u> , Certification (23 Ill. Adm. Code 25)	3/11/05 29 Ill. Reg. 3421	6/14/05
7/6/05	<u>State Board of Education</u> , Dismissal of Tenured Teachers (23 Ill. Adm. Code 51)	3/11/05 29 Ill. Reg. 3459	6/14/05
7/6/05	<u>State Board of Education</u> , Dismissal of Tenured Teachers and Civil Service Employees Under Article 34 (Repeal) (23 Ill. Adm. Code 52)	3/11/05 29 Ill. Reg. 3474	6/14/05
7/6/05	<u>State Board of Education</u> , Temporary Relocation Expenses (23 Ill. Adm. Code 145)	3/11/05 29 Ill. Reg. 3489	6/14/05
7/6/05	<u>State Board of Education</u> , Electronic Transfer of Funds (23 Ill. Adm. Code 155)	3/11/05 29 Ill. Reg. 3494	6/14/05

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICE RECEIVED

7/6/05	<u>State Board of Education</u> , secular Textbook Loan (23 Ill. Adm. Code 350)	3/4/05 29 Ill. Reg. 3049	6/14/05
7/6/05	<u>State Board of Education</u> , Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475)	3/11/05 29 Ill. Reg. 3504	6/14/05
7/6/05	<u>State Board of Education</u> , Hearings Before the State Teacher Certification Board (Repealer) (23 Ill. Adm. Code 480)	3/11/05 29 Ill. Reg. 3527	6/14/05
7/6/05	<u>Attorney General</u> , Solicitation for Charity Act (14 Ill. Adm. Code 400)	4/1/05 29 Ill. Reg. 4530	6/14/05
7/6/05	<u>Attorney General</u> , Charitable Trust Act (14 Ill. Adm. Code 480)	4/1/05 29 Ill. Reg. 4543	6/14/05
7/6/05	<u>Department of Central Management Services</u> , Merit and Fitness (80 Ill. Adm. Code 302)	7/16/04 28 Ill. Reg. 9808	6/14/05
7/6/05	<u>Department of Natural Resources</u> , Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)	4/1/05 29 Ill. Reg. 4570	6/14/05
7/6/05	<u>Department of Natural Resources</u> , Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)	4/1/05 29 Ill. Reg. 4581	6/14/05
7/6/05	<u>Department of Natural Resources</u> , Squirrel Hunting (17 Ill. Adm. Code 690)	4/1/05 29 Ill. Reg. 4651	6/14/05
7/6/05	<u>Department of Natural Resources</u> , Dove	4/1/05	6/14/05

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICE RECEIVED

Hunting (17 Ill. Adm. Code 730) 29 Ill. Reg.
4662

7/7/05 Department of Financial and Professional 2/14/05 6/14/05
Regulation, Construction and Filing of Accident
and Health Insurance Policy Forms (50 Ill. 29 Ill. Reg.
Adm. Code 2001) 2101

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 1) Heading of the Part: Specialized Health Care Delivery Systems
- 2) Code Citation: 89 Ill. Adm. Code 146
- 3) Section Numbers:
146.225
146.245
146.255
- 4) Date Proposal published in Illinois Register: October 29, 2004
- 5) Date Adoption published in Illinois Register: March 18, 2005; 29 Ill. Reg. 4360)
- 6) Summary and Purpose of Expedited Correction: These corrections relate to "omissions . . . that create unintentional discrepancies between adopted rule text and text previously published in the *Illinois Register*" as provided at 1 Ill. Adm. Code 245.110(a)(2) and Section 5-85(b) of the Illinois Administrative Procedure Act [5 ILCS 100/5-85(b)]. The published and filed texts of Sections 146.225 and 146.255 that were adopted on March 7, 2005, failed to include previous amendments to these Sections which were adopted on January 1, 2005. This error created the unintentional discrepancies. A typographical error in Section 146.245(c) also was corrected.
- 7) Information and questions regarding this request shall be directed to:

Joanne Scattoloni
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002

(217)524-0081

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 146
SPECIALIZED HEALTH CARE DELIVERY SYSTEMS

SUBPART A: AMBULATORY SURGICAL TREATMENT CENTERS

Section	General Description
146.100	General Description
146.105	Definitions
146.110	Participation Requirements
146.115	Records and Data Reporting Requirements
146.125	Covered Ambulatory Surgical Treatment Center Services
146.130	Reimbursement for Services

SUBPART B: SUPPORTIVE LIVING FACILITIES

Section	General Description
146.200	General Description
146.205	Definitions
146.210	Structural Requirements
146.215	SLF Participation Requirements
146.220	Resident Participation Requirements
146.225	Reimbursement for Medicaid Residents
146.230	Services
146.235	Staffing
146.240	Resident Contract
146.245	Assessment and Service Plan and Quarterly Evaluation
146.250	Resident Rights
146.255	Discharge
146.260	Grievance Procedure
146.265	Records and Reporting Requirements
146.270	Quality Assurance Plan
146.275	Monitoring
146.280	Termination or Suspension of SLF Provider Agreement
146.285	Voluntary Surrender of Certification
146.290	Geographic Groups
146.295	Emergency Contingency Plan

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

146.300 Waivers

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Old Part repealed at 14 Ill. Reg. 13800, effective August 15, 1990; new Part adopted at 20 Ill. Reg. 4419, effective February 29, 1996; emergency amendment at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4430, effective February 27, 1998; emergency amendment at 22 Ill. Reg. 13146, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19914, effective October 30, 1998; amended at 23 Ill. Reg. 5819, effective April 30, 1999; emergency amendment at 23 Ill. Reg. 8256, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13663, effective November 1, 1999; amended at 24 Ill. Reg. 8353, effective June 1, 2000; emergency amendment at 26 Ill. Reg. 14882, effective October 1, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. 2176, effective February 1, 2003; emergency amendment at 27 Ill. Reg. 10854, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18671, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 12218, effective August 11, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 14214, effective October 18, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 852, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2014, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 4360, effective March 7, 2005; expedited correction at 29 Ill. Reg. _____, effective March 7, 2005.

SUBPART B: SUPPORTIVE LIVING FACILITIES

Section 146.225 Reimbursement for Medicaid Residents

SLFs shall accept the reimbursement provided in this Section as payment in full for all services provided to Medicaid residents.

- a) The Department shall establish its portion of the reimbursement for Medicaid residents by calculating 60 percent of the weighted average (weighted by Medicaid patient days) nursing facility rates for the geographic grouping as defined in Section 146.290. Each SLF shall be paid 60 percent of the weighted average nursing facility geographic group rate, based upon the nursing facility geographic group in which it is located. The rates paid to SLFs shall be reviewed annually, and adjusted, if necessary, on October 1 to assure that the rates coincide with 60 percent of weighted average nursing facility geographic group rates. Effective October 1, 2002, SLF rates shall remain at a minimum of the rate in effect as of September 30, 2002.

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- b) The payment rate received by the SLF from the Department for services, with the exception of meals, provided in accordance with Section 146.230 shall constitute the full and complete charge for services rendered. Additional payment, other than patient credits authorized by the Department, may not be accepted. Meals are included in the room and board amount paid by the resident.
- c) **Single Occupancy:** Each Medicaid resident of an SLF shall be allotted a minimum of \$90 per month as a deduction from his or her income as a protected amount for personal use. The SLF may charge each Medicaid resident no more than the current SSI rate for a single individual less a minimum of \$90 for room and board charges. Any income remaining after deduction of the protected minimum of \$90 and room and board charges shall be applied first towards medical expenses not covered under the Department's Medical Assistance Program. Any income remaining after that shall be applied to the charges for SLF services paid by the Department.
- d) **Double Occupancy:** In the event a Medicaid eligible resident chooses to share an apartment, the Medicaid resident of an SLF shall be allotted a minimum of \$90 per month as a deduction from his or her income as a protected amount for personal use. The SLF may charge each Medicaid resident no more than the resident's share of the current SSI rate for a couple less a minimum of \$90 for room and board charges. The room and board rate for two Medicaid eligible individuals sharing an apartment cannot exceed the SSI rate for a married couple even if the two individuals sharing an apartment are unrelated. Any income of an individual remaining after deduction of the protected minimum of \$90 and room and board charges shall be applied first towards that individual's medical expenses not covered under the Department's Medical Assistance Program. Any income of an individual remaining after that shall be applied to that individual's charges for SLF services paid by the Department. If one, or both, of the individuals sharing an apartment is not Medicaid eligible, the SLF may negotiate its own rate with the non-Medicaid individual or individuals.
- e) The room and board charge for Medicaid residents shall only be increased when the SSI amount is increased. Any room and board charge increase shall not exceed the amount of the SSI increase.
- f) Payment shall be made by the Department for up to 30 days per State fiscal year during a Medicaid resident's temporary absence from the SLF when the absence is due to situations such as hospitalizations or vacations. The resident shall continue

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

~~to be responsible for room and board charges during any absence. Involuntary discharge criteria relating to temporary absence are found at Section 146.255(b) and (d)(7). Nursing facilities that have a distinct part certified as an SLF shall consider converted beds in the nursing facility's licensed capacity when calculating the 93 percent occupancy level for bed reserve payments pursuant to 89 Ill. Adm. Code 140.523. The Department shall not reimburse an SLF for services while a resident is temporarily absent from an SLF. An SLF continues to be responsible for notifying the Department of a resident's temporary absence from the SLF. The resident remains responsible for room and board charges during any temporary absence.~~

(Source: Amended at 29 Ill. Reg. 4360, effective March 7, 2005; expedited correction at 29 Ill. Reg. _____, effective March 7, 2005)

Section 146.245 Assessment and Service Plan and Quarterly Evaluation

- a) Interview: The SLF shall conduct a standardized interview geared toward the resident's service needs at or before the time of occupancy.
- b) Initial Assessment: The SLF shall complete an initial assessment and service plan within 24 hours after admission that identifies potential immediate problems. Each assessment shall be completed by, or co-signed by, a registered nurse.
- c) Comprehensive Resident Assessment: The SLF shall complete a Comprehensive Resident Assessment ~~Instrument~~**Investment** (RAI) within 14 days after admission and annually thereafter. Each RAI shall be completed by, or co-signed by, a registered nurse.
- d) Service Plan: Within seven days after completion of the RAI, a written service plan shall be developed by, or co-signed by, a registered nurse, with input from the resident and his or her designated representative. This includes coordination and inclusion of services being delivered to a resident by an outside entity. The service plan shall include a description of expected outcomes, approaches, frequency and duration of services provided and whether the services will be provided by licensed or unlicensed staff. The service plan shall document any services recommended by the SLF that are refused by the resident. The service plan shall be reviewed and updated in conjunction with the quarterly evaluation or as dictated by changes in resident needs or preferences.
- e) Quarterly Evaluation: A quarterly evaluation of the health status of each resident

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

using a Department designated form or the MDS quarterly shall be completed by, or co-signed by, a registered nurse.

- f) The SLF manager or licensed nursing staff shall alert the resident, his or her physician and his or her designated representative when a change in a resident's mental or physical status is observed by staff. Except in life-threatening situations, such reporting shall be within 24 hours after the observation. Serious or life-threatening situations should be reported to the physician and the resident's designated representative immediately. The SLF staff shall be responsible for reporting only those changes that should be apparent to observers familiar with the conditions of older persons or persons with disabilities)

(Source: Amended at 29 Ill. Reg. 4360, effective March 7, 2005; expedited correction at 29 Ill. Reg. _____, effective March 7, 2005)

Section 146.255 Discharge

- a) If a resident does not meet the terms for occupancy as stated in the resident contract, the SLF shall not commence involuntary discharge until the SLF has discussed the reasons for involuntary discharge with the resident and his or her designated representative. Documentation of the discussion shall be placed in the resident's record.
- b) The SLF shall provide a resident with a 30-day written notice of proposed involuntary discharge unless such a delay might jeopardize the health, safety, and well-being of the resident or others. A copy of the notice required by this subsection (b) shall be placed in the resident's record and a copy shall be transmitted to the resident and the resident's designated representative. The notice shall be on a form prescribed by the Department and shall contain all of the following:
- 1) The stated reason for the proposed discharge;
 - 2) The effective date of the proposed discharge;
 - 3) A statement in not less than 14-point type that reads: "You have a right to appeal the SLF's decision to discharge you. You may file a request for a hearing with the Department within ten days after receiving this notice. If you request a hearing, you will not be discharged during that time unless you are unsafe to yourself or others. If the decision following the hearing

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

is not in your favor, you will not be discharged prior to the tenth day after receipt of the Department's hearing decision unless you are unsafe to yourself or others. A form to appeal the SLF's decision and to request a hearing is attached. If you have any questions, call the Department at the telephone number listed below.";

- 4) A hearing request form, together with a postage paid, preaddressed envelope to the Department; and
 - 5) The name, address, and telephone number of the person charged with the responsibility of supervising the discharge.
- c) The SLF shall prepare plans to ensure safe and orderly involuntary discharge and protect resident health, safety, welfare and rights.
- d) A resident may be involuntarily discharged only if one or more of the following occurs:
- 1) He or she poses an immediate threat to self or others.
 - 2) He or she needs mental health services to prevent harm to self or others.
 - 3) He or she has breached the conditions of the resident contract.
 - 4) The SLF has had its certification terminated, suspended, not renewed, or has voluntarily surrendered its certification.
 - 5) The SLF cannot meet the resident's needs with available support services.
 - 6) The resident has received proper notice of failure to pay from the SLF. The resident shall have the right to make full payment up to the date that the discharge is to be made and then shall have the right to remain in the SLF. This subsection (d)(6) does not apply to Medicaid residents when the failure to pay relates to the Medicaid payment.
 - 7) The resident exceeds the SLF's policy for what constitutes a temporary absence from the SLF. A temporary absence shall not be considered a basis for an involuntary discharge of a Medicaid resident until the Department has stopped payment pursuant to Section 146.225(f). The resident exceeds the SLF's policy for what constitutes a temporary absence

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

~~from the SLF.~~

- e) The notice required under subsection (b) of this Section shall not apply in any of the following instances:
 - 1) When an emergency discharge is mandated by the resident's health care or mental health needs and is in accord with the written orders and medical justification of the attending physician.
 - 2) When the discharge is mandated to ensure the physical safety of the resident and other residents as documented in the resident record.
- f) If the resident submits a request for hearing under subsection (b) of this Section, the involuntary discharge shall be stayed pending a hearing or appeal of the decision, unless a condition which would have allowed discharge in less than 30 days as described under subsections (e)(1) and (2) of this Section develops in the interim.
- g) In determining whether an involuntary discharge is justified, the burden of proof in the hearing rests with the entity requesting the discharge.
- h) If the Department determines that an involuntary discharge is justified under subsection (d) of this Section, the resident shall not be required to leave the SLF before the tenth day after receipt of the Department's hearing decision unless a condition which would have allowed discharge as described under subsections (e)(1) and (2) of this Section develops in the interim.
- i) The SLF shall offer relocation assistance to residents involuntarily discharged under this Section, including information on available alternative placements. A resident or his or her designated representative shall be involved in planning the discharge and shall choose among the available alternative placements. Where an emergency makes prior resident involvement impossible, the SLF may arrange for a temporary placement until a final placement can be arranged. The SLF may offer assistance in relocating from a temporary to a final placement.
- j) When a resident discharges on a voluntary basis, he or she shall provide the SLF with 30 days written notice of intent to discharge, except where a delay would jeopardize the health, safety, and well-being of the resident or others.
- k) The Department may discharge any resident from an SLF when any of the

DEPARTMENT OF PUBLIC AID

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

following conditions exist:

- 1) The Department has terminated or suspended the SLF certification.
 - 2) The SLF is closing or surrendering its certification and arrangement for relocation of the resident has not been made at least 30 days prior to closure or surrender.
 - 3) The Department determines that an emergency exists which requires immediate discharge of the resident.
- l) In cases of discharge under subsection (d) or (k) of this Section, the resident is no longer bound by the resident contract.

(Source: Amended at 29 Ill. Reg. 4360, effective March 7, 2005; expedited correction at 29 Ill. Reg. _____, effective March 7, 2005)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION
TO PROPOSED RULEMAKING

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Heading of the Part: Senior Citizens and Disabled Persons Prescription Drug Discount Program

Code Citation: 80 Ill. Adm. Code 2151

Section Numbers: 2151.40

Date Originally Published in the Illinois Register: 2/4/05
29 Ill. Reg. 1689

At its meeting on May 17, 2005, the Joint Committee on Administrative Rules objected to the Department of Central Management Services implementing this reduced fee before adopting its rulemaking titled Senior Citizens and Disabled Persons Prescription Drug Discount Program (80 Ill. Adm. Code 2151; 29 Ill. Reg. 1689), in violation of Section 35(b) of the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act and Section 5-10(c) of the Illinois Administrative Procedure Act.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION
TO REQUIRED RULEMAKING

STATE BOARD OF EDUCATION

Heading of the Part: Access to Information of the State Board of Education Under the Freedom of Information Act

Code Citation: 2 Ill. Adm. Code 5001

Section Numbers: 5001.100 5001.110 5001.210
5001.300 5001.310 5001.410
5001.500 5001.510 5001.520
5001.600

Date Originally Published in the Illinois Register: 3/11/05
29 Ill. Reg. 3900

At its meeting on May 17, 2005, the Joint Committee on Administrative Rules objected to the above cited rulemaking because, by requiring the public to file a FOIA request to procure a copy of rulemaking materials incorporated by reference under the IAPA, the State Board of Education has violated Sections 5-15 and 5-75(c) of the IAPA.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule pursuant to Section 5-120 of the IAPA. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

NOTICE OF FAILURE TO REMEDY

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

- 1) Heading of Part: Acquisition, Management and Disposal of Real Property
- 2) Code Citation: 44 Ill. Adm. Code 5000
- 3) Section Number: 5000.950 Action: Amendment
- 4) Notice of Emergency Rulemaking published in Illinois Register: 28 Ill. Reg. 15686 – 12/3/04
- 5) Date JCAR issued Statement of Recommendation: 1/11/05

JCAR recommended that the Department of Central Management Services review its permanent rulemaking titled Acquisition, Management and Disposal of Real Property (44 Ill. Adm. Code 5000; 28 Ill. Reg. 16437) and Part 5000 generally and clarify its currently confusing policies allowing "displays" expressing Constitutionally protected free speech (Section 5000.930(f)(1)), yet barring political/religious "exhibits" (Section 5000.950(c)). JCAR further recommends that CMS add to this Part the standards it will apply in determining whether it will grant or deny a permit.

- 6) Summary of Action taken by the Agency:

The Department did not respond to the Committee's Recommendation. Under Section 230.900(d) of the Committee's operational rules, failure of an agency to respond within 90 days after receipt shall constitute a refusal. Although the agency subsequently informally advised JCAR that it is preparing a comprehensive rulemaking that will address issues raised in the Recommendation, the agency's lack of a response is a failure to remedy.

- 7) JCAR Action:

At its meeting on May 17, 2005 the Committee voted to issue this Notice of Failure to Remedy.

DEPARTMENT OF PUBLIC AID

AGENCY RESPONSE TO JOINT COMMITTEE ON ADMINISTRATIVE RULES
RECOMMENDATION ON PROPOSED RULEMAKING

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill Adm. Code 146
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
146.200	Amendment
146.205	Amendment
146.210	Amendment
146.215	Amendment
146.220	Amendment
146.225	Amendment
146.230	Amendment
146.235	Amendment
146.240	Amendment
146.245	Amendment
146.250	Amendment
146.255	Amendment
146.260	Amendment
146.265	Amendment
146.270	Amendment
146.275	Amendment
146.280	Amendment
146.295	New Section
146.300	New Section
- 4) Date Originally Published in the Illinois Register: October 29, 2005; 28 Ill. Reg. 14087
- 5) JCAR Statement of Recommendation on Proposed Rulemaking Published in the Illinois Register: March 4, 2005; 29 Ill. Reg. 3378
- 6) Summary of Action Taken by the Agency: At its meeting on February 17, 2005, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Department seek specific statutory authority for continuing the Supportive Living Facility Program beyond its current demonstration project.

Joint Committee members, Senators Maggie Crotty and Dan Rutherford and Representative David Miller, as well as several other legislators, are sponsoring Senate Bill 1651 for the purpose of amending the Public Aid Code and other pertinent State

DEPARTMENT OF PUBLIC AID

AGENCY RESPONSE TO JOINT COMMITTEE ON ADMINISTRATIVE RULES
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statutes to direct the Department to establish and maintain a Supportive Living Facilities Program (as opposed to a demonstration project).

The bill passed the Senate on April 8, 2005 and was assigned to the House Human Services Committee on April 20, 2005. A hearing was held on May 11, 2005, and the bill was passed in committee by a unanimous vote. The bill passed in the House on May 20, 2005.

The Department remains committed to working with the Joint Committee and any other legislators to ensure continuation of the program.

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2005-186**NATIONAL MELANOMA/SKIN CANCER DETECTION AND PREVENTION MONTH**

WHEREAS, skin cancer is the world's most commonly diagnosed cancer; and

WHEREAS, sources of skin cancer typically develop from external environmental factors such as overexposure to the sun and to ultraviolet rays, therefore suggesting that it is preventable; and

WHEREAS, skin cancer incidence is on the rise, affecting more than 1 million Americans annually; and

WHEREAS, the Cancer Crusaders Organization, a non-profit cancer-health education facility, is the proud home of the national Skin Cancer Awareness ribbon symbol; and

WHEREAS, Cancer Crusaders Organization has launched a five-year international campaign, "Only Skin Deep?" to implement effective skin cancer prevention education curriculum for young adults and college students and hence, empower people to combat this preventable disease; and

WHEREAS, my administration is proud to join the Cancer Crusaders Organization in raising awareness of ways in which we can prevent skin cancer from affecting our lives, and the lives of our families:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2005 as **NATIONAL MELANOMA/SKIN CANCER DETECTION AND PREVENTION MONTH** in Illinois, and encourage all citizens to be aware of the importance of skin cancer prevention, early detection and treatment.

Issued by the Governor May 16, 2005.

Filed by the Secretary of State May 17, 2005.

2005-187**WE REMEMBER, WE CARE FOR INDIGENT PERSONS DAY**

WHEREAS, the world of an indigent person is accompanied by many mental, emotional, psychological and physical stresses that can affect them for the rest of their lives. Depression runs rampant, living conditions are meager at best, and social isolation is common; and

WHEREAS, the plight of the needy, homeless, and less fortunate has become everyone's problem, not just their own. For many years, this devastating existence has been overlooked; and

WHEREAS, the State of Illinois, along with private organizations, are making attempts to remedy these situations, creating programs that deal with the immediate and long term problems associated with the indigent population. These social service programs have been created as a way to help them help themselves by providing multidimensional assistance; and

WHEREAS, the Departments of Public Aid and Human Services lead the way in providing valuable assistance to qualified persons in the State of Illinois. My administration continues to support the social service organizations that improve the quality of life of this special population:

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THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 25, 2005 as **WE REMEMBER, WE CARE FOR INDIGENT PERSONS DAY** in Illinois, and encourage all citizens to be mindful of the silent struggles many members of our State have to endure, including poverty, disability, and abandonment.

Issued by the Governor May 16, 2005.

Filed by the Secretary of State May 17, 2005.

2005-188**INTERNATIONAL CHILDREN'S DAY**

WHEREAS, there is a strong need for us to take action and ensure that the children of this State are being provided a healthy start. It is with this need in mind that we dedicate this day as International Children's Day and celebrate children in Illinois and around the world; and

WHEREAS, International Children's Day was first celebrated in 1925 in Geneva, Switzerland, during the "World Conference for the Well-Being of Children." This conference focused on issues relating to the child welfare, including poverty, prevention of child labor, and education; and

WHEREAS, there are many health and social problems associated with childhood that can continue to haunt children into adulthood; and

WHEREAS, it is important that families and educational systems work together to replace our children's fears with a sense of hope; and

WHEREAS, the celebration of International Children's Day serves to bring joy to children and to draw the attention of society to critical children's issues that are facing families in the 21st Century; and

WHEREAS, here in Illinois, we place the utmost value on the safety and welfare of our children, and we are in support of programs designed to advocate for their best interests:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 1, 2005 as **INTERNATIONAL CHILDREN'S DAY** in Illinois, and encourage all citizens to use this day as a catalyst to strengthen the relationship between you and a special child in your life.

Issued by the Governor May 16, 2005.

Filed by the Secretary of State May 17, 2005.

2005-189**CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH**

WHEREAS, the Chicago and Quad Cities Chapters of the Association of Government Accountants (AGA) is a professional organization, belonging to the Association of Government Accountants, which has more than 15,000 members in 90 chapters throughout the United States and around the world; and

WHEREAS, there are approximately 210 active members representing State, federal, municipal and private sector accountants, auditors, and financial managers in Illinois; and

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WHEREAS, AGA Chicago and Quad Cities Chapter members have responded to AGA's mission of Advancing Government Accountability, as it continues its broad education efforts with emphasis on high standards of conduct, honor, and character in its Code of Ethics; and

WHEREAS, the AGA Chicago and Quad Cities chapter are making significant advances both in professional ability and in service to the citizens of Illinois by mastering increasingly technical and complex requirements; and

WHEREAS, the Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history and to pass a 3-part examination requiring expertise in the Government Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting, and requires each CGFM holder to maintain certification by completing comprehensive training sessions totaling 80 hours over a 2-year period:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2005 as **CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH** in Illinois, and encourage all citizens to recognize the hard work put forth by financial managers in our communities.

Issued by the Governor May 18, 2005.

Filed by the Secretary of State May 18, 2005.

2005-190
POPPY DAYS

WHEREAS, America is the land of freedom. That freedom has been preserved and protected by the brave men and women of the United States Armed Forces, who in times of distress have fought valiantly for their country; and

WHEREAS, in their efforts to keep their country free, millions who have answered the call to arms, have died on the battlefield; and

WHEREAS, intrigued by the small red flowers that grew in a field in France after a battle in the first World War, Canadian Colonel John McCrae wrote his famous poem, "In Flander's Fields"; and

WHEREAS, the poem paralleled the battlefield tombs of the honorable soldiers that died there with the red poppy flowers that grew on top of them, thus immortalizing an image in our history that we must never forget; and

WHEREAS, throughout the years, the red poppy flower has become an international symbol of the lives that have been lost in war; and

WHEREAS, displaying a small poppy flower is considered a proper tribute to those who have made the ultimate sacrifice in the name of freedom; and

WHEREAS, both the American Legion and American Legion Auxiliary have pledged to remind America annually of this sacrifice through the distribution of the memorial flower during their Memorial Day fundraising campaign to help disabled veterans:

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THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 26-28, 2005 as **POPPY DAYS** in Illinois, and encourage all citizens to join the American Legion and American Legion Auxiliary in honoring our fallen heroes by wearing the Memorial Poppy on these days.

Issued by the Governor May 18, 2005.

Filed by the Secretary of State May 18, 2005.

2005-191**YELLOW RIBBON DAY**

WHEREAS, due to our current military conflicts overseas, the brave men and women of the United States Armed Forces are working diligently to ensure our national security and make our world a safer place to live; and

WHEREAS, two Illinois residents, Kathy Williams and her daughter, Amy Oxford, have coordinated a non-profit organization "SI (Southern Illinois) Yellow Ribbon" with the purpose of sending cards, letters and packages to our deployed military and lend support to their families left behind; and

WHEREAS, through the wonderful efforts of this mother and daughter, momentum has continually increased with support from many individuals, community organizations and businesses from across the State to help send items in care packages; and

WHEREAS, my administration is proud to recognize Kathy Williams and Amy Oxford for their amazing efforts through "SI Yellow Ribbon" in supporting our troops:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20, 2005 as **YELLOW RIBBON DAY** in Illinois, and encourage all citizens to recognize the "SI Yellow Ribbon's" wonderful efforts and join in supporting our troops who are serving honorably to keep America safe.

Issued by the Governor May 18, 2005.

Filed by the Secretary of State May 18, 2005.

2005-192**NASCAR DAY**

WHEREAS, May 20, 2005 is the second annual NASCAR Day, a one-day celebration of the NASCAR spirit; and

WHEREAS, the mission of NASCAR Day is to encourage individuals and corporations involved in NASCAR to join together and support NASCAR-related charities; and

WHEREAS, NASCAR Day is an opportunity for fans across the country to show their appreciation for the sport they love and help worthwhile causes such as Victory Junction Gang Camp, a designated Proud Charity of NASCAR, established to provide fun and memorable camping experiences to chronically ill children; and

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WHEREAS, on this day, NASCAR fans everywhere are encouraged to wear NASCAR clothing, and those who make a donation to the Victory Junction Gang will receive a special NASCAR Day lapel pin they can wear to show their support; and

WHEREAS, observing this day provides an opportunity to reach out to the less fortunate and provide assistance for children in need, as well as to celebrate NASCAR for organizing this effort:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20, 2005 as **NASCAR DAY** in Illinois, and encourage all citizens to join me in honoring the spirit and accomplishments of this great organization.

Issued by the Governor May 18, 2005.

Filed by the Secretary of State May 18, 2005.

2005-193**MUSEUM OF SCIENCE AND INDUSTRY U-505 SUBMARINE MONTH**

WHEREAS, during World Wars I and II, 55,000 American sailors lost their lives in battles in the Atlantic Ocean, many as a result of German U-boat attacks. Frighteningly, many of those attacks occurred in close proximity to the United States; and

WHEREAS, one such U-boat, the U-505, was single-handedly responsible for sinking three American ships, along with two ships from Britain, one from Norway, one from the Netherlands and one from Columbia; and

WHEREAS, in 1943, the Allied Forces devised a plan to defeat the U-boats. Led by a Chicagoan, Navy Captain Daniel Gallery, a task force of six ships set out to capture a German U-boat in the Atlantic; and

WHEREAS, on June 4, 1944, Gallery's Task Force was successful in the first phase of its mission, making sonar contact with the submerged U-505, only 600 yards away. The Americans began their attack, and in the ensuing minutes and hours, the U-505 surfaced, the crew surrendered, and the Americans bravely boarded the sinking submarine to secure its capture; and

WHEREAS, more than just a trophy of war, the U-505 and its seizure were instrumental in helping the Allies understand German technology and codes, as well as halting the destruction of Allied ships; and

WHEREAS, after the war, Gallery was determined to bring this amazing artifact from Portsmouth, New Hampshire to Chicago, and in 1954, he was successful in that effort. On September 3rd of that year, more than 15,000 people gathered to witness the U-505 come ashore to its new home, Chicago's Museum of Science and Industry; and

WHEREAS, over the last 50 years, an estimated 24 million people have toured the inside of the U-505 at the Museum, learning about what life was like on a submarine and how the capture took place. In April 2004, after more than seven years of planning, restoration, relocation and construction, the U-505 was moved to an underground exhibit hall for a brand new exhibit to open on June 5, 2005 that will enrich and educate visitors about the story of America's entry into World War II, the events surrounding the Battle for the Atlantic, the daring

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plan to seize a German war vessel on the high seas and the technological benefits we have derived from the submarine's capture; and

WHEREAS, the U-505 not only teaches us about the history of World War II, and specifically, about warfare on the Atlantic Ocean, but it also gives us the opportunity to commemorate the lives of all the brave Americans who have given the ultimate sacrifice for their countries in both World Wars, and throughout all American conflicts. My administration is proud to congratulate the Museum of Science of Industry as they open this historic exhibit:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2005 as **MUSEUM OF SCIENCE AND INDUSTRY U-505 SUBMARINE MONTH** in Illinois, and encourage all citizens to visit the exhibit and to actively participate in commemorating this significant part of American and World history.

Issued by the Governor May 19, 2005.

Filed by the Secretary of State May 19, 2005.

2005-194**MISSING CHILDREN'S DAY**

WHEREAS, as of May 1, 2005, there are 2,347 pending missing children under the age of 18 in the State of Illinois, which represents only a small percentage of the children that are estimated to be missing nationwide as reported through a national study conducted by the United States Department of Justice; and

WHEREAS, there are four different categories that classify missing children. The largest number of missing children are runaways, followed by those that have been abducted by family members, those that are lost, injured, or otherwise missing, and the smallest category, but the one in which the child is at the greatest risk of injury or death, are those that have been abducted by non-family members; and

WHEREAS, locating and safely returning missing children to their homes is a statewide, national, and international objective; and

WHEREAS, on August 29, 1985 in Chicago, Illinois, Governors from the states of Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin signed the "Interstate Agreement on Missing and Exploited Children," and since then, the states of Ohio, Kansas, Michigan, Minnesota, North Dakota, South Dakota and Nebraska have also joined in the initiative. This agreement was the beginning of the development of an interstate network established to improve the process of identifying and recovering missing children in our communities; and

WHEREAS, the Illinois State Police have implemented the America's Missing: Broadcast Emergency Response (AMBER) Alert Notification Plan. AMBER Alert was developed as a quick and efficient way to notify the public and any city, town, village, county, or State law enforcement agency in Illinois, of specific information regarding the abduction of a child whose life may be in danger; and

WHEREAS, teaching your children to run away from danger, never letting your children go places alone, knowing where and with whom your children are at all times, talking openly with your children about safety and having a list of family members who can be contacted in

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case of an emergency, are among the list of preventative tips that will help keep your children safe from kidnapping and abductions:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 25, 2005 as **MISSING CHILDREN'S DAY** in Illinois, and strongly encourage all citizens to be supportive of the efforts this State is making to reduce the number of missing children reported each year.

Issued by the Governor May 19, 2005.

Filed by the Secretary of State May 19, 2005.

2005-195
ASSOCIATION WEEK

WHEREAS, the Association Forum of Chicagoland represents CEOs and executives from associations located in Chicago, and its surrounding communities; and

WHEREAS, the associations that the Association Forum serves generate more than three billion dollars annually for Chicago's economy and employ 33,000 professionals in various capacities; and

WHEREAS, the Association Forum represents institutions such as the American Bar Association, the American Medical Association, the American Hospital Association and many others; and

WHEREAS, Chicago is home to the second most association headquarters in America, and ranks first for healthcare-related organizations; and

WHEREAS, the Association Forum will celebrate the first Association Week from June 20-24, 2005, with the theme Education, Recognition and Celebration; and

WHEREAS, the contributions of associations and their employees will be recognized this week through such events as the Association All-Star Day, and the first ever Forum Honors Gala:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 20-24, 2005 as **ASSOCIATION WEEK** in Illinois, and encourage all citizens to recognize and celebrate the innumerable contributions that Illinois headquartered associations make to the health, education and overall well-being of the people of this great State.

Issued by the Governor May 19, 2005.

Filed by the Secretary of State May 19, 2005.

2005-196
STATE HONOR DAY FOR THE NATIONAL FOREST SYSTEM

WHEREAS, the National Forest System oversees 191 million acres of national forests, national grasslands and a national tallgrass prairie; and

WHEREAS, the Shawnee National Forest, the only national forest in our State, was established in 1933 and spans nearly 280,000 acres; and

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WHEREAS, Midewin National Tallgrass Prairie, the nation's first national tallgrass prairie, was established in 1996 and includes almost 20,000 acres; and

WHEREAS, the Shawnee National Forest and Midewin National Tallgrass Prairie provide Illinois citizens with natural resources and vast, beautiful recreation areas; and

WHEREAS, the Shawnee National Forest and Midewin National Tallgrass Prairie work hand-in-hand with the Illinois Department of Natural Resources as partners in protecting our State's beautiful landscape; and

WHEREAS, 2005 marks the centennial of the Forest Service and May 3, 2005 is National Honor Day for the National Forest System:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 3, 2005 as **STATE HONOR DAY FOR THE NATIONAL FOREST SYSTEM** and urge all citizens to share, protect and enjoy our national forests in the spirit of the multiple-use philosophy under which they were created.

Issued by the Governor May 19, 2005.

Filed by the Secretary of State May 19, 2005.

2005-197**ILLINOIS RIVER SYSTEM MANAGEMENT MONTH**

WHEREAS, the Illinois River System is a critical component of our State's geography, history, economy and ecology; and

WHEREAS, many attributes are threatened as a result of the cumulative effects of human activities that have significantly altered the Illinois River system; and

WHEREAS, our State is embracing an integrated approach to large river management and is working in a coordinated and continuous manner for this river; and

WHEREAS, the implementation of the Illinois River Coordinating Council, the Conservation Reserve Enhancement Program, the Illinois Conservation 2000 Program, Illinois Rivers 2020, and the Open Lands Trust Fund are important milestones in efforts to protect the resources of the Illinois River; and

WHEREAS, the theme for the 2005 Conference on the Management of the Illinois River System is "The Illinois River: Progress and Promise"; and

WHEREAS, the conference will be taking place October 4 – 6 at the Holiday Inn City Centre in Peoria, Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2005 as **ILLINOIS RIVER SYSTEM MANAGEMENT MONTH** in Illinois, and encourage all citizens to recognize the economic, recreational, social and environmental benefits of conserving to properly utilize the resources of the Illinois River basin.

Issued by the Governor May 19, 2005.

Filed by the Secretary of State May 19, 2005.

2005-198**Senator Margaret Smith Day**

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WHEREAS, Senator Margaret Smith was a faithful servant to the people of Illinois for 22 years. Being elected to the House of Representatives in 1980, she served only one term before joining the Senate in 1982, where she would be re-elected six times before her retirement in 2002; and

WHEREAS, throughout her tenure in the Illinois General Assembly, Senator Smith was a strong and confident leader who represented her constituency with great passion and wisdom. Her accomplishments as a legislator were numerous, but most notable was her commitment to addressing health care issues affecting women and children in Illinois. It was because of her dedication in this area that Senator Smith received the "Legislator of the Year Award" from every major health care organization in the State; and

WHEREAS, Senator Smith was also a staunch advocate of promoting African-American history in Illinois. It was her legislation that commissioned the sculpture of statues of Adelbert H. Roberts, Dr. Martin Luther King Jr. and her late husband, Fred J. Smith; and

WHEREAS, on Monday, May 16, 2005, Senator Margaret Smith passed away at the age of 82, and a memorial service will be held on May 20 in her honor. She is remembered not only as an exemplary legislator, but also as a truly wonderful person who really brought "style" to the Illinois General Assembly. She was loved and respected by all who knew her, and her death creates a void in this State that can never be replaced. Her amazing legacy will clearly resonate in Illinois for centuries to come:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20, 2005 as **SENATOR MARGARET SMITH DAY** in Illinois, and encourage all citizens to join in mourning on this sad occasion, and paying tribute to the life of this great woman who forever changed Illinois government with her outstanding leadership.

Issued by the Governor May 20, 2005.

Filed by the Secretary of State May 20, 2005.

ILLINOIS ADMINISTRATIVE CODE

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