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#### Editor's Note

Volume 39 Issue 38 of the *Illinois Register*, dated September 18, 2015, should have consisted of pages 12568-13130. However, the hardcopy version of that Issue inadvertently omitted pages 13094 through 13130, the last 37 pages. The electronic version of the *Register* on the Secretary of State and Illinois General Assembly websites is accurate. The omission in the hard copy version affected the following adopted and emergency rulemakings: the Department of Public Health adopted rulemaking titled "Emergency Medical Services, Trauma Center, Primary Stroke Center and Emergent Stroke Ready Hospital Code" (77 Ill. Adm. Code 515) and the Department of Natural Resources emergency rule titled "White-Tailed Deer Hunting by Use of Bow and Arrow" (17 Ill. Adm. Code 670). JCAR's "Second Notices Received" listing was also omitted.

## INTRODUCTION

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

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

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

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

### ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2015

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 22, 2014	January 2, 2015
2	December 29, 2014	January 9, 2015
3	January 5, 2015	January 16, 2015
4	January 12, 2015	January 23, 2015
5	January 20, 2015	January 30, 2015
6	January 26, 2015	February 6, 2015
7	February 2, 2015	February 13, 2015
8	February 9, 2015	February 20, 2015
9	February 17, 2015	February 27, 2015
10	February 23, 2015	March 6, 2015
11	March 2, 2015	March 13, 2015
12	March 9, 2015	March 20, 2015
13	March 16, 2015	March 27, 2015
14	March 23, 2015	April 3, 2015
15	March 30, 2015	April 10, 2015
16	April 6, 2015	April 17, 2015
17	April 13, 2015	April 24, 2015
18	April 20, 2015	May 1, 2015
19	April 27, 2015	May 8, 2015

20	May 4, 2015	May 15, 2015
21	May 11, 2015	May 22, 2015
22	May 18, 2015	May 29, 2015
23	May 26, 2015	June 5, 2015
24	June 1, 2015	June 12, 2015
25	June 8, 2015	June 19, 2015
26	June 15, 2015	June 26, 2015
27	June 22, 2015	July 6, 2015
28	June 29, 2015	July 10, 2015
29	July 6, 2015	July 17, 2015
30	July 13, 2015	July 24, 2015
31	July 20, 2015	July 31, 2015
32	July 27, 2015	August 7, 2015
33	August 3, 2015	August 14, 2015
34	August 10, 2015	August 21, 2015
35	August 17, 2015	August 28, 2015
36	August 24, 2015	September 4, 2015
37	August 31, 2015	September 11, 2015
38	September 8, 2015	September 18, 2015
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40	September 21, 2015	October 2, 2015
41	September 28, 2015	October 9, 2015
42	October 5, 2015	October 16, 2015
43	October 13, 2015	October 23, 2015
44	October 19, 2015	October 30, 2015
45	October 26, 2015	November 6, 2015
46	November 2, 2015	November 13, 2015
47	November 9, 2015	November 20, 2015
48	November 16, 2015	November 30, 2015
49	November 23, 2015	December 4, 2015
50	November 30, 2015	December 11, 2015
51	December 7, 2015	December 18, 2015
52	December 14, 2015	December 28, 2015

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies
- 2) Code Citation: 59 Ill. Adm. Code 50
- 3) Section Number: 50.10                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305] and PA 99-323
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to provisions of PA 99-323, this proposed rulemaking expands the definition of sexual abuse to include:
  - (1) an employee's actions that result in the sending or showing of sexually explicit images to an individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual; or
  - (2) an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual.

In addition, based on questions and concerns received from providers, this rulemaking adds language to the definition Section to clarify that sexual abuse does not include allowing individuals to, of their volition, view movies or images of a sexual nature, or read text containing sexual content unless the individual's guardian prohibits the viewing of such movies or images or reading of such material.

This rulemaking also adds the definition for "sexually explicit images" as follows:

"Sexually explicit images" includes, but is not limited to, any material which depicts nudity, sexual conduct, or sadomasochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse. This does not include those images contained in sex education materials used by employees to educate individuals.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes
- |                        |                         |                                    |
|------------------------|-------------------------|------------------------------------|
| <u>Section Number:</u> | <u>Proposed Action:</u> | <u>Illinois Register Citation:</u> |
| 50.60                  | Amendment               | 39 Ill. Reg. 9697; July 17, 2015   |
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:
- Tracie Drew, Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
Harris Building, 3rd Floor  
Springfield IL 62762
- 217/785-9772
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part and begins on page 13271:

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Supplemental Nutrition Assistance Program (SNAP)
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Numbers:                      Proposed Actions:  
     121.61                                      Amendment  
     121.76                                      Amendment
- 4) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13] and PA 99-170
- 5) A Complete Description of the Subjects and Issues involved: Pursuant to provisions of PA 99-170, this rulemaking expands the definition of categorically eligible households. Public Act 99-170 amends the definition of categorically eligible households to include households that do not include an elderly, blind, or disabled person if the household's gross income is at or below 165% of the nonfarm income poverty guidelines prescribed by the Office of Management and Budget (see 7 CFR 273.9(a)(1)). Previously, the gross income eligibility standard for these households was 130% of the nonfarm income poverty guidelines. Raising the income eligibility standard to 165% for these households will expand Illinois SNAP as more Illinois SNAP applicants will qualify for SNAP benefits.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation</u>
121.10	Amendment	39 Ill. Reg. 5980; May 1, 2015
121.120	Amendment	39 Ill. Reg. 5980; May 1, 2015
121.125	Amendment	39 Ill. Reg. 5980; May 1, 2015

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these amendments within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:  
  
Tracie Drew, Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
Harris Building, 3rd Floor  
Springfield IL 62762  
  
217/785-9772
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121  
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

SUBPART A: APPLICATION PROCEDURES

Section

- 121.1 Application for Assistance
- 121.2 Time Limitations on the Disposition of an Application
- 121.3 Approval of an Application and Initial Authorization of Assistance
- 121.4 Denial of an Application
- 121.5 Client Cooperation
- 121.6 Emergency Assistance
- 121.7 Expedited Service
- 121.8 Express Stamps Application Project
- 121.10 Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 121.18 Work Requirement
- 121.19 Ending a Voluntary Quit Disqualification (Repealed)
- 121.20 Citizenship
- 121.21 Residence
- 121.22 Social Security Numbers
- 121.23 Work Registration/Participation Requirements
- 121.24 Individuals Exempt from Work Registration Requirements
- 121.25 Failure to Comply with Work Provisions
- 121.26 Periods of Sanction
- 121.27 Voluntary Job Quit/Reduction in Work Hours
- 121.28 Good Cause for Voluntary Job Quit/Reduction in Work Hours
- 121.29 Exemptions from Voluntary Quit/Reduction in Work Hours Rules

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits (Repealed)
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomers or Boarders
121.53	Income From Rental Property
121.54	Earned Income In-Kind
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121.57	Assets
121.58	Exempt Assets
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121.73	Ineligible Household Members
121.74	Strikers
121.75	Students
121.76	Categorically Eligible Households

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## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

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121.81	Initiation of Administrative Fraud Hearing (Repealed)
121.82	Definition of Fraud (Renumbered)
121.83	Notification To Applicant Households (Renumbered)
121.84	Disqualification Upon Finding of Fraud (Renumbered)
121.85	Court Imposed Disqualification (Renumbered)
121.90	Monthly Reporting and Retrospective Budgeting (Repealed)
121.91	Monthly Reporting (Repealed)
121.92	Budgeting
121.93	Issuance of Food Stamp Benefits
121.94	Replacement of the EBT Card or SNAP Benefits
121.95	Restoration of Lost Benefits
121.96	Uses for SNAP Benefits
121.97	Supplemental Payments
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## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

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121.221	Meeting the Work Requirement with the Earnfare Component (Repealed)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 121.222 Volunteer Community Work Component (Repealed)
- 121.223 Work Experience Component (Repealed)
- 121.224 Supportive Service Payments to Meet the Work Requirement (Repealed)
- 121.225 Meeting the Work Requirement with the Illinois Works Component (Repealed)
- 121.226 Meeting the Work Requirement with the JTPA Employability Services Component (Repealed)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 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; preemptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 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. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; preemptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; preemptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; preemptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

no substantive change) at 8 Ill. Reg. 17898; preemptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; preemptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; preemptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; preemptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; preemptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; preemptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; preemptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; preemptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; preemptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; preemptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; preemptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; preemptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; preemptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; preemptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; preemptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991;

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; preemptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; preemptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; preemptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12167, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16230, effective September 1, 1998; amended at 22 Ill. Reg. 19787, effective October 28, 1998; emergency amendment at 22 Ill. Reg. 19934, effective November 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 20099, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 2601, effective February 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 3374, effective March 1, 1999; amended at 23 Ill. Reg. 7285, effective June 18, 1999; emergency amendment at 23 Ill. Reg. 13253, effective October 13, 1999, for a maximum of 150 days; emergency amendment at 24 Ill. Reg. 3871, effective February 24, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 4180, effective March 2, 2000; amended at 24 Ill. Reg. 10198, effective June 27, 2000; amended at 24 Ill. Reg. 15428, effective October 10, 2000; emergency amendment at 24 Ill. Reg. 15468, effective October 1, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 845, effective January 5, 2001; amended at 25 Ill. Reg. 2423, effective

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January 25, 2001; emergency amendment at 25 Ill. Reg. 2439, effective January 29, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 3707, effective March 1, 2001, for a maximum of 150 days; emergency expired July 28, 2001; amended at 25 Ill. Reg. 7720, effective June 7, 2001; amended at 25 Ill. Reg. 10823, effective August 12, 2001; amended at 25 Ill. Reg. 11856, effective August 31, 2001; emergency amendment at 25 Ill. Reg. 13309, effective October 1, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 151, effective January 1, 2002; amended at 26 Ill. Reg. 2025, effective February 1, 2002; amended at 26 Ill. Reg. 13530, effective September 3, 2002; preemptory amendment at 26 Ill. Reg. 15099, effective October 1, 2002; amended at 26 Ill. Reg. 16484, effective October 25, 2002; amended at 27 Ill. Reg. 2889, effective February 7, 2003; expedited correction at 27 Ill. Reg. 14262, effective February 7, 2003; amended at 27 Ill. Reg. 4583, effective February 28, 2003; amended at 27 Ill. Reg. 7273, effective April 7, 2003; amended at 27 Ill. Reg. 12569, effective July 21, 2003; preemptory amendment at 27 Ill. Reg. 15604, effective October 1, 2003; amended at 27 Ill. Reg. 16108, effective October 6, 2003; amended at 27 Ill. Reg. 18445, effective November 20, 2003; amended at 28 Ill. Reg. 1104, effective December 31, 2003; amended at 28 Ill. Reg. 3857, effective February 13, 2004; amended at 28 Ill. Reg. 10393, effective July 6, 2004; preemptory amendment at 28 Ill. Reg. 13834, effective October 1, 2004; emergency amendment at 28 Ill. Reg. 15323, effective November 10, 2004, for a maximum of 150 days; emergency expired April 8, 2005; amended at 29 Ill. Reg. 2701, effective February 4, 2005; amended at 29 Ill. Reg. 5499, effective April 1, 2005; preemptory amendment at 29 Ill. Reg. 12132, effective July 14, 2005; emergency amendment at 29 Ill. Reg. 16042, effective October 4, 2005, for a maximum of 150 days; emergency expired March 2, 2006; preemptory amendment at 29 Ill. Reg. 16538, effective October 4, 2005; emergency amendment at 30 Ill. Reg. 7804, effective April 6, 2006, for a maximum of 150 days; emergency expired September 2, 2006; amended at 30 Ill. Reg. 11236, effective June 12, 2006; amended at 30 Ill. Reg. 13863, effective August 1, 2006; amended at 30 Ill. Reg. 15681, effective September 12, 2006; preemptory amendment at 30 Ill. Reg. 16470, effective October 1, 2006; amended at 31 Ill. Reg. 6991, effective April 30, 2007; amended at 31 Ill. Reg. 10482, effective July 9, 2007; amended at 31 Ill. Reg. 11318, effective July 23, 2007; preemptory amendment at 31 Ill. Reg. 14372, effective October 1, 2007; amended at 32 Ill. Reg. 2813, effective February 7, 2008; amended at 32 Ill. Reg. 4380, effective March 12, 2008; amended at 32 Ill. Reg. 4813, effective March 18, 2008; amended at 32 Ill. Reg. 9621, effective June 23, 2008; preemptory amendment at 32 Ill. Reg. 16905, effective October 1, 2008; preemptory amendment to Sections 121.94(c), 121.96(d)(2) and 121.150(b) suspended at 32 Ill. Reg. 18908, effective November 19, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 33 Ill. Reg. 200, effective February 5, 2009; preemptory amendment repealed by emergency rulemaking at 33 Ill. Reg. 3514, effective February 5, 2009, for a maximum of 150 days; preemptory amendment at 32 Ill. Reg. 18092, effective November 15, 2008; emergency amendment at 33 Ill. Reg. 4187, effective February 24, 2009, for a maximum of 150 days; emergency expired July 23, 2009; preemptory amendment at 33 Ill. Reg. 5537,

## DEPARTMENT OF HUMAN SERVICES

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effective April 1, 2009; emergency amendment at 33 Ill. Reg. 11322, effective July 20, 2009, for a maximum of 150 days; emergency expired December 16, 2009; amended at 33 Ill. Reg. 12802, effective September 3, 2009; amended at 33 Ill. Reg. 14121, effective September 22, 2009; emergency amendment at 33 Ill. Reg. 14627, effective October 13, 2009, for a maximum of 150 days; emergency expired March 11, 2010; amended at 33 Ill. Reg. 16875, effective November 30, 2009; amended at 33 Ill. Reg. 17350, effective December 14, 2009; amended at 34 Ill. Reg. 4777, effective March 17, 2010; amended at 34 Ill. Reg. 5295, effective April 12, 2010; amended at 34 Ill. Reg. 5823, effective April 19, 2010; emergency amendment at 34 Ill. Reg. 6967, effective May 1, 2010, for a maximum of 150 days; emergency expired September 27, 2010; amended at 34 Ill. Reg. 7265, effective May 10, 2010; amended at 34 Ill. Reg. 7685, effective May 18, 2010; amended at 34 Ill. Reg. 12547, effective August 11, 2010; preemptory amendment at 34 Ill. Reg. 15543, effective October 1, 2010; amended at 35 Ill. Reg. 1042, effective December 28, 2010; amended at 35 Ill. Reg. 7688, effective April 29, 2011; amended at 35 Ill. Reg. 10119, effective June 7, 2011; preemptory amendment at 35 Ill. Reg. 16118, effective October 1, 2011; preemptory amendment at 35 Ill. Reg. 16904, effective October 1, 2011; amended at 35 Ill. Reg. 17120, effective October 5, 2011; amended at 35 Ill. Reg. 18780, effective October 28, 2011; amended at 35 Ill. Reg. 19278, effective November 8, 2011; amended at 35 Ill. Reg. 19778, effective December 5, 2011; preemptory amendment at 36 Ill. Reg. 15148, effective October 1, 2012; emergency amendment at 37 Ill. Reg. 15423, effective September 9, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 16016, effective October 1, 2013; emergency amendment at 37 Ill. Reg. 16845, effective October 1, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 17983, effective November 1, 2013; amended at 38 Ill. Reg. 4475, effective January 29, 2014; amended at 38 Ill. Reg. 5382, effective February 7, 2014; emergency amendment at 38 Ill. Reg. 8414, effective April 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 17616, effective August 8, 2014; preemptory amendment at 38 Ill. Reg. 19831, effective October 1, 2014; amended at 39 Ill. Reg. 6470, effective April 22, 2015; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: ELIGIBILITY STANDARDS

**Section 121.61 Gross Monthly Income Eligibility Standards**

- a) Gross Monthly Income Eligibility Standards
  - 1) The gross income standards of eligibility shall be 130 percent of the nonfarm income poverty guidelines prescribed by the Office of Management and Budget (see 7 CFR 273.9(a)(1)) for all households ~~except including~~ categorical households as defined in Section 121.76. Households that do not contain an, except elderly, blind or disabled

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~~personhouseholds that~~ shall be considered categorically eligible if the household's gross income is at or below 165% of the nonfarm income poverty guidelines~~200%~~. Elderly, blind or disabled households shall be considered categorically eligible if the household's gross income is at or below 200% of the nonfarm income poverty guidelines. Households containing a member who is elderly, blind or disabled that are not categorically eligible will be exempt from this gross income check (see also 7 CFR 273.9(c)), but must meet the net income standards in Section 121.60. To qualify for increased benefits, a household must contain a member who meets one of the following requirements:

- A) A member is 60 years of age or older. An individual is considered age 60 in the fiscal month in which he or she becomes 60.
- B) A member receives Supplemental Security Income (SSI) benefits under Title XVI of the Social Security Act, (this includes the household where the member is receiving SSI income pending a final decision from the Social Security Administration. This SSI income is being provided on a temporary or emergency basis).
- C) A member receives Social Security disability or blindness benefits under Title II (RSDI) of the Social Security Act.
- D) A member receives State Supplemental Payment (SSP) due to blindness or disability.
- E) A veteran with a service-connected disability rated or paid as totally disabled by the Department of Veterans Affairs (VA).
- F) A veteran considered by the VA to be in need of regular aid and attendance or permanently housebound.
- G) A veteran's surviving spouse who is considered in need of aid and attendance or considered permanently housebound by the VA or a veteran's surviving child who is considered permanently incapable of self-support by the VA.
- H) A veteran's surviving spouse or child entitled to compensation for a service-connected death or pension benefits for a nonservice-

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connected death from the VA, if the spouse or child also has a disability considered permanent under Social Security requirements.

- I) A member receives federal, state, or local government disability pension and is considered permanently disabled under Social Security requirements.
  - J) A member receives Railroad Retirement disability benefits.
  - K) A member receives an annuity payment from Railroad Retirement and is eligible for Medicare.
  - L) A member receives disability-related medical assistance benefits (Categories 92, 93 and P3) under Title XIX (Medicaid) of the Social Security Act.
- 2) For those veterans, surviving spouses, or children mentioned in subsections (a)(1)(F) and (G) of this Section, proof of receipt of VA disability benefits is sufficient verification of disability. For those veterans mentioned in subsection (a)(1)(E) of this Section, a verified statement, in writing, from the VA that the individual is totally disabled must be provided. To verify disability for those individuals mentioned in subsection (a)(1)(H) of this Section, the individual must provide a statement from the Social Security Administration or from a physician licensed under the Medical Practice Act of 1987 [225 ILCS 60], or a licensed or certified psychologist under the Clinical Psychologist Licensing Act [225 ILCS 15] that the individual suffers from one of the disabilities listed in the preamble to Section 221(i) of the Social Security Act (42 USC 421(i)) or if the disability is obvious, by the observation of the caseworker (for example, permanent loss of use of both hands).
- 3) Legally obligated child support payments paid by a household member shall be excluded from gross income when comparing income to the gross income standard to determine eligibility.
- b) The gross income standards are:

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Household Size	Gross Income 130%	<u>Gross Income</u> <u>165%</u>	Gross Income 200%
One Person	\$1,265	<u>\$1,619</u>	\$1,945
Two Persons	1,705	<u>2,191</u>	2,622
Three Persons	2,144	<u>2,763</u>	3,298
Four Persons	2,584	<u>3,335</u>	3,975
Five Persons	3,024	<u>3,907</u>	4,652
Six Persons	3,464	<u>4,479</u>	5,328
Seven Persons	3,904	<u>5,051</u>	6,005
Eight Persons	4,344	<u>5,623</u>	6,682
Each Additional Member	+ 440	<u>+572</u>	+ 677

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

## SUBPART E: HOUSEHOLD CONCEPT

**Section 121.76 Categorically Eligible Households**

- a) A categorically eligible household is:
- 1) A household in which all members are authorized to receive TANF, ~~GA~~ or SSI, including SSI cases in recoupment or suspension status. These households are not subject to:
    - A) asset limits (see Section 121.57); or
    - B) gross or net income limits (see Section 121.60 and Section 121.61).
  - 2) A household that receives a TANF funded brochure, Guide to Services, that provides information and referrals to other services for which a household may qualify. This brochure is provided at application and annually thereafter. Through receipt of this TANF funded service, households with an elderly, blind or disabled member, as defined in Section ~~121.61~~121.62(a)(1)(A) through (L), whose total gross income is at or below 200% of the ~~nonfarm income~~federal poverty ~~guidelines~~limit and for all other households whose total gross income is at or below ~~165~~130% are considered categorically eligible. These categorically eligible

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households are not subject to:

- A) asset limits (see Section 121.57); or
  - B) net income limits (see Section 121.60).
- b) Categorical eligibility does not apply to a household in which a member is disqualified for an Intentional Program Violation or a sanction for failure to comply with work provisions.

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

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## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Programs for the Preparation of Principals in Illinois
- 2) Code Citation: 23 Ill. Adm. Code 30
- 3) Section Number: 30.20                      Proposed Action:  
Amendment
- 4) Statutory Authority: 105 ILCS 5/21B-60
- 5) A Complete Description of the Subjects and Issues Involved: PA 99-58, effective July 16, 2015, amended Section 21B-60 of the School Code to remove a provision requiring principal preparation programs offered by not-for-profit entities to seek approval of the programs from the Illinois Board of Higher Education (IBHE), as well as from the State Board of Education. The requirement was part of the original principal preparation legislation enacted in 2010. IBHE, however, asked the agency to pursue legislation to remove the requirement, as it was burdensome for the board of higher education. Additionally, the requirement appreciably increased the length of time it took to review and approve proposals from not-for-profit entities wishing to offer principal preparation programs.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

Shelley Helton

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENT

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

217/782-5270  
rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Not-for-profits offering principal preparation programs will benefit.
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) This rulemaking was not included on either of the 2 most recent Agendas because: PA 99-58 was signed into law on July 16, 2015, which was after the agency's submission of the July 2015 regulatory agenda.

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

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## NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER I: STATE BOARD OF EDUCATION  
SUBCHAPTER b: PERSONNELPART 30  
PROGRAMS FOR THE PREPARATION OF PRINCIPALS IN ILLINOIS

## Section

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

## 30.APPENDIX A Internship Assessment Rubric

AUTHORITY: Implementing and authorized by Section 21B-60 of the School Code [105 ILCS 5/21B-60].

SOURCE: Old Part repealed at 29 Ill. Reg. 18439, effective October 31, 2005; new Part adopted at 35 Ill. Reg. 9060, effective June 1, 2011; amended at 36 Ill. Reg. 6819, effective April 23, 2012; amended at 37 Ill. Reg. 4258, effective March 25, 2013; amended at 38 Ill. Reg. 11360, effective May 6, 2014; amended at 39 Ill. Reg. 4009, effective February 24, 2015; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 30.20 Purpose and Applicability**

- a) This Part sets forth the requirements for the approval of programs to prepare individuals *to be highly effective in leadership roles to improve teaching and learning and increase academic achievement and the development of all students* [105 ILCS 5/21B-60].
- b) Requirements of this Part are in addition to the requirements for the approval of new educator preparation programs set forth in 23 Ill. Adm. Code 25.Subpart C.

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~~*Any program offered in whole or in part by a not-for-profit entity also must be approved by the Board of Higher Education [105 ILCS 5/21B-60].*~~

- c) *Candidates successfully completing a principal preparation program shall obtain a principal endorsement on a Professional Educator License and are eligible to work as a principal, or an assistant principal or in related or similar positions (Section 21B-60 of the School Code; also see 23 Ill. Adm. Code 25.337).*
- d) No later than September 1, 2014, all programs for the preparation of principals shall meet the requirements set forth in this Part.
- e) Beginning September 1, 2012, institutions or not-for-profit entities may admit new candidates only to principal preparation programs that have been approved under this Part.

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

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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 Numbers:</u>	<u>Proposed Actions:</u>
180.10	Amendment
180.30	Amendment
180.60	Amendment
180.100	Amendment
180.200	Amendment
180.225	Amendment
180.230	Amendment
180.250	Amendment
180.320	Amendment
180.330	Amendment
180.500	Amendment
180.APPENDIX A	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.12, 2-3.25, 2-3.137, and 17-2.11
- 5) A Complete Description of the Subjects and Issues Involved: Part 180 sets forth the standards, criteria and procedures for new construction, renovations, additions and other building modifications. Generally, the provisions of Part 180 apply to school districts located outside of the city of Chicago [105 ILCS 5/2-3.12(j)]. School facilities in the city of Chicago are governed by Chicago building codes rather than those identified by the State Board of Education. Charter schools established under Article 27A of the School Code [105 ILCS 5/Art. 27A] that are located outside the geographic boundaries of the city of Chicago also are subject to Part 180 pursuant 105 ILCS 5/27A-5(d). A proposed change in Section 180.10(b) of the rules will make that requirement explicit.

Starting on July 1, 2016, school districts subject to Part 180 will be required to use the 2015 International Building Code (IBC) with respect to any project for which the design contract is executed on or after that date. Section 180.60 communicates that change and provides exceptions from the IBC that apply in certain instances. Additionally, further clarification is being proposed about the applicability of the 2015 IBC to existing facilities. That is, an existing facility remains in compliance with the building code in effect at the time it was constructed. A chart is being added as Appendix A that presents the codes that were in effect over the years to assist school districts in making a determination about which code applies.

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The proposed changes also respond to two recently enacted public acts. PA 97-355, effective January 1, 2012, amended Section 10-20.51 of the School Code to provide an exemption from compliance with the Illinois Accessibility Code for press boxes that are one level and are not more than 500 square feet. PA 98-883, effective January 1, 2015, sets forth the standards required for storm shelters. These exceptions are noted in Section 180.60(b)(3) and (b)(4).

Other proposed changes will:

- encourage employees of the State Board, regional offices of education, intermediate service centers and Office of the State Fire Marshal to seek approval to be plan reviewers and inspectors by waiving the application fee, as well as clarify the period of validity of that approval (Section 180.100);
  - allow the submission of the plan review records for sprinkler systems after a permit is issued in certain circumstances (Section 180.200);
  - allow submission of a Certificate of Completion instead of a Certificate of Occupancy when work to a facility does not affect the occupancy of that building (Section 180.225); and
  - require that the Certificate of Occupancy specify each facility (main building and any outbuildings) to which it will apply (Section 180.230) to ensure that each building affected is in compliance, particularly when requesting fire prevention and safety funds (Section 180.500).
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes; see Section 180.60.
- 10) Are there any other rulemakings pending on this Part? No

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- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:  
  
Shelley Helton  
Agency Rules Coordinator  
Illinois State Board of Education  
100 North First Street, S-493  
Springfield IL 62777-0001  
  
217/782-5270  
rules@isbe.net
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015

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

## STATE BOARD OF EDUCATION

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TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER I: STATE BOARD OF EDUCATION  
SUBCHAPTER d: CONSTRUCTION AND BUILDING MAINTENANCEPART 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: REQUIRED QUALIFICATIONS

Section	
180.100	Approval Procedure <a href="#">for Plan Reviewers and Inspectors</a>
180.110	Specific Requirements for Plan Reviewers
180.120	Specific Requirements for Inspectors

## SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

Section	
180.200	Application for Building Permit
180.210	Issuance of Building Permit
180.220	Inspections During and Upon Completion of Construction
180.225	Application for Certificate of Occupancy <a href="#">or Statement of Completion</a>
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 Annual Building and Fire Safety Inspections  
180.310 Decennial Inspections  
180.320 Safety Survey Report  
180.330 Safety Reference Plans  
180.340 Local Board Action and 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

180.APPENDIX A    Building Code Applicability

AUTHORITY: Implementing and authorized by Sections 2-3.12, 2-3.25, 2-3.137, and 17-2.11 of the School Code [105 ILCS 5/2-3.12, 2-3.25, 2-3.137, 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. 15904, effective October 3, 2005; amended at 31 Ill. Reg. 14296, effective September 25, 2007; amended at 32 Ill. Reg. 13351, effective July 25, 2008; amended at 33 Ill. Reg. 15265, effective October 20, 2009; amended at 34 Ill. Reg. 9515, effective June 24, 2010; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

## STATE BOARD OF EDUCATION

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**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.
- b) Applicability
- 1) The requirements set forth in this Part shall apply to all Illinois public school districts established under Article 10 of the School Code [105 ILCS 5/Art. 10] and any charter school authorized under Article 27A of the School Code [105 ILCS 5/Art. 27A] by these school districts.
  - 2) The requirements set forth in this Part shall apply to any charter school established under Article 27A of the School Code by the State Charter School Commission, except for those charter schools located within the geographic boundaries of school districts governed by Article 34 of the School Code.
  - 3) School districts ~~except those~~ governed by Article 34 of the School Code and any charter schools authorized under Article 27A of the School Code and located within these school districts shall be. ~~The facilities of districts governed by Article 34 are~~ subject to only the requirements of Section 180.250 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 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 180.30 Definitions**

"Annual Inspection" means the inspection conducted annually under the authority of a regional superintendent, as required by Section 3-14.21 of the School Code [105 ILCS 5/3-14.21].

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

American Gas Association Laboratories

## STATE BOARD OF EDUCATION

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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).

"Called Inspection" means a routine visit by a design professional or a qualified inspector to a construction site, as may be required by the codes referred to in Section 180.60 ~~of this Part~~, to check for compliance with applicable codes during a specific phase of construction and to ensure that the permit holder does not deviate from the approved plans and specifications.

"Called Inspection Record" means a form, used during a called inspection to capture information regarding compliance and noncompliance, that is prepared by a design professional or a qualified inspector and accompanied by a copy of that individual's proper identification.

"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.

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"Construction Documents" means the written and pictorial documents prepared or assembled by a 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. ~~These 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 design professional and shall result in a safety survey report as defined in this Section.

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

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

"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.

"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

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and use virtually immediately upon arrival at its destination.

"Like Activity" means any work involving or similar to construction that 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 that 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 that 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.

"Plan Review Record" means a written record of the evaluation of construction documents that is used to determine compliance with the codes that apply to a particular project, completed by a design professional or a qualified plan reviewer and accompanied by a copy of that individual's proper identification.

"Plan Review Statement" means a written statement made by a design professional and accompanied by a copy of that individual's proper identification, indicating that construction documents have been reviewed based upon any of the

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codes identified in Section 180.60(b) ~~of this Part~~ that are applicable to the project and have been determined to be in compliance with the relevant requirements.

"Proper Identification" means, as applicable to the function performed:

a credential issued by the State Board of Education (ISBE) identifying the types of plan reviews or inspections an individual is qualified to perform under this Part; or

evidence of licensure as a design professional; or

evidence of compliance with the requirements of Section 180.300(a)(1) ~~of this Part~~.

"Qualified Inspector" means an individual approved by ISBE under Section 180.120 ~~of this Part~~ to conduct inspections of school facilities.

"Building Code Inspector" means an individual qualified to conduct inspections required by the building code identified in Section 180.60(a) ~~of this Part~~.

"Electrical Code Inspector" means an individual qualified to conduct inspections required by the electrical code identified in Appendix K to the International Building Code (Section 180.60(a) ~~of this Part~~).

"Energy Conservation Code Inspector" means an individual qualified to conduct inspections required by the energy conservation code identified in Section 180.60(a)(1) ~~of this Part~~.

"Fire Code Inspector" means an individual qualified to conduct inspections required by the fire code identified in Section 180.60(a)(3) ~~of this Part~~.

"Mechanical Code Inspector" means an individual qualified to conduct inspections required by the mechanical code identified in Section 180.60(a)(5) ~~of this Part~~.

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"Qualified Plan Reviewer" means an individual approved by ISBE under Section 180.110 ~~of this Part~~ to conduct plan reviews and to submit one or more plan review records for codes referenced in Section 180.60 ~~of this Part~~.

"Building Code Plan Reviewer" means an individual qualified to conduct plan reviews and to submit plan review records of construction documents for projects involving the building code identified in Section 180.60(a) ~~of this Part~~.

"Electrical Code Plan Reviewer" means an individual qualified to conduct plan reviews and to submit plan review records of construction documents for projects involving the electrical code identified in Appendix K to the International Building Code.

"Energy Conservation Code Plan Reviewer" means an individual qualified to conduct plan reviews and submit plan review records of construction documents for projects involving the energy conservation code identified in Section 180.60(a)(1) ~~of this Part~~.

"Fire Code Plan Reviewer" means an individual qualified to conduct plan reviews and submit plan review records of construction documents for projects involving the fire code identified in Section 180.60(a)(3) ~~of this Part~~.

"Mechanical Code Plan Reviewer" means an individual qualified to conduct plan reviews and submit plan review records of construction documents for projects involving the mechanical code identified in Section 180.60(a)(5) ~~of this Part~~.

"Regional Office of Education" has the meaning set forth in Article 3A of the School Code [105 ILCS 5/Art. 3A] and includes the chief administrative officer of the educational service centers established pursuant to Section 2-3.62 of the School Code [105 ILCS 5/2-3.62] (Section 3-0.01 of the School Code).

"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.

"School Building" or "School" means a building occupied in whole or in part by

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public school students or intended for occupancy by ~~thesesuch~~ students.

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

"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 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 180.60 Applicability**

- a) Except as provided in subsection (b) ~~of this Section~~, every facility other than a vehicular facility shall conform to the standards identified in this subsection (a) and published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills ~~IL, Illinois~~ 60478-5795, 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~~. The legal occupancy of any facility that existed on or before June 30, 2016 shall be permitted to continue without change; however, any repairs, alterations, occupancy changes, relocation and/or additions to these existing facilities are subject to the 2015 International Existing Building Code (also see Appendix A of this Part). ~~The effective date called for in Section 3410.2 of the International Building Code (IBC) shall be the effective date shown for this Section 180.60. Except for the "minimum conditions" presented in the International Property Maintenance Code and the International Fire Code, the IBC permits 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~~

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~~systems, and enlargement of an existing facility. (IBC, Section 102.6; Chapter 34, and the International Existing Building Code)~~

- 1) ~~Through December 31, 2009, the applicable standards shall be the 2006 International Building Code and its subcodes as follows:~~
  - A) ~~the 2006 International Energy Conservation Code (IECC);~~
  - B) ~~the 2006 International Existing Building Code (IEBC);~~
  - C) ~~the 2006 International Fire Code (IFC), excluding Chapter 4;~~
  - D) ~~the 2006 International Fuel Gas Code (IFGC);~~
  - E) ~~the 2006 International Mechanical Code (IMC); and~~
  - F) ~~the 2006 International Property Maintenance Code (IPMC).~~
- 2) With respect to any project for which the design contract is executed on or after ~~July 1, 2016~~January 1, 2010, the applicable standards shall be the ~~2015~~2009 International Building Code and its subcodes, as follows:
  - 1A) the ~~2015~~2009 International Energy Conservation Code (IECC);
  - 2B) the ~~2015~~2009 International Existing Building Code (IEBC);
  - 3C) the ~~2015~~2009 International Fire Code (IFC), excluding Chapter 4;
  - 4D) the ~~2015~~2009 International Fuel Gas Code (IFGC);
  - 5E) the ~~2015~~2009 International Mechanical Code (IMC); and
  - 6F) the ~~2015~~2009 International Property Maintenance Code (IPMC).
- b) The applicability of the codes listed in subsection (a) ~~of this Section~~ shall be limited as set forth in this subsection (b).
  - 1) Emergency and Crisis Response

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~~Instead of Chapter 4 of the International Fire Code, the~~ The provisions of 29 Ill. Adm. Code 1500 (Joint Rules of the Office of the State Fire Marshal and the Illinois State Board of Education: School Emergency and Crisis Response Plans) shall apply ~~instead of Chapter 4 of the International Fire Code.~~

- 2) ~~Administrative Provisions~~ ~~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 of Chapter 1 of the International Building Code.~~
- A) Instead of the Plumbing Code listed in Section 101.4.3 and referenced elsewhere in the International Building Code, Section 180.60(b)(5) of this Part shall apply.
- B) Instead of Sections 102.6 and 102.6.2 of the International Building Code and Section 101.4.2 of the International Existing Building Code, Section 180.60(a) of this Part shall apply.
- C) Instead of Sections 103 through 106, 109, and 111 through 115 of the International Building Code, the requirements of Sections 180.40 through 180.70, 180.200 through 180.230 and 180.300 through 180.420 of this Part shall apply.
- 3) Storm Shelters  
Instead of the provisions contained in Section 423 of the International Building Code, the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC 500-2014), published jointly by the International Code Council and the National Storm Shelter Association, shall apply. No later amendments to or editions of these standards are incorporated.
- A) The standards of this subsection (b)(3) shall apply to any new school building construction project for which the design contract was executed on or after January 1, 2015. (See Section 2-3.12(e-5) of the School Code.)
- B) As used in this subsection (b)(3), "new school building construction" means:

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- i) any new, stand-alone school building with an aggregate Group E occupant load of 50 or more, as defined in Section 305 of the International Building Code; or
  - ii) one or more additions to an existing school building completed within a period of 24 months that increases the total square footage of the remaining existing building by 50% or more. The storm shelter, which may be placed in the new addition or the existing building, must have sufficient capacity to serve both the addition or additions and the existing building.
- 43) Accessibility  
Instead of the accessibility provisions set forth in Chapter 11 of the International Building Code, the Illinois Accessibility Code (71 Ill. Adm. Code 400) shall apply (except as provided in Section 10-20.51 of the School Code [105 ILCS 5/10-20.51] regarding press boxes) instead of the accessibility provisions set forth in Chapter 11 of the International Building Code.
- 54) Plumbing  
Instead of the plumbing provisions set forth in Section 101.3.2 of Chapter 1 and incorporated in Chapter 35 of the International Building Code, the requirements set forth in the Illinois Plumbing Code (77 Ill. Adm. Code 890) and Section 405.3.1 of the 2015 International Plumbing Code shall apply instead of those expressed in Section 101.4.4 of Chapter 1 and incorporated in Chapter 35 of the International Building Code.
- 65) Boiler and Pressure Vessel Safety  
Instead of the provisions set forth in Chapter 20 of the International Mechanical Code, 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 98) published by the American Society of Mechanical Engineers and incorporated in Chapter 35 of the International Building Code.
- 7) Elevators

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Instead of the elevator provisions in the International Building Code, the requirements set forth in the Illinois State Fire Marshal's rules titled Illinois Elevator Safety Rules (41 Ill. Adm. Code 1000) shall apply.

- 8) Sprinkler Systems  
In conjunction with the sprinkler requirements set forth in Section 22-23 of the School Code, the International Building Code, and the International Fire Code, the requirements set forth in 41 Ill. Adm. Code 109.110 (Compliance Standards) shall apply.

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

## SUBPART B: REQUIRED QUALIFICATIONS

**Section 180.100 Approval Procedure for Plan Reviewers and Inspectors**

The provisions of subsection (a) ~~of this Section~~ notwithstanding, a design professional may perform any of the roles discussed in Sections 180.110 and 180.120 ~~of this Part~~ without securing the specific approvals discussed in those Sections.

- a) Each individual seeking approval or renewal for any of the roles discussed in Sections 180.110 and 180.120 ~~of this Part~~ shall submit to the State Superintendent of Education:
- 1) an application for the specific approvals or renewal sought, completed on a form prescribed by the State Superintendent;
  - 2) for each approval or renewal sought, an electronic copy of a recent 1" x 1" color photograph of the applicant (head and shoulders only), ~~with the applicant's name printed on the back~~;
  - 3) an application fee of \$25 for one approval or renewal or \$50 for two or more approvals or renewals, although fees for employees of the State Board of Education, any Regional Office of Education or the Illinois Office of the State Fire Marshal shall be waived; and
  - 4) the relevant additional information called for in Section 180.110 or 180.120 ~~of this Part~~, as applicable.

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b) ~~Validity and Renewal of Approval~~

The validity of the initial approval and any renewals shall be determined by the date on which the application was received.

1) Applications for approval or renewal received before July 1 shall be valid from the date of approval by the State Board of Education through a period of three years, starting on January 1 of the calendar year in which the application was received.

2) Applications received on or after July 1 shall be valid from the date of approval by the State Board of Education through a period of three years, starting on January 1 of the calendar year immediately following the year in which the application was received. When an individual has received approval based upon successful completion of the most recent version of the relevant examination, the approval shall be valid for the period that ends one year after the next version of that examination is made available, or for a period of three years, whichever ends later. In order to renew the approval at that time, the individual shall present evidence of either successful completion of the updated examination or current, relevant certification by the International Code Council.

2) ~~When an individual has received approval based upon current, relevant certification by the International Code Council, the approval shall be valid for the same period as the Council's certification. In order to renew the approval at the end of that time, the individual shall present evidence of either renewed certification by the Council or successful completion of the then current version of the relevant examination.~~

3) ~~Subsequent renewals of approval shall be available as stated in subsections (b)(1) and (2) of this Section.~~

e) ~~Renewal of approval shall be accomplished by means of the procedure stated in subsection (a) of this Section, except that an individual who relied on training or experience or on a bachelor's degree to fulfill a portion of the requirements for original approval, as specified in the applicable provision of Section 180.110 or 180.120 of this Part, shall not be required to resubmit the evidence of meeting that requirement.~~

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cd) Denial and Revocation of Approval

- 1) The State Superintendent of Education shall deny or revoke the approval of any individual whose payment for an application fee is returned for insufficient funds or who is determined to have:
  - A) falsified information on his or her application;
  - B) submitted fraudulent documentation to a regional superintendent, a school district administrator, a building owner, a licensed design professional, or a contractor;
  - C) performed duties outside the areas for which approval has been given;
  - D) performed duties under this Part in a manner hazardous to school personnel or students, or otherwise behaved in a manner unsuitable to a school environment; or
  - E) permitted the use or duplication of his or her proper identification by another person.
- 2) The State Superintendent shall provide written notification to any individual who is denied approval or whose approval is revoked, stating the basis for the action taken.
- 3) An individual who believes that his or her approval has been unduly denied or revoked shall submit a written request for a review no later than 10 days after receipt of the Superintendent's notification. Grounds for a review shall be limited to incorrectness of the specific basis given for the Superintendent's action.
- 4) The State Superintendent shall consider the information presented in the individual's response and render a final administrative decision.

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

## SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

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**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)"

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

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- 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 ~~that~~ application. This identification number shall be used on all building permits issued pursuant to the application.
- d) The regional superintendent shall not issue a building permit until he or she has reviewed:
- 1) signed and dated Plan Review Statements for the International Property Maintenance Code, the Illinois Accessibility Code, the Illinois Boiler and Pressure Vessel Safety Code, and the Illinois Plumbing Code, as applicable to the project;
  - 2) signed and dated Plan Review Records for the International Building Code, the International Energy Conservation Code, the International Fire Code, the International Mechanical Code and the International Fuel Gas Code, as applicable to the project;
  - 3) signed and dated Plan Review Records for any required sprinkler systems, which may be reviewed after a building permit is issued but before construction or other activity begins, provided that fire flow tests, ~~and~~ preliminary hydraulic calculations showing estimated fire flow availability and an indication of ~~indicating~~ whether a pump will be needed is reviewed by the regional superintendent prior to issuing a building permit, ~~provided that a Sprinkler Plan Review Record shall be submitted before construction or other, like activity begins;~~ and
  - 4) 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), an evaluation report on that 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 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 180.225 Application for Certificate of Occupancy or Statement of Completion**

- a) A school board wishing to occupy a facility subject to this Part shall make

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application for a Certificate of Occupancy to the regional superintendent, on a form prescribed by the regional superintendent. A board may request either a general certificate of occupancy, a certificate of partial occupancy, a certificate of occupancy for a temporary facility, or a certificate of occupancy for a vehicular facility, as applicable (see Section 180.230 ~~of this Part~~). The regional superintendent shall respond to a request for a certificate of occupancy within 20 calendar days after his or her receipt of ~~the~~such a request.

- b) When the work covered by a building permit for an existing facility is completed and the work has not affected the Certificate of Occupancy, a school district may submit a Statement of Completion in lieu of submitting an application for Certificate of Occupancy.
- c) Before signing the Certificate of Occupancy or the Statement of Completion, the regional superintendent shall review any inspection statements and called inspection records, as applicable to the project. Called inspections shall be conducted and records provided by individuals qualified under Section 180.100.

(Source: Amended at 40 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 compliance with this Part (see Section 180.120 ~~of this Part~~), the regional superintendent shall issue a general certificate of occupancy. The general certificate of occupancy shall state the specific facility for which a design professional has certified compliance with this Part.
- 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 ~~areas~~area(s) can be occupied safely prior to full completion. The certificate of partial occupancy shall

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state the exact portions of the facility for which a design professional has certified compliance with this Part.

- c) Certificate of Occupancy for a Temporary Facility  
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 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 respects in which the facility fails to comply with the requirements of this Part and certifying that ~~this 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 Modular Dwelling Manufactured Housing and Mobile Structure Home Safety Act [430 ILCS 115];
    - B) The facility is anchored as specified in the Illinois Mobile Home Tiedown Act [210 ILCS 120];

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- C) The facility is separated from other buildings by the distance required pursuant to the standards referenced in Section 180.60 ~~of this Part~~; and
- D) The facility is connected to the fire alarm system and intercom or telephone system of a nearby school building, if ~~this type of 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 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 180.250 Sprinkler Systems**

- a) This Section sets 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 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)
- ba) Applicability
- 1) In determining whether there will be "*construction of a new school building, or addition to an existing building, within any period of 30 months, having 7,200 or more square feet*", and 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 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART D: INSPECTIONS

**Section 180.320 Safety Survey Report**

The safety survey report shall include for each facility ~~either~~:

- a) ~~either~~ a Certificate of Compliance, if the survey revealed no violations of applicable requirements, ~~;~~ or ~~b)~~ a violation and recommendation schedule on a form provided by the State Board of Education; ~~;~~
- b) a description of existing conditions in a format prescribed by the State Board of Education; and
- c) safety reference plans, as required under Section 180.330.

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

**Section 180.330 Safety Reference Plans**

Safety reference plans are the 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. 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~~

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~~regional superintendent determines that their 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) Any additional drawings and/or schedules that 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 revision shall be titled, dated, signed, and certified by the architect or engineer responsible for its preparation.
- 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, 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;

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- 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 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.
- 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) The 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 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 that is required.
  - 4) The identification of each room and space as to its occupancy and use.

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- 5) The designation of the rated population capacity and student enrollment capacity for each floor and each occupied room or space on that floor.
  - 6) The identification of the areas protected or proposed to be protected by a sprinkler or fire detection system.
  - 7) The location, arrangement, and width of each stairway, ramp, fire-resistive passageway, fire escape, and slide escape that serves as a required means of exit, and of each corridor, passageway, primary egress aisle, or balcony that provides the required path of travel to each of these exits.
  - 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 them.
  - 10) The existing or proposed locations of fire alarm boxes, fire alarm horns 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 one.
  - 12) The 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 these tunnels and spaces from adjacent occupied spaces.
- g) A plan shall be included for each attic that:
- 1) Is used, or can be used, for storage purposes; or
  - 2) Is of combustible construction and used as an open-plenum chamber; or

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## NOTICE OF PROPOSED AMENDMENTS

- 3) 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 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 these openings;
  - 4) Existing or proposed fire-stopping for subdividing attics; and
  - 5) The existing or proposed automatic protection (sprinkler or fire detection) and the area to be protected.

(Source: Amended at 40 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 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 Schedule of Violations, including a brief description of each violation and the recommended correction; and
  - 2) a Schedule of Recommended Work Items and Estimated Costs.
- b) [Financing](#)

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- 1) Fire prevention and safety financing shall only be approved if:
- A1) 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~~
  - B2) the district does not have sufficient unrestricted funds in its operations and maintenance fund (Section 17-2 of the School Code [105 ILCS 5/17-2]), its school facility occupation tax fund (Section 10-20.43 of the School Code [105 ILCS 5/10-20.43]), and/or its fire prevention and safety fund (Section 17-2.11 of the School Code [105 ILCS 5/17-2.11]) to pay for the necessary work; and-
  - C) the facility for which fire prevention and safety funds are requested has been issued a General Certificate of Occupancy in accordance with Section 180.230(a) that establishes that the facility was originally in compliance with all applicable codes.
- 2) In addition to meeting the requirements of subsection (b)(1), a facility for which fire prevention and safety funds are requested that is being replaced under Section 17-2.11(f) of the School Code shall ensure the facility is demolished, sold or boarded, and in no case used for school purposes.
- c) If the regional superintendent finds that the request is complete and approvable, he or she shall so certify and forward the request with ~~thesueh~~ 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 ~~thesueh~~ certification to the local board. *The regional superintendent shall approve or disapprove each request within three months after its submission by a local board.*
- d) *A board of education whose request is not acted upon within three months may submit the request to the State Superintendent for review.*
- e) 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 Code [105 ILCS 5/17-2.11])

## STATE BOARD OF EDUCATION

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- f) If the State Superintendent finds that a request is complete and approvable, he or she shall so certify and return the approved request with ~~thesuch~~ certification to the regional superintendent.
- g) 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 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

\* Includes the International Building Code, International Energy Conservation Code, International Existing Building Code, International Fire Code, International Gas Code, International Mechanical Code and International Property Maintenance Code.

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

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Reading Improvement Program
- 2) Code Citation: 23 Ill. Adm. Code 260
- 3) Section Number: 260.55                      Proposed Action: Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: Two technical changes are being proposed in Part 260. First, the American Educational Research Association issued updated standards for educational and psychological testing in 2014, so the date of the most current version to be used by school districts and others when choosing assessments needs to be reflected in Section 260.55.  
  
Additionally, PA 98-972, effective August 15, 2014, revamped the State assessment system, repealing Section 2-3.64 of the School Code and replacing the requirements found there with new Section 2-3.64a-5. The changes being proposed in Sections 260.55 eliminate references to assessments no longer administered and direct readers to the School Code citation where new requirements can be found.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes; see Section 260.55(a)(1).
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENT

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

217/782-5270  
rules@isbe.net

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

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

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER I: STATE BOARD OF EDUCATION  
SUBCHAPTER g: SPECIAL COURSES OF STUDYPART 260  
READING IMPROVEMENT PROGRAM

## SUBPART A: READING IMPROVEMENT BLOCK GRANT

## Section

260.10	Definitions (Repealed)
260.20	Purpose
260.30	Eligible Applicants
260.40	Allowable Expenditures
260.50	Procedure and Criteria for Approval of Applications
260.55	Eligibility for Continued Funding
260.60	Allocation of Funds (Repealed)
260.70	Distribution of Grant Awards
260.80	Year-End Reporting

SUBPART B: READING IMPROVEMENT  
PROFESSIONAL DEVELOPMENT GRANTS

## Section

260.100	Purpose and Implementation
260.110	Eligible Applicants
260.120	Application Procedures and Content
260.130	Proposal Review, Approval and Grant Award
260.140	Application Content and Approval for Continuation Programs

**AUTHORITY:** Implementing and authorized by Section 2-3.51 of the School Code [105 ILCS 5/2-3.51].

**SOURCE:** Emergency rules adopted at 9 Ill. Reg. 15967, effective October 2, 1985, for a maximum of 150 days; adopted at 10 Ill. Reg. 7757, effective April 29, 1986; amended at 14 Ill. Reg. 20714, effective December 14, 1990; amended at 16 Ill. Reg. 14196, effective September 8, 1992; amended at 22 Ill. Reg. 19763, effective October 30, 1998; amended at 23 Ill. Reg. 7083, effective June 2, 1999; amended at 26 Ill. Reg. 8104, effective May 20, 2002; emergency

## STATE BOARD OF EDUCATION

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amendment at 29 Ill. Reg. 9508, effective June 20, 2005, for a maximum of 150 days; emergency expired November 16, 2005; amended at 29 Ill. Reg. 20417, effective November 29, 2005; amended at 33 Ill. Reg. 4031, effective February 23, 2009; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: READING IMPROVEMENT BLOCK GRANT

**Section 260.55 Eligibility for Continued Funding**

Section 2-3.51 of the School Code provides that *districts not demonstrating performance progress using an approved assessment method shall not be eligible for funding in the third or subsequent years until such progress is established*. Each application for funding under the Reading Improvement Block Grant program *shall include a proposed assessment method or methods for measuring the reading growth of students who receive direct instruction as a result of the funding and the impact of staff development activities on student growth in reading*.

- a) Each application shall list or describe the method or methods the applicant proposes to use to measure students' reading skills for purposes of this Part, provided that an applicant shall use no more than one method for each grade level in which students are served by initiatives supported by funding under this Part. *Such methods may include the ~~English language arts~~ reading portion of the assessments required under Section 2-3.64a-5 of the School Code [105 ILCS 5/2-3.64a-5] ~~Illinois Standards Achievement Testing Program~~ (Section 2-3.51 of the School Code).*
  - 1) If a proposed assessment instrument is a standardized or commercially available criterion-referenced test, the applicant shall assure the State Superintendent that the instrument meets the generally accepted standards of validity and reliability set forth in "Standards for Educational and Psychological Testing" (~~2014~~1999) published by the American Educational Research Association, ~~1430 K~~1230-17<sup>th</sup> St., N.W., ~~Suite 1200~~, Washington, D.C. ~~20005~~20036. (No later amendments to or editions of these standards are incorporated.)
  - 2) If a proposed assessment instrument is locally developed or chosen, the applicant shall:
    - A) indicate the acceptable standard of performance by students on that measure (e.g., acceptable grade-level equivalent, score, or percent

## STATE BOARD OF EDUCATION

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correct);

- B) describe the means by which the applicant's staff determined that the proposed measure is aligned with the Illinois Learning Standards in the area of English language arts reading; and
  - C) certify to the State Superintendent that the instrument measures what it is intended to measure and can be expected to yield consistent results, including a description of the methods by which the applicant's staff arrived at the conclusion that this is the case.
- 3) Results of the proposed method(s) must be expressed in quantifiable terms, such as the percentage of students meeting an established standard.
- b) Each application shall assure the State Superintendent that the applicant will take any such measures as may be necessary to prevent inappropriate disclosure of test questions or other materials that form part of the proposed assessment method(s).
  - c) The State Superintendent of Education shall approve the method or methods proposed if the application complies with subsections (a) and (b) ~~of this Section~~.
  - d) No later than 60 days after the due date established for applications, the State Superintendent shall notify each applicant whether its proposed method of measuring students' reading skills is approved. Failure to apply in a timely manner may delay an applicant's receipt of this response. In the case of a disapproval, the applicant shall be notified of the reason for the disapproval and of any modifications that would bring its proposed method into compliance with the requirements of this Section.
  - e) Each applicant shall annually report to the State Superintendent of Education its reading results for the previous school year, expressed in terms of students' performance on the assessment measures approved pursuant to this Section. ~~The Through the 2004-2005 school year, this report shall be made no later than November 1 in a format specified by the State Superintendent (see [www.isbe.net/curriculum/reading](http://www.isbe.net/curriculum/reading)), unless an extension of the deadline is granted by the State Superintendent due to the timing of a district's local assessment. For the results of 2005-2006 and subsequent school years, the due date for the~~

## STATE BOARD OF EDUCATION

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performance report shall be June 15 for applicants not relying on ~~ISAT reading~~ scores ~~from the State assessment in English language arts~~ and 30 days after the district's receipt of ~~State assessment~~~~ISAT~~ scores for those relying on ~~State assessment~~~~ISAT~~ scores.

- f) "Performance progress" must be demonstrated with regard to the students who received direct instruction and those whose reading instructors engaged in professional development as a result of this grant and, with respect to that group of students, means any of the following:
- 1) A higher percentage of students scored at or above the locally established standard on the approved ~~measures~~~~measure(s)~~ of reading performance (e.g., achieved grade-level equivalents, criterion reference points, or local benchmarks) than in the preceding testing cycle.
  - 2) The average score achieved by students on the approved ~~measures~~~~measure(s)~~ rose in comparison to the average for the preceding testing cycle.
  - 3) A higher percentage of students scored in the top two quartiles on the approved ~~measures~~~~measure(s)~~ than in the preceding testing cycle, or a lower percentage of students scored in the bottom quartile.
  - 4) An applicant with 90% or more of scores at or above the established standard maintained its performance in comparison to the preceding testing cycle.
- g) The State Superintendent shall notify any applicant whose results on its approved ~~measures~~~~measure(s)~~ of reading performance contradict its State assessment scores in ~~English language arts~~~~reading~~ for the students involved.
- 1) If a district's report under subsection (e) ~~of this Section~~ does not demonstrate performance progress, the State Superintendent shall cause the district's relevant ~~State assessment~~~~ISAT~~ scores to be reviewed. If these scores demonstrate that performance progress has been made, data from the ~~State assessment~~~~ISAT~~ will be accepted in lieu of data from the locally identified assessment measure as the basis for the district's continued eligibility for funds under this Part.

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- 2) If a district's report under subsection (e) ~~of this Section~~ does show performance progress but its relevant ~~State assessment~~ SAT scores do not bear this out, the State Superintendent shall notify the district to this effect. No later than 30 days after receipt of this notification, the applicant shall provide to the State Superintendent an analysis of this discrepancy and the applicant's rationale for concluding that it has nevertheless made performance progress.
  
- h) An applicant may appeal either disapproval of its proposed assessment ~~method~~ ~~method(s)~~ or a determination that it has failed to make performance progress. In the latter case, the applicant may appeal either on the grounds that it has made performance progress or on the grounds that the factors that led to ~~the~~ ~~such~~ failure were beyond the applicant's control (e.g., the low number of students served creates a statistical problem with calculating progress). Prior to a formal appeal, however, the applicant may submit additional written information. If the information presented demonstrates that either of these conditions exists, the State Superintendent shall notify the district that it has made performance progress and no further follow-up is needed.
  - 1) The superintendent or chief administrator of an eligible applicant may request a conference at which representatives of the applicant will have an opportunity to discuss the issues involved with representatives of the State Board of Education.
  - 2) If a conference is held and the areas of concern are not resolved, the school board may submit an appeal by adopted board resolution. The appeal must identify the ways in which the proposed method meets the requirements of Section 2-3.51 of the School Code and this Section, the way in which the information submitted demonstrates that performance progress has been made, or the external factors that led to its inability to make performance progress, as applicable.
  - 3) Consistent with the State Board's rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475), the applicant will be given an opportunity to present information relevant to the issues appealed. The State Superintendent of Education will consider the appeal and make a recommendation to the State Board of Education; the State Board will issue a final written determination.

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- 4) An applicant's eligibility for funding shall not be interrupted for failure to make performance progress if the State Superintendent determines that ~~such~~ failure to make progress was beyond the applicant's control and that the applicant plans to take specific steps in the immediate future to enable it to resume making performance progress.

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

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Providers of Supplemental Educational Services
- 2) Code Citation: 23 Ill. Adm. Code 675
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
675.20	Amendment
675.APPENDIX A	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: Two technical changes are being proposed in Part 675. First, the American Educational Research Association issued updated standards for educational and psychological testing in 2014, so the date of the most current version to be used by school districts and others when choosing assessments needs to be reflected in Section 675.20.  
  
Additionally, PA 98-972, effective August 15, 2014, revamped the State assessment system, repealing Section 2-3.64 of the School Code and replacing the requirements found there with new Section 2-3.64a-5. The changes being proposed in Section 675.Appendix A eliminate references to assessments no longer administered and direct readers to the School Code citation where new requirements can be found.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes; see Section 675.20.
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

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

217/782-5270  
rules@isbe.net

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

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 0: MISCELLANEOUS

## PART 675

## PROVIDERS OF SUPPLEMENTAL EDUCATIONAL SERVICES

## SUBPART A: GENERAL PROVISIONS

## Section

675.10	Purpose and Scope
675.20	Definitions
675.30	Code of Ethics
675.40	Programmatic Requirements
675.50	Application Requirements
675.60	Application Process
675.65	Mid-Year Changes
675.70	Reporting Requirement
675.80	Retention of Records; Access to Premises
675.90	Evaluation of Providers' Performance, Providers' Status, Sanctions, and Removal
675.100	Public Information
675.110	Removal When No Services Offered
675.150	Provider's Relationship with District
675.175	Timetable for Implementation of the Program

## SUBPART B: FINANCIAL REQUIREMENTS

## Section

675.200	Financial Framework for SES
675.210	District Program Cost
675.220	Non-Reimbursable Expenses and Revenue Offsets
675.230	Reports of Actual Costs
675.240	Establishment of Contract Amount and Payment Provisions
675.245	Basis for Invoices and Payments
675.250	Appeals

675.APPENDIX A Calculation of Effect Size

675.APPENDIX B Evaluation Rubric

## STATE BOARD OF EDUCATION

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## 675.APPENDIX C Decision Matrix

**AUTHORITY:** Implementing Section 1116(e) of Public Law 107-110, the No Child Left Behind Act of 2001 (20 USC 6316(e)) (34 CFR 200.45 through 200.48), and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.6].

**SOURCE:** Emergency rules adopted at 29 Ill. Reg. 9516, effective June 17, 2005, for a maximum of 150 days; emergency expired November 13, 2005; adopted at 29 Ill. Reg. 19942, effective November 23, 2005; amended at 30 Ill. Reg. 14325, effective August 18, 2006; amended at 32 Ill. Reg. 4046, effective February 26, 2008; amended at 33 Ill. Reg. 8497, effective June 1, 2009; amended at 33 Ill. Reg. 15290, effective October 20, 2009; amended at 35 Ill. Reg. 2285, effective January 20, 2011; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

**Section 675.20 Definitions**

"District" means a local education agency, as defined in NCLB, in which one or more schools are in their second year of school improvement, in corrective action, or in restructuring status under NCLB.

"Eligible applicant" means a public school or a school district, a private school, a regional office of education, an intermediate service center, an institution of higher education, a not-for-profit organization (including a faith-based or community-based organization), or a private business. Public schools or school districts identified for improvement under NCLB shall only be eligible to the extent permitted by the United States Department of Education.

"Nationally recognized assessment" means a standardized or commercially available criterion-referenced test, assured by the provider to meet the generally accepted standards of validity and reliability set forth in "Standards for Educational and Psychological Testing" (~~20141999~~), published by the American Educational Research Association, ~~1430 K1230-17<sup>th</sup>~~ St., N.W., ~~Suite 1200~~, Washington, D.C. ~~2000520036~~. (No later amendments to or editions of these standards are incorporated.)

## STATE BOARD OF EDUCATION

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"NCLB" means Title I of the Elementary and Secondary Education Act (ESEA), as reauthorized by the No Child Left Behind Act of 2001, and any regulations promulgated by the federal government to implement that Act.

"Provider" means an eligible applicant approved by ISBE to provide SES to one or more districts.

"Related organization" means an entity that:

directly or indirectly controls, or is controlled by, a provider; or

influences, or is influenced by, the provider in terms of operational policies; or

is controlled or influenced by another organization that also controls or influences the provider.

"SES reporting period" shall mean a twelve-month period commencing on July 1 of a calendar year and continuing through June 30 of the following calendar year. The State Superintendent of Education may, however, adjust the SES reporting period for a particular provider to accommodate reporting for summer sessions.

"Supplemental educational services" or "SES" means additional academic instruction that is provided outside of the regular school day and designed to increase the academic achievement of eligible students in schools required to provide ~~thesesuch~~ services in accordance with NCLB. These services may include academic assistance such as tutoring, remediation, and other educational interventions.

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

## STATE BOARD OF EDUCATION

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**Section 675.APPENDIX A Calculation of Effect Size**

A multiple regression approach will be employed, in which, for each provider, SES students' predicted assessment scores on the applicable State assessment [required under Section 2-3.64a-5 of the School Code \[105 ILCS 5/2-3.64a-5\]](#)~~(i.e., ISAT or PSAE)~~ for their grade level in the tutored subjects, based on student demographic variables and prior achievement on the applicable assessment, are compared to their obtained scores. The difference will be expressed in the form of a "residual" score that, if positive, indicates a higher performance than expected (i.e., a positive effect), and, if negative, indicates a lower performance (a negative effect). An effect size will then be computed by grade level within each school district to determine by how many standard deviations (based on properties of the distribution) the residual differs from zero and then aggregated across grade levels for determining the effect size used in the evaluation described in Appendix B ~~to this Part~~.

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

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Aid to the Aged, Blind or Disabled
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
113.253	Amendment
113.260	Amendment
- 4) Statutory Authority: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13]
- 5) Effective Date of Rules: September 21, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of proposal published in the *Illinois Register*: May 1, 2015; 39 Ill. Reg. 5969
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Difference between Proposal and Final Version: No substantive changes were made to the text of the proposed rulemaking.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: A grant adjustment is an allowance for the Aged, Blind or Disabled cases that ensures that the amount of the Supplemental Security Income (SSI) increase from July 1977 and later will be available to clients. To comply with federal regulations at 20 CFR 416.2096, this rulemaking increases the grant adjustment and sheltered care/personal or nursing care rate amounts by the amount of the

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

increase in Social Security and SSI benefits. In order to maintain the benefit levels, these changes increase the AABD Grant Adjustment Allowance and Sheltered Care/Personal or Nursing Care rates by \$12.00, the amount of the January 2015 SSA/SSI benefit increase.

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

Tracie Drew, Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
Harris Building, 3rd Floor  
Springfield IL 62762

217/785-9772

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113  
AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section

- 113.1 Description of the Assistance Program
- 113.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 113.9 Client Cooperation
- 113.10 Citizenship
- 113.20 Residence
- 113.30 Age
- 113.40 Blind
- 113.50 Disabled
- 113.60 Living Arrangement
- 113.70 Institutional Status
- 113.80 Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 113.100 Unearned Income
- 113.101 Budgeting Unearned Income
- 113.102 Budgeting Unearned Income of Applicants Receiving Income on Date of Application And/Or Date of Decision
- 113.103 Initial Receipt of Unearned Income
- 113.104 Termination of Unearned Income
- 113.105 Unearned Income In-Kind
- 113.106 Earmarked Income
- 113.107 Lump Sum Payments and Income Tax Refunds
- 113.108 Protected Income (Repealed)

## DEPARTMENT OF HUMAN SERVICES

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- 113.109 Earned Income (Repealed)
- 113.110 Budgeting Earned Income (Repealed)
- 113.111 Protected Income
- 113.112 Earned Income
- 113.113 Exempt Unearned Income
- 113.114 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
- 113.115 Initial Employment
- 113.116 Budgeting Earned Income For Contractual Employees
- 113.117 Budgeting Earned Income For Non-contractual School Employees
- 113.118 Termination of Employment
- 113.120 Exempt Earned Income
- 113.125 Recognized Employment Expenses
- 113.130 Income From Work/Study/Training Programs
- 113.131 Earned Income From Self-Employment
- 113.132 Earned Income From Roomer and Boarder
- 113.133 Earned Income From Rental Property
- 113.134 Earned Income In-Kind
- 113.139 Payments from the Illinois Department of Children and Family Services
- 113.140 Assets
- 113.141 Exempt Assets
- 113.142 Asset Disregard
- 113.143 Deferral of Consideration of Assets
- 113.154 Property Transfers For Applications Filed Prior To October 1, 1989 (Repealed)
- 113.155 Property Transfers For Applications Filed On Or After October 1, 1989 (Repealed)
- 113.156 Court Ordered Child Support Payments of Parent/Step-Parent
- 113.157 Responsibility of Sponsors of Non-citizens Entering the Country Prior to 8/22/96
- 113.158 Responsibility of Sponsors of Non-citizens Entering the Country On or After 08/22/96
- 113.160 Assignment of Medical Support Rights

## SUBPART D: PAYMENT AMOUNTS

- Section
- 113.245 Payment Levels for AABD
- 113.246 Personal Allowance
- 113.247 Personal Allowance Amounts
- 113.248 Shelter

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113.249	Utilities and Heating Fuel
113.250	Laundry
113.251	Telephone
113.252	Transportation, Lunches, Special Fees
113.253	Allowances for Increase in SSI Benefits
113.254	Nursing Care or Personal Care in Home Not Subject to Licensing
113.255	Sheltered Care/Personal or Nursing Care in a Licensed Group Care Facility
113.256	Shopping Allowance
113.257	Special Allowances for Blind and Partially Sighted (Blind Only)
113.258	Home Delivered Meals
113.259	AABD Fuel and Utility Allowances By Area
113.260	Sheltered Care, Personal Care or Nursing Care Rates
113.261	Cases in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and All Other Licensed Medical Facilities
113.262	Meeting the Needs of an Ineligible Dependent with Client's Income
113.263	Service Animals
113.264	Refugees Ineligible for SSI

## SUBPART E: OTHER PROVISIONS

Section	
113.300	Persons Who May Be Included In the Assistance Unit
113.301	Grandfathered Cases
113.302	Interim Assistance (Repealed)
113.303	Special Needs Authorizations
113.304	Retrospective Budgeting
113.305	Budgeting Schedule
113.306	Purchase and Repair of Household Furniture (Repealed)
113.307	Property Repairs and Maintenance
113.308	Excess Shelter Allowance
113.309	Limitation on Amount of AABD Assistance to Recipients from Other States (Repealed)
113.320	Redetermination of Eligibility
113.330	Attorney's Fees for VA Appellants (Repealed)

## SUBPART F: INTERIM ASSISTANCE

Section	
113.400	Description of the Interim Assistance Program

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- 113.405 Pending SSI Application (Repealed)
- 113.410 More Likely Than Not Eligible for SSI (Repealed)
- 113.415 Non-Financial Factors of Eligibility (Repealed)
- 113.420 Financial Factors of Eligibility (Repealed)
- 113.425 Payment Levels for Chicago Interim Assistance Cases (Repealed)
- 113.430 Payment Levels for all Interim Assistance Cases Outside Chicago (Repealed)
- 113.435 Medical Eligibility (Repealed)
- 113.440 Attorney's Fees for SSI Applicants (Repealed)
- 113.445 Advocacy Program for Persons Receiving Interim Assistance (Repealed)
- 113.450 Limitation on Amount of Interim Assistance to Recipients from Other States (Repealed)
- 113.500 Attorney's Fees for SSI Appellants (Renumbered)

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III 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; emergency expired January 28, 1979; peremptory amendment at 2 Ill. Reg. 46, p. 44, 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 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; 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

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October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory 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; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory 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; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory 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 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by Sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867,

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effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. 14612, effective August 26, 1993; amended at 18 Ill. Reg. 2018, effective January 21, 1994; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6639, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15034, effective October 17, 1995; amended at 20 Ill. Reg. 858, effective December 29, 1995;

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emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of a 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 13642, effective July 15, 1998; emergency amendment at 22 Ill. Reg. 16348, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 18931, effective October 1, 1998; emergency amendment at 22 Ill. Reg. 21750, effective November 24, 1998, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 579, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1607, effective January 20, 1999; amended at 23 Ill. Reg. 5548, effective April 23, 1999; amended at 23 Ill. Reg. 6052, effective May 4, 1999; amended at 23 Ill. Reg. 6425, effective May 15, 1999; amended at 23 Ill. Reg. 6935, effective May 30, 1999; amended at 23 Ill. Reg. 7887, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8650, effective July 13, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10161, effective August 3, 1999; amended at 23 Ill. Reg. 13852, effective November 19, 1999; amended at 24 Ill. Reg. 2328, effective February 1, 2000; amended at 24 Ill. Reg. 11622, effective July 18, 2000; amended at 24 Ill. Reg. 13394, effective August 18, 2000; amended at 25 Ill. Reg. 5326, effective March 30, 2001; amended at 26 Ill. Reg. 179, effective January 1, 2002; amended at 26 Ill. Reg. 8532, effective May 31, 2002; amended at 26 Ill. Reg. 13521, effective September 3, 2002; amended at 27 Ill. Reg. 7252, effective April 7, 2003; amended at 28 Ill. Reg. 11139, effective July 21, 2004; emergency amendment at 28 Ill. Reg. 11366, effective July 21, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12469, effective August 20, 2004, for a maximum of 150 days; emergency expired January 16, 2005; amended at 29 Ill. Reg. 648, effective December 16, 2004; amended at 29 Ill. Reg. 5703, effective April 11, 2005; amended at 29 Ill. Reg. 10176, effective July 5, 2005; amended at 30 Ill. Reg. 16065, effective September 21, 2006; amended at 31 Ill. Reg. 6981, effective April 30, 2007; amended at 31 Ill. Reg. 11306, effective July 19, 2007; amended at 32 Ill. Reg. 17187, effective October 16, 2008; peremptory amendment at 32 Ill. Reg. 18065, effective November 15, 2008; emergency amendment at 33 Ill. Reg. 4993, effective March 19, 2009, for a maximum of 150 days; emergency expired August 15, 2009; emergency amendment at 33 Ill. Reg. 7337, effective May 21, 2009, for a maximum of 150 days; emergency expired October 17, 2009; amended at 33 Ill. Reg. 12775, effective September 8, 2009; emergency amendment at 33 Ill. Reg. 12850, effective September 4, 2009, for a maximum of 150 days; emergency expired January 31, 2010; amended at 33 Ill. Reg. 13846, effective September 17, 2009; amended at 33 Ill. Reg. 15033, effective October 22, 2009; amended at 33 Ill. Reg. 16845, effective November 30, 2009; emergency amendment at 34 Ill. Reg. 6944, effective May 1, 2010, for a maximum of 150 days; emergency expired September 27, 2010; amended at 34 Ill. Reg. 7255, effective May 10, 2010; amended at 35 Ill. Reg. 1012, effective December 28, 2010; emergency amendment at 35 Ill. Reg. 6951, effective April 6, 2011, for a maximum of 150 days; emergency expired September 2, 2011; amended at 35 Ill. Reg. 17096, effective October 5, 2011; amended at 35 Ill. Reg. 18756, effective October 28, 2011; amended at 36 Ill. Reg. 15195, effective October 5, 2012; emergency

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amendment at 36 Ill. Reg. 17567, effective December 1, 2012 through June 30, 2013; amended at 37 Ill. Reg. 8728, effective June 11, 2013; amended at 37 Ill. Reg. 14876, effective August 27, 2013; amended at 38 Ill. Reg. 16229, effective July 18, 2014; emergency amendment at 38 Ill. Reg. 17470, effective July 30, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 22654, effective November 20, 2014; amended at 39 Ill. Reg. 13260, effective September 21, 2015.

## SUBPART D: PAYMENT AMOUNTS

**Section 113.253 Allowances for Increase in SSI Benefits**

- a) An allowance for ~~\$554.90~~~~542.90~~ is authorized for all AABD cases as a "grant adjustment". A grant adjustment is an allowance that ensures that the amount of the SSI increase from July 1977 and later will be available to clients.
- b) EXCEPTIONS: For clients whose assistance payments include an allowance for Sheltered Care or Care Not Subject to Licensing a "grant adjustment" of \$10 is authorized. Individuals residing in long term group care facilities do not receive any "grant adjustment".

(Source: Amended at 39 Ill. Reg. 13260, effective September 21, 2015)

**Section 113.260 Sheltered Care, Personal Care or Nursing Care Rates**

Group A Counties	Needs Assessment	Group B Counties
<del>12331221</del>	0-7	<del>12481236</del>
<del>12391227</del>	8	<del>12551243</del>
<del>12461234</del>	9	<del>12621250</del>
<del>12511239</del>	10	<del>12701258</del>
<del>12581246</del>	11	<del>12771265</del>
<del>12631251</del>	12	<del>12841272</del>

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<a href="#"><u>12704258</u></a>	13	<a href="#"><u>12924280</u></a>
<a href="#"><u>12754263</u></a>	14	<a href="#"><u>12984286</u></a>
<a href="#"><u>12824270</u></a>	15	<a href="#"><u>13064294</u></a>
<a href="#"><u>12874275</u></a>	16	<a href="#"><u>13144302</u></a>
<a href="#"><u>12944282</u></a>	17	<a href="#"><u>13204308</u></a>
<a href="#"><u>12994287</u></a>	18	<a href="#"><u>13284316</u></a>
<a href="#"><u>13064294</u></a>	19	<a href="#"><u>13354323</u></a>
<a href="#"><u>13124300</u></a>	20	<a href="#"><u>13424330</u></a>
<a href="#"><u>13184306</u></a>	21	<a href="#"><u>13504338</u></a>
<a href="#"><u>13244312</u></a>	22	<a href="#"><u>13574345</u></a>
<a href="#"><u>13304318</u></a>	23	<a href="#"><u>13644352</u></a>
<a href="#"><u>13364324</u></a>	24	<a href="#"><u>13714359</u></a>

- a) Group A Counties are counties other than Cook, DuPage, Kane, Lake and Will.
- b) Group B Counties are Cook, DuPage, Kane, Lake and Will.
- c) Rate includes shelter factor and approved activity and social rehabilitation programs.

(Source: Amended at 39 Ill. Reg. 13260, effective September 21, 2015)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies
- 2) Code Citation: 59 Ill. Adm. Code 50
- 3) Section Number: 50.10                      Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305] and PA 99-323
- 5) Effective Date of Rule: September 18, 2015
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of the 150-day period, or upon adoption of permanent rules, whichever comes first.
- 7) Date Filed with the Index Department: September 18, 2015
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: This emergency rulemaking is necessary in order to provide for the expeditious and timely implementation of provisions of PA 99-323 which took effect on August 7, 2015. In order to provide additional protection for individuals with disabilities, PA 99-323 amended the definition of sexual abuse and added a definition for sexually explicit images for the Office of Inspector General in the Department of Human Services Act [20 ILCS 1305/1-17]. This emergency rule provides protections, from sexual abuse through sexually explicit images, to Illinois residents with developmental disabilities.

The Agency has analyzed the criteria found at 1 Ill. Adm. Code 230.400 and determined that this rulemaking meets the emergency, substantive, propriety and procedural criteria. In regards to the emergency criteria, a situation does exist that will constitute a threat to the public interest, safety and welfare. These rule changes are necessary to bring the rule in line with the statute in order to protect Illinois residents with developmental disabilities from sexual abuse through sexually explicit images. Additionally, the Agency has taken steps, in writing, to notify persons affected by the rule. On August 14, 2015, the Agency sent out a mass mailing to all authorized representatives of community agencies/facilities

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENT

providing notification of the changes to the law and the Agency's intent to publish emergency rules in regard to this change. Substantively, the statute updating these definitions became effective on August 7, 2015 and the changes to the rule comport with the new definitions in the statute itself. In order to ensure that the rules accurately reflect legislative intent, the Agency wants to update the rules to reflect the statutory changes with utmost haste. In regards to propriety and procedure, there is no economic impact on small businesses, not for profit corporations, units of local government, school districts or community college districts as a result of this rule change. Further, the rule making does comply with the requirements of the Administrative Code Division, 1 Ill. Adm. Code 100. Therefore, the use of emergency rulemaking in this instance is justified.

10) A Complete Description of the Subject and Issues Involved: Pursuant to provisions of PA 99-323, this emergency rulemaking expands the definition of sexual abuse to include:

- (1) an employee's actions that result in the sending or showing of sexually explicit images to an individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual; or
- (2) an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual.

In addition, based on questions and concerns received from providers, this rulemaking adds language to the definition Section to clarify that sexual abuse does not include allowing individuals to, of their volition, view movies or images of a sexual nature, or read text containing sexual content unless the individual's guardian prohibits the viewing of such movies or images or reading of such material.

This rulemaking also adds the definition for "sexually explicit images" as follows:

"Sexually explicit images" includes, but is not limited to, any material which depicts nudity, sexual conduct, or sadomasochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse. This does not include those images contained in sex education materials used by employees to educate individuals.

11) Are there any other rulemakings pending on this Part? Yes

Section Number:

Proposed Action:

Illinois Register Citation:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

50.60 Amendment                      39 Ill. Reg. 9697                      July 17, 2015

12) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.

13) Information and questions regarding this emergency rule 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 IL 62762

217/785-9772

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

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## NOTICE OF EMERGENCY AMENDMENT

TITLE 59: MENTAL HEALTH  
CHAPTER I: DEPARTMENT OF HUMAN SERVICESPART 50  
OFFICE OF INSPECTOR GENERAL  
INVESTIGATIONS OF ALLEGED ABUSE OR NEGLECT IN  
STATE-OPERATED FACILITIES AND COMMUNITY AGENCIES

## Section

50.10	Definitions
<u>EMERGENCY</u>	
50.20	Reporting an Allegation of Abuse, Neglect, or Financial Exploitation and Death Reports
50.30	Responsibilities of OIG for Intake Assessment
50.40	Method of Investigation
50.50	Conducting Investigations
50.60	Processing Investigative Reports, Reconsideration and Clarification Request Requirements, and the Contents of Case Files
50.70	Completed Investigations
50.80	Written Responses
50.90	Reporting by the Inspector General to the Illinois Department of Public Health Health Care Worker Registry
50.100	Removal of an Employee's Name and Finding from the Illinois Department of Public Health Health Care Worker Registry

**AUTHORITY:** Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305].

**SOURCE:** Adopted at 22 Ill. Reg. 19334, effective October 19, 1998; emergency amendment at 23 Ill. Reg. 4513, effective April 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10812, effective August 23, 1999; emergency amendment at 26 Ill. Reg. 484, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8352, effective May 24, 2002; amended at 32 Ill. Reg. 8132, effective May 16, 2008; emergency amendment at 33 Ill. Reg. 13489, effective September 10, 2009, for a maximum of 150 days; emergency expired February 6, 2010; amended at 34 Ill. Reg. 5239, effective March 25, 2010; emergency amendment at 38 Ill. Reg. 18242, effective August 13, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 19152, effective September 10, 2014; amended at 38 Ill. Reg. 22642, effective November 20, 2014; emergency amendment at 39 Ill. Reg. 13271, effective September 18, 2015, for a maximum of 150 days.

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## NOTICE OF EMERGENCY AMENDMENT

**Section 50.10 Definitions****EMERGENCY**

For the purposes of this Part, the following terms are defined:

"Abuse". See definitions for physical abuse, sexual abuse, mental abuse and financial exploitation.

"Access". Admission to a community agency or facility for the purpose of conducting imminent risk assessments, conducting investigations, monitoring compliance with a written response, or completing any other statutorily assigned duty, such as annual unannounced site visits, including but not limited to conducting interviews and obtaining and reviewing any documents or records that the Office of Inspector General (OIG) believes to be pertinent to an investigation.

"Act". The Department of Human Services Act [20 ILCS 1305].

"Administrative action". Measures taken by the community agency or the facility as a result of the findings or recommendations contained in the investigation that protect individuals from abuse, neglect or financial exploitation, prevent recurrences, and eliminate problems.

"Agency". See the definition for community agency.

"Aggravating circumstance". A factor that is attendant to a finding and that tends to compound or increase the culpability of the accused employee/facility/agency.

"Allegation". An assertion, complaint, suspicion or incident involving any of the following conduct by an employee, facility or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect or financial exploitation.

"Authorized representative". The administrative head or executive director of a community agency appointed by the community agency's governing body with overall responsibility for fiscal and programmatic management, or the facility director or hospital administrator of a Department facility. If this person is implicated in an investigation, the governing body of the community agency or the Secretary of the Department shall be deemed the authorized representative for

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENT

that investigation.

"Bodily harm". Any injury, damage or impairment to an individual's physical condition, or making physical contact of an insulting or provoking nature with an individual.

"Community agency" or "agency". A community agency licensed, funded or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service, or a program licensed, funded or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disability service.

"Complainant". The person who reports a death or an allegation of abuse, neglect or financial exploitation directly to OIG and is not the required reporter.

"Complaint". A report of a death or an allegation of abuse, neglect or financial exploitation reported directly to the OIG Hotline.

"Credible evidence". Any evidence that relates to the allegation or incident and that is considered believable and reliable.

"Day". Working day, unless otherwise specified.

"Deflection". A situation in which an individual is presented for admission to a facility or agency and the facility staff or agency staff do not admit that individual. Deflection includes triage, redirection and denial of admission.

"Department". The Department of Human Services.

"Egregious neglect". A finding of neglect as determined by the Inspector General that represents a gross failure to adequately provide for, or a callous indifference to, the health, safety or medical needs of an individual and results in an individual's death or other serious deterioration of an individual's physical condition or mental condition.

"Employee". Any person who provides services at the facility or the community agency on or off site. The service relationship can be with the individual, the facility or agency. Also, "employee" includes any employee or contractual agent

## DEPARTMENT OF HUMAN SERVICES

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of the Department of Human Services or the community agency involved in providing or monitoring or administering mental health or developmental disability services. This includes but is not limited to: owners, operators, payroll personnel, contractors, subcontractors and volunteers. For purposes of this Part, employee also includes someone who is no longer working for an agency or facility, but is the subject of an ongoing investigation for which OIG has jurisdiction.

"Facility" or "State-operated facility". A mental health facility or developmental disabilities center operated by the Department.

"Final report". A completed investigative report approved by the Inspector General that summarizes the evidence and that indicates whether the allegation of abuse, neglect or financial exploitation is substantiated, unsubstantiated or unfounded based on the evidence gathered from the investigation, when the reconsideration and response period has expired.

"Financial exploitation". Taking unjust advantage of an individual's assets, property or financial resources through deception, intimidation or conversion for the employee's, facility's or agency's own advantage or benefit.

"Finding". The Office of Inspector General's determination regarding whether an allegation is substantiated, unsubstantiated or unfounded.

"Health Care Worker Registry" or "Registry". The Health Care Worker Registry created by the Nursing Home Care Act [210 ILCS 45].

"Imminent danger". A preliminary determination of immediate, threatened or impending risk of illness, mental injury, or physical injury or deterioration to an individual's health that requires immediate action.

"Individual". Any person receiving mental health services, developmental disabilities services, or both from a facility or agency, while either on-site or off-site.

"Insulting or provoking". Contact that offends a reasonable sense of personal dignity.

"Medical treatment". Any treatment, other than diagnostic procedures, that may

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only be ordered or rendered to an individual by a physician or dentist regarding an injury.

"Mental abuse". The use of demeaning, intimidating or threatening words, signs, gestures or other actions by an employee about an individual and in the presence of an individual or individuals that results in emotional distress or maladaptive behavior, or could have resulted in emotional distress or maladaptive behavior, for any individual present.

"Mitigating circumstance". A condition that is attendant to a finding and does not excuse or justify the conduct in question, but may be considered in evaluating the severity of the conduct, the culpability of the accused, or both the severity of the conduct and the culpability of the accused employee/facility/agency.

"Neglect". An employee's, agency's or facility's failure to provide adequate medical care, personal care or maintenance, and that, as a consequence, causes an individual pain, injury or emotional distress, results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or places an individual's health or safety at substantial risk of possible injury, harm or death.

"Non-accidental". Occurring with volition or consciousness; not occurring by chance.

"OIG". The Office of Inspector General of the Department.

"Physical abuse". An employee's non-accidental and inappropriate contact with an individual that causes bodily harm. "Physical abuse" includes actions that cause bodily harm as a result of an employee/facility/agency directing an individual or person to physically abuse another individual.

"Preponderance of the evidence". Proof sufficient to persuade the finder of fact that a fact sought to be proved is more likely true than not true.

"Recommendation". Means an admonition rendered by OIG, separate from a finding, that requires action by the facility, agency or Department to correct a systemic issue, problem or deficiency identified during an investigation.

"Required reporter". Any employee/facility/agency who suspects, witnesses, or is

## DEPARTMENT OF HUMAN SERVICES

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informed of an allegation of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect or financial exploitation.

"Routine programmatic." Refers to services provided as part of the individual's habilitation plan, treatment plan or as a regular or ongoing component of the community agency's or facility's general services or practices.

"Secretary". The Chief Administrative Officer of the Department.

"Sexual abuse". Any ~~sexual behavior~~, sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual ~~behavior~~<sup>activity</sup> that results in sexual contact, intimate physical contact, sexual behavior, or intimate physical behavior. Sexual abuse also includes:

an employee's actions that result in the sending or showing of sexually explicit images to an individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual; or

an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual. Sexual abuse does not include allowing individuals to, of their volition, view movies or images of a sexual nature, or read text containing sexual content unless the individual's guardian prohibits the viewing of such movies or images or reading of such material.

"Sexual contact". Inappropriate sexual contact between an employee and an individual involving either an employee's genital area, anus, buttocks or breasts or an individual's genital area, anus, buttocks or breasts. Sexual contact also includes sexual contact between individuals that is coerced or encouraged by an employee.

"Sexually explicit images". Includes, but is not limited to, any material which depicts nudity, sexual conduct, or sadomasochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse. This does not include those images contained in sex education materials used by employees to educate individuals.

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"Substantiated". There is a preponderance of the evidence to verify the substance of the allegation.

"Unfounded". There is no credible evidence to verify the substance of the allegation.

"Unsubstantiated". There is credible evidence, but less than a preponderance of evidence to verify the substance of the allegation.

"Victim". An individual who has been subjected to alleged abuse, neglect or financial exploitation.

(Source: Amended by emergency rulemaking at 39 Ill. Reg. 13271, effective September 18, 2015, for a maximum of 150 days)

## PROCUREMENT POLICY BOARD

## NOTICE OF WITHDRAWAL OF PROPOSED RULEMAKING

- 1) Heading of the Part: Freedom of Information
- 2) Code Citations: 2 Ill. Adm. Code 3001
- 3) 

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
3001.10	Renumbered
3001.20	Renumbered
3001.100	Repealed
3001.101	Renumbered; Amendment
3001.102	Renumbered; Amendment
3001.110	Repealed
3001.200	Repealed
3001.201	New Section
3001.202	New Section
3001.203	New Section
3001.210	Repealed
3001.300	Repealed
3001.301	New Section
3001.302	New Section
3001.303	New Section
3001.310	Repealed
3001.400	Repealed
3001.401	New Section
3001.402	New Section
3001.403	New Section
3001.404	New Section
3001.405	New Section
3001.406	New Section
3001.407	New Section
3001.410	Repealed
3001.420	Repealed
3001.501	New Section
3001.502	New Section
3001.503	New Section
3001.APPENDIX A	Amendment
- 4) Date Notice of Proposed Rulemaking published in the *Illinois Register*: 39 Ill. Reg. 12730; September 18, 2015

PROCUREMENT POLICY BOARD

NOTICE OF WITHDRAWAL OF PROPOSED RULEMAKING

- 5) Reason for the Withdrawal: Recodification is required.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of September 15, 2015 through September 21, 2015. Rulemakings are scheduled for review at the Committee's October 13, 2015 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
10/31/15	<u>Department of Financial and Professional Regulation</u> , Illinois Professional Land Surveyor Act of 1989 (68 Ill. Adm. Code 1270)	7/17/15 39 Ill. Reg. 9786	10/13/15
10/31/15	<u>Department of Financial and Professional Regulation</u> , The Professional Engineering Practice Act of 1989 (68 Ill. Adm. Code 1380)	7/17/15 38 Ill. Reg. 9819	10/13/15
10/31/15	<u>Department of Financial and Professional Regulation</u> , The Structural Engineering Practice Act of 1989 (68 Ill. Adm. Code 1480)	7/17/15 39 Ill. Reg. 9836	10/13/15
11/4/15	<u>Department of Insurance</u> , Construction and Filing of Life Insurance and Annuity Forms (50 Ill. Adm. Code 1405)	6/26/15 39 Ill. Reg. 8677	10/13/15
11/4/15	<u>Department of Insurance</u> , Variable Contracts (50 Ill. Adm. Code 1451)	6/26/15 39 Ill. Reg. 8684	10/13/15
11/4/15	<u>Department of Insurance</u> , Family Group Life Insurance Policy Forms (Repealer) (50 Ill. Adm. Code 1603)	7/24/15 39 Ill. Reg. 10357	10/13/15
11/4/15	<u>State Board of Education</u> , Special Education Facilities under Section 14-7.02 of the School Code (23 Ill. Adm. Code 401)	7/6/15 39 Ill. Reg. 8973	10/13/15

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

11/4/15	<u>Pollution Control Board</u> , Primary Drinking Water Standards (35 Ill. Adm. Code 611)	6/26/15 39 Ill. Reg. 8691	10/13/15
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## PROCLAMATIONS

**2015-211****Americans With Disabilities Act Month**

WHEREAS, Congress passed the Americans with Disabilities Act (ADA) in 1990, establishing a clear and comprehensive prohibition of discrimination on the basis of disability; and,

WEHREAS, the ADA defined a disability as a physical or mental impairment that substantially limits one or more of the major life activities of an individual; and,

WHEREAS, the passage of the ADA represents a major step toward protecting civil rights and improving the quality of life for persons with disabilities, persons who were often subject to discrimination and lacked federal protection; and,

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers and changing perceptions, thereby increasing participation in community life; and,

WHEREAS, the Americans with Disabilities Act Amendments Act of 2008 emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA; and,

WHEREAS, the year 2015 marks the 25<sup>th</sup> anniversary of the ADA's civil rights guarantee for individuals with disabilities; and,

WHEREAS, Illinois has a long history of protecting the rights of disabled persons, going back 34 years to the passage of the Illinois Human Rights Act (December 6, 1979), which made discrimination against any person with a physical or mental disability illegal; and,

WHEREAS, the State of Illinois and its agencies are committed to continuing efforts to implement the ADA and ensure that people with disabilities are able to fully participate in employment, transportation, education, communication and community opportunities;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 2015 as **AMERICANS WITH DISABILITIES ACT MONTH** in Illinois, and encourage all citizens to reaffirm the principles of equality and inclusion, recognize the historical significance of the ADA, and in turn, do their part to ensure that people with disabilities are included in mainstream community life.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-212**

## PROCLAMATIONS

**Ansar Shriners Day**

WHEREAS, the Land of Lincoln congratulates the members of the Ansar Shriners, Potentate Charles E. McEvers and the officers of his Divan, on the occasion of the organization's 100th anniversary on July 14, 2015; and,

WHEREAS, Ansar Shriners of Springfield, Illinois, was chartered on July 14, 1915, by action of the Annual Session of the Ancient Arabic Order of the Nobles of the Mystic Shrine, now known as Shriners International, and became the 136th chapter of the fraternity; and Ansar Shriners is one of five Shrine centers in Illinois; and it is the 17th largest of 195 Shrine centers throughout the world; and,

WHEREAS, the members of Ansar Shriners exemplify the Masonic tenets of Faith, Hope and Charity; and apply these in their daily lives aspiring to promote truth, brotherly love, aid to others and affirming that all mankind is created equally in the sight of the Creator; and,

WHEREAS, Ansar Shriners are committed to being the premier fraternal organization for men of good character; providing attractive, quality programs and services for its members, their families and their friends in a spirit of fun, fellowship and social camaraderie; and fostering self-improvement through leadership, education, and the perpetuation of moral values and community involvement; and serving mankind through the resources of its philanthropy, Shriners Hospitals for Children; and,

WHEREAS, Ansar is taken after the Arabic word meaning "Those Who Give Aid"; and Ansar Nobles do just that through their support of the nineteen Shriners Hospitals for Children that provide orthopedic care and the three hospitals that provide pediatric burn treatment; and all treatment is provided regardless of the families' ability to pay for services; and,

WHEREAS, The Ansar Shriners will celebrate its 100<sup>th</sup> anniversary with a year of public events, including parades, membership initiations, the Shrine Circus, and events at numerous festivals and homecomings throughout the State, concluding with a 100th year celebration on July 18, 2015 in Springfield;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois do hereby proclaim July 18, 2015 as **ANSAR SHRINERS DAY** in Illinois and congratulate members of the Ansar Shriners on the occasion of the organization's 100th anniversary, thank them for their dedicated service to the people of the State of Illinois and wish them success and happiness in their future endeavors.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

## PROCLAMATIONS

**2015-213****A Safe Haven Day**

WHEREAS, this year marks the 21<sup>st</sup> Anniversary since Neli and Brian Rowland co-founded A Safe Haven to provide housing, services, and employment opportunities for more than 55,000 people and for thousands of veterans in need across Illinois; and,

WHEREAS, today, A Safe Haven has grown to include a network of more than 34 locations that are a comprehensive community based continuum of care and housing, which includes transitional housing, supportive housing, affordable housing and senior housing; and,

WHEREAS, in Illinois, A Safe Haven provides services for more than 5,000 people a year and has created more than four Social Business Enterprises that collectively employ more 400 people; and,

WHEREAS, through collaboration with the State of Illinois and other government and private stakeholders, A Safe Haven has become a leading organization committed to serving our most vulnerable people and empowering them to support themselves and their families; and,

WHEREAS, the longevity of A Safe Haven is a testament to the dedication of its founders, board members, and employees; and,

WHEREAS, on July 12, 2015, A Safe Haven will host its 5th Annual 5k RUN! To End Homelessness and Military Veteran Stand Down, with the proceeds going back to the organization;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 12, 2015, as **A SAFE HAVEN DAY** in Illinois, in support of the Annual 5K RUN! To End Homelessness and Military Veteran Stand Down, and in recognition of the efforts this organization makes to end homelessness.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-214****Blood Drive Coordinator Month**

WHEREAS, patients in Illinois hospitals require a year-round supply of donated blood; and,

WHEREAS, blood centers rely 100 percent on donations from volunteer donors in order to maintain a safe and viable blood supply; and,

## PROCLAMATIONS

WHEREAS, a single trauma patient can use more than 100 units of blood; and,

WHEREAS, blood only has a shelf life of 42 days; and,

WHEREAS, blood centers rely heavily on blood donated on their premises and on blood drives organized throughout their communities by volunteers; and,

WHEREAS, though there are many honors for donors, volunteer blood drive coordinators are often the "unsung heroes," who are responsible for hundreds of donations and are invaluable to the blood centers; and,

WHEREAS, blood drive coordinators play a vital role in educating the public on the importance of blood donation; and,

WHEREAS, many blood drive coordinators are responsible for the recruitment of many first-time blood donors, many of whom become regular donors over the course of their lifetimes; and,

WHEREAS, the State of Illinois recognizes the importance of blood donation through the Blood Donation Act, the Employee Blood Donation Leave Act and the Organ Donor Act; and,

WHEREAS, the Illinois Coalition of Community Blood Centers presents annual awards throughout the state to individuals who have made a major impact in their communities through their blood drive collection efforts;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 2015 as **BLOOD DRIVE COORDINATOR MONTH** in Illinois, and encourage Illinoisans to consider volunteering to coordinate a blood drive in their community, and encourage blood centers, units of local government, civic organizations and businesses, and others to honor volunteers in their community who coordinate local blood drives.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-215****Canada Trade and Investment Day**

WHEREAS, trade between Illinois and Canada exceeds \$67 billion per year with Illinois selling more goods to Canada than to its next five largest foreign markets combined; and,

## PROCLAMATIONS

WHEREAS, Illinois and other Great Lake states share responsibility for the stewardship and protection of the Great Lakes, which contain one-fifth of the world's surface fresh water; and,

WHEREAS, 344,300 jobs in Illinois depend on Canada–U.S. trade and investment; and,

WHEREAS, Canada and the United States enjoy a unique bilateral relationship with a partnership forged by shared geography, similar values, common interests, deep connections and powerful, multi-layered economic ties;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 1, 2015 to be **CANADA TRADE AND INVESTMENT DAY** in Illinois.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-216****Elder Abuse Awareness and Prevention Month**

WHEREAS, according to the Illinois Department on Aging, as many as five percent of persons aged sixty and older are subject to some form of abuse, including physical, emotional and sexual abuse, as well as financial exploitation and neglect of basic care needs; and,

WHEREAS, Illinois has more than two million citizens over the age of sixty, meaning 100,000 or more older adults in Illinois could currently be victims of some form of abuse; and,

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of this plight against our most vulnerable elderly; and to promote increased elder abuse reporting; and,

WHEREAS, the Illinois Department on Aging has strengthened protections of people with disabilities and older adults through its Office of Adult Protective Services; and,

WHEREAS, it is essential that the citizens of Illinois recognize the signs of abuse, neglect and exploitation, break the silence and report suspicions of abuse; and,

WHEREAS, it is imperative that each community in Illinois refuse to tolerate these offenses against our older citizens by creating greater awareness of the prevalence and severity of elder abuse in hopes of eradicating it from society;

## PROCLAMATIONS

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 2015 as **ELDER ABUSE AWARENESS AND PREVENTION MONTH** in Illinois, and encourage all citizens to recognize this crisis and join in working towards its prevention.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-217**  
**Ghanafest Day**

WHEREAS, on July 25, 2015, the Ghana National Council of Metropolitan Chicago is sponsoring the 27th Annual Ghanafest; and,

WHEREAS, Ghanafest attracts thousands of visitors from all over the world, including 10,000 participants and visitors last year; and,

WHEREAS, Ghanafest is one of the largest gatherings of African immigrants in the United States; and,

WHEREAS, from traditional African arts and crafts and tribal dresses, to extraordinary foods and musical performances, Ghanafest is a great opportunity to experience the rich and diverse culture of Ghana; and,

WHEREAS, past honored guests at the festival have included His Excellency John Dramani Mahama, President of Ghana, and the His Excellency Jerry John Rawlings, former President of Ghana, and the Honorable Alexander Asum Ahensa, Ghanaian Minister of Chieftaincy and Culture; and,

WHEREAS, Ghanaians and the Ghana National Council are celebrating 27 years of sharing this extraordinary presentation of African culture with all of the people of the Land of Lincoln;

THEREFORE, I, Bruce Rauner, Governor of the state of Illinois, do hereby proclaim July 25, 2015 as **GHANAFEST DAY** in Illinois, and welcome all those attending Ghanafest to celebrate Ghanaian culture and heritage.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-218**  
**Helen Keller Deaf-Blind Awareness Week**

## PROCLAMATIONS

WHEREAS, Helen Keller was one of the most accomplished, respected, and renowned deaf-blind Americans; and,

WHEREAS, in today's society, people who have dual-sensory loss, such as hearing and vision, should have options to choose from when making important life-changing decisions; and,

WHEREAS, it is in the interest of the State of Illinois to encourage the full participation of American citizens with multi-sensory disabilities in our economy by fostering employment and promoting housing and recreational options for people who are deaf-blind to maximizing their opportunities for a productive life in the community of their choice; and,

WHEREAS, it is highly appropriate and necessary to publicize the abilities and potential of our fellow citizens who are deaf-blind, or severely vision and hearing impaired, and to recognize Helen Keller as a guiding example of courage, hope, determination and achievement for other individuals who are deaf-blind;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim June 21<sup>st</sup>-June 27<sup>th</sup> as **HELEN KELLER DEAF-BLIND AWARENESS WEEK** in Illinois, and encourage all citizens to recognize the abilities and talents that people with vision and hearing disabilities can bring to our communities across this great state.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-219****National Health Center Week**

WHEREAS, for 50 years, America's community health centers have provided high quality, cost effective, and accessible primary and preventative care to all individuals regardless of insurance status or ability to pay; and,

WHEREAS, health centers serve as the health care home for more than 23 million Americans through more than 9,000 delivery sites across the nation, and one in every 15 people living in the United States depends on their services; and,

WHEREAS, health centers are located in medically underserved areas and locally controlled by patient-majority boards, making each Health center responsive to the needs of the specific community it serves; and,

WHEREAS, as locally owned and operated small businesses, health centers serve as critical economic engines helping to power local economies by generating billions of dollars in

## PROCLAMATIONS

combined economic impact and creating jobs in some of the country's most economically deprived communities; and,

WHEREAS, health centers employ more than 11,300 physicians and more than 8,400 nurse practitioners, physician assistants, and certified nurse midwives as part of a multi-disciplinary clinical team designed to treat the whole patient, coordinating care and managing chronic disease, at the same time reducing unnecessary, avoidable and wasteful use of health resources; and,

WHEREAS, the health center model continues to prove an effective means of overcoming barriers to access including geography, income and insurance status, and in doing so, improves health care outcomes and reduces health care system costs; and,

WHEREAS, health centers save the entire health system approximately \$24 billion annually by managing chronic conditions and keeping patients out of costlier health care settings; and,

WHEREAS, health centers have worked tirelessly to grow the nation's primary care infrastructure to meet the pressing needs of Americans who still lack access to primary care services, a number that exceeds 62 million nationwide; and,

WHEREAS, the demand for health centers continues to outpace growth and expansion of the program will be essential to meet the needs of these new patients, as existing health centers are already at capacity and many communities lack any primary care services at all; and,

WHEREAS, health centers remain committed to preserving and expanding access in the communities they serve, ensuring that the promise of coverage is translated into the reality of care; and,

WHEREAS, National Health Center Week offers the opportunity to recognize America's health centers, their dedicated staff, board members, and all those responsible for the continued success and growth of the program since its creation 50 years ago;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 9 – 15, 2015, as **NATIONAL HEALTH CENTER WEEK** in Illinois, and encourage everyone to visit their local health center and celebrate the important partnership between America's health centers and the communities they serve.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-220**

## PROCLAMATIONS

**Parents Day**

WHEREAS, through a bi-partisan effort in Congress and the signature of President William Jefferson Clinton, Parents Day was established as a holiday to be celebrated on the fourth Sunday every July; and,

WHEREAS, the strength of the American family is directly related to the moral strength of our great Nation; and,

WHEREAS, the family is the School of Love where children learn to be good citizens, good siblings, good friends and eventually responsible parents themselves; and,

WHEREAS, the Family Federation for World Peace and Unification is celebrating this holiday in Washington, D.C. and will be sending its Illinois "Parents of the Year," to the National celebration;

THEREFORE, I, Bruce Rauner, the Governor of the State of Illinois do hereby declare, Sunday, July 26, 2015 as **PARENTS DAY** in Illinois.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-221****Summer Food Service Program Day**

WHEREAS, more than 13 percent of Illinoisans struggle to provide enough food for their families and more than 20 percent of Illinoisans' children are food insecure, meaning they do not have consistent access to adequate food; and,

WHEREAS, Illinois ranks 23<sup>rd</sup> in the nation for childhood hunger and 21 percent of children live in poverty; and,

WHEREAS, there are children in every county of the State of Illinois who experience food insecurity and summer meals only reach 14.8 percent of children receiving free or reduced priced National School Lunch Program meals during the school year; and,

WHEREAS, there were 32 counties in Illinois that had zero Summer Food Service Program sites in 2014; and,

WHEREAS, the Illinois State Board of Education identified 15 target counties with the greatest need for Summer Food Service Program sites including Cook, Clinton, DuPage, Fulton,

## PROCLAMATIONS

Jefferson, Kane, Lake, Logan, Madison, Monroe, Peoria, Sangamon, St. Clair, Tazewell, and Will; and,

WHEREAS, no child deserves to go without food, and children who are food insecure suffer from increased risk of chronic diseases, increased rates of behavioral problems, decreased academic achievement, and long-term social and economic impacts; and,

WHEREAS, in 2014, 4,615,622 summer meals were provided through the Summer Food Service Program, and these meals were distributed through 1,739 sites; and,

WHEREAS, Summer Food Service Program sites are an ideal model for summer food delivery and provide on-site adult supervision and enrichment activities for children; however, more SFSP sites are needed; and,

WHEREAS, USDA, Illinois State Board of Education, No Kid Hungry Illinois, Illinois Hunger Coalition, and Illinois Summer Meals Partners continue to work together to increase participation in the Summer Food Service Program;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim June 24, 2015 as **SUMMER FOOD SERVICE PROGRAM DAY** throughout the state of Illinois, and call upon Summer Food Service Program sites to operate as open sites to the community so that all children can access healthy, nutritious meals during the summer.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-222****The Year of the Community College**

WHEREAS, the 48 community colleges within 39 college districts in Illinois serve nearly one million students taking credit, non-credit, and community education courses each year; and,

WHEREAS, the Illinois Community College System is the third largest in the nation; and,

WHEREAS, nine out of ten Illinois community college graduates remain in Illinois after graduation to live, work, pay taxes and raise their families; and,

WHEREAS, the benefits of earning an associates degree or long-term certificate from an Illinois community college translate to an average of more than \$570,000 in lifetime earnings; and,

## PROCLAMATIONS

WHEREAS, nearly 74 percent of Illinois employers have hired a community college student; and,

WHEREAS, Illinois community colleges have partnered with local school districts to offer 8,780 dual credit courses to 82,895 high school students; and,

WHEREAS, the colleges within the Illinois Community College System share a common mission to prepare people for college and the workforce, to transfer to other colleges and universities, and continually respond to the communities they serve through adult, literacy and continuing education services;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 15, 2015 through July 15, 2016 to be **THE YEAR OF THE COMMUNITY COLLEGE** in honor of the 50th anniversary of the Illinois Community College System.

Issued by the Governor July 9, 2015

Filed by the Secretary of State September 15, 2015

**2015-223****Concrete Pipe Week**

WHEREAS, reinforced concrete pipe and precast concrete products are of vital importance to sustainable communities and to the health, safety and well-being of the people of Illinois; and,

WHEREAS, reinforced concrete pipes, precast concrete products and services could not be provided without the dedicated efforts of the concrete pipe and precast industry manufacturers, professionals, engineers, managers and employees; and,

WHEREAS, these individuals design, manufacture, distribute, educate and supply precast concrete pipe to public and private owners, who build, design and maintain our transportation infrastructure, water supply, water treatment systems, solid waste systems, and other structures and facilities essential to serve our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Illinois learn about the importance of the reinforced concrete pipe and precast industry in their communities; and,

WHEREAS, 2015 marks the 101<sup>st</sup> year of the American Concrete Pipe Association and the first year of National Concrete Pipe Week sponsored by the American Concrete Pipe Association; and,

## PROCLAMATIONS

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 16-20, 2015 as **CONCRETE PIPE WEEK** and I urge all citizens to join with representatives of the Illinois Concrete Pipe Association of the American Concrete Pipe Association in activities and ceremonies designed to pay tribute to our concrete pipe and precast industry manufactures, professionals, engineers, managers and employees and to recognize the substantial contributions they have made to our national health, safety, welfare and quality of life.

Issued by the Governor July 14, 2015

Filed by the Secretary of State September 15, 2015

**2015-224****Illinois Flag Display Act – Chattanooga, Tennessee Shooting Victims**

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the U.S. Armed Forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, on July 16, 2015, five members of the U.S. Military were killed in Chattanooga, Tennessee during a horrific and unconscionable act of violence by a gunman; and,

WHEREAS, U.S. Marine Corps Gunnery Sgt. Thomas J. Sullivan, Staff Sgt. David A. Wyatt, Sgt. Carson A. Holmquist, Lance Cpl. Squire K. Wells, and U.S. Navy Petty Officer Randall Smith lost their lives, while protecting others in the vicinity; and,

WHEREAS, throughout their careers as proud members of the United States Military, they represented their country admirably and with great honor; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Tuesday, July 21, 2015, until sunset on Friday, July 24, 2015, in honor and remembrance of these fallen service members.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-225****Breastfeeding Promotion Month**

WHEREAS, exclusive breastfeeding is the foundation for life-long health and wellness; and,

## PROCLAMATIONS

WHEREAS, exclusive breastfeeding is recommended and supported by the American Academy of Pediatrics and many other health organizations, as providing benefits that are not received by partially breastfed infants; and,

WHEREAS, infants and young children receiving human milk are protected against serious long term health conditions including obesity, respiratory and ear infections, asthma, allergies, diarrhea, childhood cancers, Sudden Infant Death Syndrome and less than optimal brain development; and,

WHEREAS, breastfeeding women have reduced incidence of ovarian and breast cancers, diabetes and cardiovascular disease; and

WHEREAS, breastfeeding promotes strong family bonds while providing economical and societal benefits through lowering health care costs; and,

WHEREAS, establishing donor human milk banks ensures all infants have access to breast milk; and,

WHEREAS, in the event of a disaster depriving people of food, shelter and resources needed to survive, breastfeeding is the first line of defense for safe infant feeding; and,

WHEREAS, a united effort is needed from business, communities, governmental leaders and health care providers to support exclusive breastfeeding; and,

WHEREAS, government leaders provide guidance on implementing the Illinois Blueprint to Breastfeeding and hospitals pursue baby friendly designation while health care providers support the ten steps to successful breastfeeding, all are responsible for supporting the International Code of Marketing of Breast-Milk Substitutes;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 2015 as **BREASTFEEDING PROMOTION MONTH** in Illinois to uphold a mother's decision for a healthy beginning for her child and to encourage our Illinois employers and businesses to support the needs of breastfeeding mothers.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-226**

**Chicago Defender Charities Inc. Bud Billiken® Day**

## PROCLAMATIONS

WHEREAS, Chicago Defender Charities Inc. has a long tradition of helping Illinoisans in need through charitable aid such as financial assistance and scholarships to students and gift baskets to public housing residents during seasons; and,

WHEREAS, Chicago Defender Charities Inc. also sponsors the historic 86th Annual Bud Billiken® Parade and Picnic to be held this year on August, 8th 2015; and

WHEREAS, For the past 86 years, the Bud Billiken® Parade and Picnic has provided wholesome fun and safe entertainment without charge to thousands of children; and,

WHEREAS, the Chicago Defender Charities Inc. Bud Billiken® Parade and Picnic has become one of Chicago's most celebrated rites of summer for thousands of children returning to school, and a greatly anticipated event for families throughout the state; and,

WHEREAS, the Chicago Defender Charities Inc. has always been committed to the support, encouragement and education of our youth; and,

WHEREAS, the Chicago Defender Charities will continue the green initiative Green Team Conservation & Recycling Program to train, employ and prepare our youth for the emerging green economy; and,

WHEREAS, organizations and events such as Chicago Defender Charities Inc. and the Bud Billiken® Parade promote community service and unity, which are vital to the strength and success of communities throughout the Land of Lincoln;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 8th, 2015 as **CHICAGO DEFENDER CHARITIES INC. BUD BILLIKEN® DAY** in Illinois, and urge all citizens to join in the festivities.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-227**

**Illinois River Management Month**

WHEREAS, the Illinois River fosters environmental, economic, recreational, and educational opportunities for local communities; and,

WHEREAS, working partnerships with local communities and organizations will enhance awareness and capabilities of local stakeholders to address watershed and water resource concerns; and,

## PROCLAMATIONS

WHEREAS, the State of Illinois is encouraging strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices; and,

WHEREAS, the theme of the 2015 Conference on the Management of the Illinois River System is focused on "A Watershed Partnership;" and,

WHEREAS, the conference will be taking place October 27 – 29, 2015 at the Peoria Marriott Pere Marquette in Peoria, Illinois;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim October 2015 as **ILLINOIS RIVER MANAGEMENT MONTH**, and encourage all citizens to recognize the economic, recreation, social, and environmental benefits of conserving and managing to properly utilize and sustain the resources of the Illinois River System.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-228****Infant Mortality Awareness Month**

WHEREAS, infant mortality refers to the death of a baby before it reaches his or her first birthday; and,

WHEREAS, Illinois ranks 29<sup>th</sup> among the 50 states in the rate of infant mortality; and,

WHEREAS, the 2014 provisional data shows that, the Illinois infant mortality rate is 6.2 deaths per 1,000 live births, which has remained relatively unchanged since 2010; and,

WHEREAS, the current infant mortality rate is a significant and troubling public health issue, especially for African-American families, Native-American families, and Hispanic families; and,

WHEREAS, the infant mortality rate among African-American women is triple that of Caucasian women, according to the Illinois Department of Public Health; and,

WHEREAS, the Illinois Department of Public Health and other stakeholders in the Collaborative Improvement & Innovation Network to Reduce Infant Mortality (CoIIN) are committed to addressing infant mortality by focusing on preconception and interconception health, sudden infant death syndrome, social determinants of health, early elective delivery and perinatal regionalization; and,

## PROCLAMATIONS

WHEREAS, a set of goals and objectives with 10-year targets designed to guide national health promotion and disease prevention, known as Healthy People 2020, includes an objective regarding a decrease in the rate of infant mortality;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 2015 as **INFANT MORTALITY AWARENESS MONTH** in Illinois, in order to reduce health inequities, improve birth outcomes and improve the health of all Illinois women, babies and families in so that no parent will have to endure the tragedy of infant death.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-229****Lakes Appreciation Month**

WHEREAS, lakes and reservoirs are among Illinois most valuable natural resources; and,

WHEREAS, lakes and reservoirs provides drinking water, irrigation, energy, recreation, scenic beauty, and habitat for wildlife; and,

WHEREAS, these beneficial uses have been of vital importance to Illinois history, growth, and financial health; and,

WHEREAS, our lakes and reservoirs improve the quality of life for all of Illinois' residents and their importance should not go unnoticed; and,

WHEREAS, the State of Illinois recognizes the need to protect these lakes and ponds for future generations;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 2015 as **LAKES APPRECIATION MONTH** in Illinois, in recognition of the importance of these vital resources.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-230****Muscular Dystrophy & "Light It Up Green For MD" Month**

## PROCLAMATIONS

WHEREAS, muscular dystrophy is not a single disease or disorder that effects everyone the same way, but is an umbrella term covering more than nine types of muscular and 43 neuromuscular diseases ranging in severity; and,

WHEREAS, all muscular dystrophies result in progressive muscle weakness, from mild muscle weakness to complete paralysis of all voluntary muscles, including those used for breathing and/or swallowing; and,

WHEREAS, more than one million individuals in the United States are affected by one of the different types of muscular dystrophy; and,

WHEREAS, muscular dystrophy strikes people regardless of race, sex, age or ethnicity; and,

WHEREAS, in the fight to cure neuro-muscular disease, there are four times as many new clinical trials underway than compared to the 1990s, and more new drugs are expected in the next few years compared to the previous five decades; and,

WHEREAS, raising public awareness of these diseases will continue to facilitate the discovery of treatments and cures, as well as bring much needed funding to support services for families in Illinois; and,

WHEREAS, Muscular Dystrophy Awareness Month and "Light it Up Green for MD" Month is a special opportunity to educate the public about muscular dystrophy and issues in the muscular dystrophy community;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 2015 as **MUSCULAR DYSTROPHY & "LIGHT IT UP GREEN FOR MD" MONTH** in Illinois, to increase knowledge of Muscular Dystrophy and allow the community at large to better support those who struggle with the challenges of this disorder.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-231****Spinal Muscular Atrophy Awareness Month**

WHEREAS, Spinal Muscular Atrophy (SMA) is the leading genetic killer of children under the age of two and one in 40 Americans carry the gene that causes SMA; and,

WHEREAS, SMA is a motor neuron disease which affects the voluntary muscles that are used for activities such as crawling, walking, head and neck control, and swallowing; and,

## PROCLAMATIONS

WHEREAS, currently there is no treatment or cure for SMA, which is known to cause degeneration in voluntary muscle movement for those who live with the disease; and,

WHEREAS, SMA crosses all racial, ethnic and religious boundaries, and can strike anyone of any age or gender; and,

WHEREAS, increased awareness of SMA will lead to expanded knowledge and increased support for the disease, research and families affected; and,

WHEREAS, since 1984, the non-profit organization CURE SMA has raised more than \$50 million to leading SMA research programs, which has assisted with research leading to clinical trials and the discovery of new drugs that have provided hope to families and patients. Locally, these efforts are aided by CURE SMA of Illinois Chapter; and,

WHEREAS, CURE SMA and patient groups from around the nation have named August as National Spinal Muscular Atrophy Awareness Month to raise awareness and help promote research for the disease;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 2015 as **SPINAL MUSCULAR ATROPHY AWARENESS MONTH** in Illinois.

Issued by the Governor July 21, 2015

Filed by the Secretary of State September 15, 2015

**2015-232****WWII 70<sup>th</sup> Anniversary Spirit of '45 Commemorative Week**

WHEREAS, the people of the State of Illinois honor the 16.1 million Americans who served in the Armed Forces during World War II, remember the 292,000 Americans who made the supreme sacrifice with their lives and thank the men and women who worked to protect the United States; and,

WHEREAS, on August 14, 1945 the people of the United States received word of the end of World War II and greeted the news of the Allies' noble victory with joyous celebration, humility and spiritual reflection; and,

WHEREAS, the victory marked the culmination of a national effort that defeated the forces of aggression, brought freedom to subjugated nations and ended the horrors of the Holocaust; and,

## PROCLAMATIONS

WHEREAS, these historic accomplishment were achieved through the collective service and personal sacrifice of the people of the United States, including both those who served in uniform and those who supported them on the home front; and,

WHEREAS, August 14, 1945, marked not only the end of the war but also the beginning of an unprecedented era of rebuilding, during with the World War II generation created an array of organizations that helped to strengthen American democracy by promoting civic engagement, volunteerism and service to community country; and,

WHEREAS, the entire World War II generation, military personnel and civilians alike, has provided a model of unity and community that serves as a source of inspiration for current and future generations of Americans to come together to work for the continued betterment of the United States and the world;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, herby proclaim August 9-16, 2015 as **WWII 70th ANNIVERSARY SPIRIT OF '45 COMMEMORATIVE WEEK** in Illinois, and encourage all citizens to join in this observance.

Issued by the Governor August 3, 2015

Filed by the Secretary of State September 15, 2015

**2015-233****Illinois Flag Display Act – 2<sup>nd</sup> Lt. Stephen V. Biezis**

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, U.S. Army Air Forces 2<sup>nd</sup> Lt. Stephen V. Biezis, of Chicago, Illinois, was unaccounted for from World War II; and,

WHEREAS, 2<sup>nd</sup> Lt. Biezis and the four other Airmen were assigned to the 575th Bombardment Squadron, 391st Bombardment Group, 9<sup>th</sup> Air Force; and,

WHEREAS, 2<sup>nd</sup> Lt. Biezis was the co-pilot of a B-26C Marauder that crashed after being struck by enemy fire while on a bombing mission against enemy forces near Ahrweiler, Germany; and,

WHEREAS, 2<sup>nd</sup> Lt. Biezis and four other crew members were reportedly killed in action, and his remains were not recovered during the war; and,

## PROCLAMATIONS

WHEREAS, 2nd Lt. Biezis' remains have now been recovered and identified, and he will be laid to rest on August 14, 2015 in Arlington National Cemetery, Washington D.C.; and,

WHEREAS, throughout his career as a proud member of the United States Army Air Forces, 2nd Lt. Stephen V. Biezis represented the State of Illinois admirably; and,

WHEREAS, 2nd Lt. Stephen V. Biezis is survived by many family members and friends;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Wednesday, August 12, 2015, until sunset on Friday, August 14, 2015, in honor and remembrance of 2nd Lt. Stephen V. Biezis, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 11, 2015

Filed by the Secretary of State September 15, 2015

**2015-234****Illinois Flag Display Act – Deputy Craig S. Whisenand**

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, law enforcement officers save countless lives every year with their heroic efforts; and,

WHEREAS, law enforcement officers not only demonstrate a commitment to serve, but display the courage needed to act calmly and professionally when presented with dangerous situations; and,

WHEREAS, on August 10, 2015, one of these brave souls, Deputy Craig S. Whisenand, of the Tazewell County Sheriff's Office, was taken from us at the age of 44, while on duty and responding to a call; and,

WHEREAS, he will always be remembered for his 15 years of service to Tazewell County, as a corrections officer and then a deputy sheriff; and,

WHEREAS, Deputy Craig S. Whisenand was not only a public servant, but a dedicated deputy sheriff who was known by many for his deep commitment to helping people and saving lives; and,

## PROCLAMATIONS

WHEREAS, although Deputy Craig S. Whisenand is no longer with us, we will not forget the countless lives that were impacted by his service; and,

WHEREAS, on Saturday, August 15, 2015, a funeral will be held at Tremont United Methodist Church in Tremont, Illinois, for Deputy Craig S. Whisenand, who is survived by many loving family members and friends who are grateful for the numerous ways he touched their lives;

THEREFORE, I Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on August 13, 2015 until sunset on August 15, 2015, in honor and remembrance of Deputy Craig S. Whisenand, a dedicated law enforcement officer whose service is an inspiration.

Issued by the Governor August 12, 2015

Filed by the Secretary of State September 15, 2015

**2015-235****Veterans' Day at the State Fair**

WHEREAS, throughout our nation's history, America's men and women in uniform have demonstrated bravery and courage in the face of danger; and,

WHEREAS, our veterans answered the call to duty with honor, decency and selflessness; and,

WHEREAS, as we recall the service of our soldiers, sailors, airmen, marines and coast guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and,

WHEREAS, it is our duty to ensure that the sacrifice of these heroes is never forgotten. Our veterans represent the best of America, and they deserve the benefits they have earned; and,

WHEREAS, Sunday, August 16, 2015, is Veterans' Day at the Illinois State Fair – a day to give thanks to those who have served our country, to salute our service members and to honor the men and women who have lost their lives protecting our freedom; and,

WHEREAS, it is important that we recognize these true patriots of freedom, liberty and democracy, not only on this day, but throughout the year; and,

WHEREAS, on this day, veterans and their families are admitted to the fairgrounds for free, and a number of special Veterans' Day activities will be held;

## PROCLAMATIONS

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 16, 2015, as **VETERANS' DAY AT THE STATE FAIR** in Illinois, and encourage all Americans to recognize and honor the sacrifice of our veterans.

Issued by the Governor August 12, 2015

Filed by the Secretary of State September 15, 2015

**2015-236****Illinois Flag Display Act – U.S. Staff Sgt. Maurice J. Fevold**

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, U.S. Staff Sgt. Maurice J. Fevold, of Chicago, Illinois, was unaccounted for from World War II; and,

WHEREAS, on December 23, 1944, Staff Sgt. Fevold along with the other B-26G Marauder crewmembers took off from Saint Quentin, France, on a mission to bomb an enemy-held bridge in Eller, Germany. The aircraft was shot down by enemy anti-aircraft fire near Seffern, Germany, near the Belgium border; and,

WHEREAS, the B-26G Marauder crewmembers were reportedly killed in action, and their remains were not recovered during the war; and,

WHEREAS, the remains have now been recovered and identified, U.S. Staff Sgt. Fevold was laid to rest on October 18, 2014 in Ft. Dodge, Iowa; and,

WHEREAS, throughout his career as a proud member of the United States Army Air Forces, U.S. Staff Sgt. Fevold represented the State of Illinois admirably; and,

WHEREAS, U.S. Staff Sgt. Fevold is survived by many family members and friends;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Tuesday, August 18, 2015, until sunset on Thursday, August 20, 2015, in honor and remembrance of U.S. Staff Sgt. Maurice J. Fevold, whose selfless service and sacrifice is an inspiration.

## PROCLAMATIONS

Issued by the Governor August 14, 2015

Filed by the Secretary of State September 15, 2015

**2015-237****Illinois Flag Display Act – U.S. Staff Sgt. Ward C. Swalwell Jr.**

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, U.S. Staff Sgt. Ward C. Swalwell Jr., of Chicago, Illinois, was unaccounted for from World War II; and,

WHEREAS, on December 23, 1944, Staff Sgt. Swalwell along with the other B-26G Marauder crewmembers took off from Saint Quentin, France, on a mission to bomb an enemy-held bridge in Eller, Germany. The aircraft was shot down by enemy anti-aircraft fire near Seffern, Germany, near the Belgium border; and,

WHEREAS, the B-26G Marauder crewmembers were reportedly killed in action, and their remains were not recovered during the war; and,

WHEREAS, the remains have now been recovered and identified, and U.S. Staff Sgt. Swalwell Jr. will be laid to rest on August 20, 2015 in Arlington National Cemetery, Washington D.C.; and,

WHEREAS, throughout his career as a proud member of the United States Army Air Forces, U.S. Staff Sgt. Swalwell Jr. represented the State of Illinois admirably; and,

WHEREAS, U.S. Staff Sgt. Swalwell Jr. is survived by many family members and friends;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Tuesday, August 18, 2015, until sunset on Thursday, August 20, 2015, in honor and remembrance of U.S. Staff Sgt. Ward C. Swalwell Jr., whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 14, 2015

Filed by the Secretary of State September 15, 2015

## PROCLAMATIONS

**2015-238  
YMCA Day**

WHEREAS, founded in 1844 by George Williams, the YMCA is an inclusive organization of men, women and children joined together by a shared commitment to nurturing the potential of kids, promoting healthy living and fostering a sense of social responsibility; and,

WHEREAS, the YMCA is dedicated to strengthening communities by working side-by-side with neighbors to make sure that everyone, regardless of age, income or background, has the opportunity to learn, grow and thrive; and,

WHEREAS, Illinois YMCAs are in 150 diverse communities around the state and serve almost 1.2 million Illinoisans, both children and adults; and,

WHEREAS, as one of the nation's largest non-profit organizations, the YMCA engages more than 10,000 neighborhoods across the U.S.; and,

WHEREAS, by nurturing the potential of every child and teen, improving the nation's health and well-being, and supporting and serving our neighbors, the YMCA ensures that everyone has the opportunity to become healthier, more confident, connected and secure; and,

WHEREAS, through programs and services like diabetes prevention, after school tutoring, volunteering, vocational training and more, the YMCA provides people with endless opportunities to achieve their goals; and,

WHEREAS, the YMCA helps to instill the values of caring, honesty, respect and responsibility; and,

WHEREAS, through its numerous programs and services, the YMCA helps families and individuals in the community develop a healthy spirit, mind and body;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim August 21, 2015, as **YMCA DAY** in Illinois, in recognition of the invaluable social influence that this organization has provided to communities throughout the state and nation.

Issued by the Governor August 18, 2015

Filed by the Secretary of State September 15, 2015

**2015-239  
Baby Safety Month**

## PROCLAMATIONS

WHEREAS, according to the Home Safety Council's State of Home Safety in America, an average of 1.37 million children under the age of five suffer from accidental injuries; and,

WHEREAS, accidental injury is the leading cause of death among children in the United States, taking the lives of more than 1,500 under the age of five each year; and,

WHEREAS, children less than one year old have the highest rate of home injury death compared to all other childhood age groups; and,

WHEREAS, the Juvenile Products Manufactures Association (JPMA) is a national trade organization dedicated to enhancing children's product safety whose extensive history of leadership in juvenile product safety includes the development of a comprehensive Certification Program to help guide parents and caregivers toward purchasing juvenile products that are built with safety in mind; and,

WHEREAS, the Juvenile Products Manufactures Association (JPMA) initiated Baby Safety Month in 1983 with "Expectant Mother's Day." In 1986, it was extended to a week-long celebration, until 1991, when JPMA sponsored the first "Baby Safety Awareness Month." Since then, every September has been designated as Baby Safety Month;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 2015 as **BABY SAFETY MONTH** to raise awareness of the safe selection and use of all juvenile products.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-240****Chamber of Commerce Week**

WHEREAS, chambers of commerce work with businesses, merchants, and industries to advance the civic, economic, industrial, professional and cultural life of the State of Illinois; and,

WHEREAS, chambers of commerce have contributed to the civic and economic life of Illinois for 177 years since the founding of the Galena Chamber of Commerce; and,

WHEREAS, this year marks the 96th anniversary of the founding of the Illinois Chamber of Commerce, the state's leading broad-based business organization; and,

## PROCLAMATIONS

WHEREAS, chambers of commerce and their members provide citizens with a strong business environment that increases employment, retail trade and commerce, and industrial growth in order to make the State of Illinois a better place to live; and,

WHEREAS, chambers of commerce encourage the growth of existing industries, services, and commercial firms and encourage new firms and individuals to locate in the State of Illinois; and,

WHEREAS, the State of Illinois is the home to international chambers of commerce, the Great Lakes Region Office of the U.S. Chamber of Commerce, the Illinois Chamber of Commerce and more than 400 local chambers of commerce; and,

WHEREAS, this year marks the 100<sup>th</sup> anniversary of the Illinois Association of Chamber of Commerce Executives, a career development organization for the chamber of commerce professionals;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 14-18, 2015, as **CHAMBER OF COMMERCE WEEK** in Illinois.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-241****Chicago United Diversity and Inclusion Day**

WHEREAS, our success as a State depends on our ability to create conditions that strengthen Illinois employers; and,

WHEREAS, the success of a corporation is dependent in part on its ability to maintain a workforce that mirrors the community it serves; and,

WHEREAS, a diverse workplace, where all employees are ensured equal opportunities for success, is an economic necessity; and,

WHEREAS, Chicago United serves as a catalyst for change and helps advance greater economic opportunity and increased multiracial leadership in business; and,

WHEREAS, Chicago United advocates for inclusion on each of its three key platforms – diversity in corporate governance, enhanced multiracial leadership in senior management and effective, sustainable business partnerships; and,

## PROCLAMATIONS

WHEREAS, through its many programs and products, Chicago United will bring together business, civic and not-for-profit leaders to bridge the gap in hiring to account for the uniquely important contribution of diversity to business; and,

WHEREAS, the Bridge Awards Dinner, hosted by Chicago United, which is of special interest to businesses in the Chicago Metropolitan area, will be held on Tuesday, November 12, 2015; and,

WHEREAS, Chicago United Bridge Awards recognize the corporate leadership of Richard A. Gonzalez, Jim Skogsbergh and Pat Harris; and,

WHEREAS, Chicago United has identified fifty 2015 Business Leaders of Color who represent the kind of talent that companies seek for corporate board service;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim November 12, 2015, as **CHICAGO UNITED DIVERSITY AND INCLUSION DAY** in Illinois.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-242****Childhood Cancer Awareness Month**

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection reports cancer is the leading cause of death by disease among children in the United States; and,

WHEREAS, this tragic disease is detected in nearly 15,000 of our nation's young people each year; and,

WHEREAS, one in five of our nation's children loses his or her battle with cancer, furthermore many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and,

WHEREAS, cancer is the second leading cause of death in children and the types of cancers that occur most often in children include Leukemia, Lymphoma, Bone Cancer, and Retinoblastoma; and,

WHEREAS, childhood cancer rates have been rising slightly for the past few decades, and approximately 10,380 children in the United States under the age of 15 will be diagnosed with cancer in 2015; and,

## PROCLAMATIONS

WHEREAS, three fifths of childhood cancer survivors suffer effects such as infertility, heart failure and secondary cancers later in life; and,

WHEREAS, numerous organizations and participating hospitals in the State of Illinois and the nation are dedicated to researching and providing a variety of vital patient services to children undergoing cancer treatment, thereby enhancing the quality of life for these children and their families; and,

WHEREAS, due to major treatment advances in recent decades, more than 80% of children with cancer now survive 5 years or more; and,

WHEREAS, despite major treatment advances, it is still critically important to conduct research and increase awareness regarding childhood cancer;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 2015 as **CHILDHOOD CANCER AWARENESS MONTH** in Illinois.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-243****Direct Support Professionals Recognition Week**

WHEREAS, direct support professionals are the primary providers of publicly-funded long term support and services for millions of individuals with disabilities; and,

WHEREAS, direct support professionals build close, respectful, and trusted relationships with disabled individuals and assist them with intimate personal care; and,

WHEREAS, direct support professionals provide a broad range of individualized support, including preparation of meals, help with medication, assistance with bathing and other aspects of daily living, help with transportation, and assistance with general daily affairs; and,

WHEREAS, direct support professionals provide essential support to help keep individuals with disabilities connected to their family, friends, and community; and,

WHEREAS, the services provided by direct support professionals help individuals live successful, meaningful lives in the community; and,

## PROCLAMATIONS

WHEREAS, the assistance of direct support professionals is critical to the welfare of the individuals they serve and to the successful transition from medical events to post-acute care and long term support; and,

WHEREAS, there is a documented critical and growing shortage of direct support professionals throughout the United States;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 13-19, 2015 as **DIRECT SUPPORT PROFESSIONALS RECONITION WEEK** in Illinois to recognize the dedication and vital role of direct support professionals in enhancing the lives for individuals with disabilities of all ages.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-244****Hydrocephalus Awareness Day and Month**

WHEREAS, Hydrocephalus is a condition that has no cure and in which the primary characteristic is excessive accumulation of cerebrospinal fluid in the brain resulting in abnormal widening of spaces in the brain called ventricles; and,

WHEREAS, hydrocephalus creates harmful pressure on the tissues of the brain and can be fatal if untreated; and,

WHEREAS, there are two primary types of hydrocephalus, including congenital hydrocephalus, which is present at birth and acquired hydrocephalus, which develops at the time of birth or at some point afterward and affects individuals of all ages; and,

WHEREAS, experts estimate that hydrocephalus affects over one million Americans and occurs in 1.5 of every 1,000 live births; and,

WHEREAS, the only treatment for hydrocephalus requires extensive brain surgery; and,

WHEREAS, children diagnosed with the disorder benefit from early intervention programs, rehabilitation therapies and educational interventions and many go on to lead lives with few limitations; and,

WHEREAS, in 2009, the United States Congress passed a resolution designating the month of September as National Hydrocephalus Awareness Month; and,

## PROCLAMATIONS

WHEREAS, the Chicago community of the Hydrocephalus Association and the national Hydrocephalus Association, in conjunction with leaders from professional, community, and medical-based organizations are dedicated to increasing public awareness of hydrocephalus and the needs of families;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 2015, as **HYDROCEPHALUS AWARENESS MONTH** and September 1, 2015, as **HYDROCEPHALUS AWARENESS DAY** in Illinois.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-245****Lymphoma Awareness Day**

WHEREAS, Lymphoma is the most common form of blood cancer and the third most common childhood cancer; and,

WHEREAS, more than 80,000 new cases of lymphoma are diagnosed each year in the United States, including 8,740 in the State of Illinois this past year; and,

WHEREAS, a cure for lymphoma can only be realized through advanced cancer research; and,

WHEREAS, awareness and education are powerful tools in the race to find a cure for lymphoma; and,

WHEREAS, the health and vitality of the people of the State of Illinois are significantly enhanced by local efforts to increase communication and education pertaining to blood cancers; and,

WHEREAS, the Lymphoma Research Foundation offers a wide range of support services and programs for people with lymphoma, their loved ones and caregivers; and,

WHEREAS, Blood Cancer Awareness Month helps to raise general awareness of the disease and provides hope to all those affected by a lymphoma diagnosis;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 15, 2015 as **LYMPHOMA AWARENESS DAY** in Illinois.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

## PROCLAMATIONS

**2015-246****"Oaktober" – Oak Awareness Month**

WHEREAS, oak ecosystems have been a significant part of the Illinois landscape for more than 5,000 years and are now in a state of decline across the State of Illinois; and,

WHEREAS, the state tree of Illinois is the White Oak; and,

WHEREAS, Illinois forests, woodlands and savannas have been greatly reduced statewide and the oak ecosystems are declining in health due to the decline of oak dominance; and,

WHEREAS, these threats and declines are due to a lack of public awareness, invasive species, poor management practices, and reduced resources; and,

WHEREAS, oak ecosystems in Illinois provide needed food and support for native insects and wildlife, while significantly contributing to the native biological diversity; and,

WHEREAS, research has shown that oak trees and forests improve air and water quality, human health, social and economic well-being, provide jobs and revenue, and improve the overall quality of life for citizens across all neighborhoods and community boundaries; and,

WHEREAS, the Illinois Statewide Forest Resource Assessment and Strategy identifies the loss of oak ecosystems as a critical issue for the health of forest resources; and,

WHEREAS, the Illinois Wildlife Action Plan identifies the quality of wooded habitats in Illinois as a "major concern" and recognizes the need to understand and manage oak decline in the state; and,

WHEREAS, awareness of the threats and impacts to oak ecosystems is an important first step towards behavioral change and an opportunity to engage citizens to protect and improve the health and services of our oak ecosystems and natural resources overall; and,

WHEREAS, Oak Awareness Month is an opportunity for government to join forces with business, industry, conservation groups, recreational groups, community organizations and citizens to take action to support our native oak ecosystem;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim the month of October as "**OAKTOBER**" – **OAK AWARENESS MONTH** in Illinois.

Issued by the Governor August 20, 2015

## PROCLAMATIONS

Filed by the Secretary of State September 15, 2015

**2015-247**  
**Peace Days**

WHEREAS, Peace Day has been celebrated annually in Chicago, Illinois, since September 7, 1978, through the observance of One Minute of Silence for World Peace; and,

WHEREAS, in 1981, the United Nations proposed a resolution declaring one day every year as International Day of Peace. This Day is observed to promote global cease-fire and non-violence in every country across the globe; and,

WHEREAS, Peace Day is used as a means of spreading the message of world peace and its vital importance to the future of the human race; and,

WHEREAS, the goal of Peace Day is to contribute to the peace-making process through positive peace-building activities, and to allow all individuals to harness their abilities and actively participate in creating a more peaceful world; and,

WHEREAS, the Peace School, an Illinois not-for-profit organization, has sponsored Peace Day since its inception and has been awarded the United Nations Peace Messenger designation for its significant contributions to peace; and,

WHEREAS, September 19 has been designated by the United Nations for student Peace Day activities; and,

WHEREAS, in 2001, a resolution was passed by the United Nations declaring September 21 of every year as International Day of Peace as a way of rededicating the United Nations to its goals of strengthening the ideals of peace and alleviating the tensions and causes of conflict; and,

WHEREAS, these events encourage all individuals to take a minute for peace every day as a positive step toward making every day Peace Day;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 7-21, 2015, as **PEACE DAYS** in Illinois, in recognition of the effort to build a more peaceful state, a more peaceful country and a more peaceful world.

Issued by the Governor August 20, 2015

Filed by the Secretary of State September 15, 2015

**2015-248**

## PROCLAMATIONS

**Illinois Flag Display Act – U.S. Army Major Dale W. Richardson**

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, U.S. Army Major Dale W. Richardson, 28, of Mount Sterling, Illinois, was unaccounted for from the Vietnam War; and,

WHEREAS, Major Richardson was assigned to 2nd Battalion, 34th Armor Regiment, 1st Cavalry Division; and,

WHEREAS, he was a passenger aboard an UH-1H Iroquois (Huey) helicopter that was en route to Fire Support Base Katum, South Vietnam, when it was diverted due to bad weather and flew into Cambodian airspace drawing heavy enemy gunfire that resulted in the helicopter making an emergency landing; and,

WHEREAS, Major Richardson died at the site of the crash during a fire fight with enemy forces, and his remains were not recovered following the fire fight; and,

WHEREAS, the remains have now been recovered and identified, and Major Dale W. Richardson will be laid to rest on Saturday, August 29<sup>th</sup> in Arkansas; and,

WHEREAS, throughout his career as a proud member of the United States Army, Major Dale W. Richardson represented the State of Illinois admirably; and,

WHEREAS, Major Dale W. Richardson is survived by many family members and friends;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Thursday, August 27, 2015, until sunset on Saturday, August 29, 2015, in honor and remembrance of U.S. Army Major Dale W. Richardson, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 25, 2015

Filed by the Secretary of State September 15, 2015

**2015-249**

**Illinois Flag Display Act – U.S. Forest Service firefighter Andrew Zajac**

## PROCLAMATIONS

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, firefighters save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally when faced with dangerous situations; and,

WHEREAS, one of these brave individuals, U.S. Forest Service firefighter Andrew Zajac of Illinois, was taken from us at the age of 26 along with two others while fighting a wildfire in the state of Washington; and,

WHEREAS, firefighter Andrew Zajac was a member of a highly specialized team of elite firefighters who are the first to respond to dangerous wildfires and make an assessment of the situation; and,

WHEREAS, although firefighter Andrew Zajac is no longer with us, we will not forget the countless lives that were impacted by his service; and,

WHEREAS, on Sunday, August 30, 2015, a funeral will be held for firefighter Andrew Zajac, who is survived by many loving family members and friends who are grateful for the numerous ways he touched their lives; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Friday, August 28, 2015 until sunset on Sunday, August 30, 2015 in honor and remembrance of U.S. Forest Service firefighter Andrew Zajac of Illinois, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 25, 2015

Filed by the Secretary of State September 15, 2015

**2015-250****Employee Ownership Month**

WHEREAS, employee stock ownership plans (ESOPs) have been established in approximately 10,000 companies in the United States, employing 10.3 million working men and women; and,

## PROCLAMATIONS

WHEREAS, employee ownership is becoming a practice that is instrumental in helping Americans share in our nation's growth and prosperity by enabling our citizens to accumulate significant amounts of capital stock in the business at which they are employed; and,

WHEREAS, employee ownership has become a powerful incentive for Americans to make the best of their talents and energies in their places of work, thus strengthening the competitive potential of our state's businesses; and,

WHEREAS, Illinois currently has 342 employee stock ownership companies, along with hundreds of legal, valuation and financial organizations who serve as professional advisors to the employee stock ownership community; and,

WHEREAS, the successful record of employee-owned firms in benefiting both companies and employees merits recognition; and,

WHEREAS, employee ownership aids in creating and retaining jobs in our state;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim October as **EMPLOYEE OWNERSHIP MONTH**.

Issued by the Governor August 26, 2015

Filed by the Secretary of State September 15, 2015

**ILLINOIS ADMINISTRATIVE CODE**  
**Issue Index - With Effective Dates**

Rules acted upon in Volume 39, Issue 40 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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