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September 19, 2014 Volume 38, Issue 38

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INTRODUCTION

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

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

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

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

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2014

Issue#	Rules Due Date	Date of Issue
1	December 23, 2013	January 3, 2014
2	December 30, 2013	January 10, 2013
3	January 6, 2014	January 17, 2014
4	January 13, 2014	January 24, 2014
5	January 21, 2014	January 31, 2014
6	January 27, 2014	February 7, 2014
7	February 3, 2014	February 14, 2014
8	February 10, 2014	February 21, 2014
9	February 18, 2014	February 28, 2014
10	February 24, 2014	March 7, 2014
11	March 3, 2014	March 14, 2014
12	March 10, 2014	March 21, 2014
13	March 17, 2014	March 28, 2014
14	March 24, 2014	April 4, 2014
15	March 31, 2014	April 11, 2014
16	April 7, 2014	April 18, 2014
17	April 14, 2014	April 25, 2014
18	April 21, 2014	May 2, 2014

19	April 28, 2014	May 9, 2014
20	May 5, 2014	May 16, 2014
21	May 12, 2014	May 23, 2014
22	May 19, 2014	May 30, 2014
23	May 27, 2014	June 6, 2014
24	June 2, 2014	June 13, 2014
25	June 9, 2014	June 20, 2014
26	June 16, 2014	June 27, 2014
27	June 23, 2014	July 7, 2014
28	June 30, 2014	July 11, 2014
29	July 7, 2014	July 18, 2014
30	July 14, 2014	July 25, 2014
31	July 21, 2014	August 1, 2014
32	July 28, 2014	August 8, 2014
33	August 4, 2014	August 15, 2014
34	August 11, 2014	August 22, 2014
35	August 18, 2014	August 29, 2014
36	August 25, 2014	September 5, 2014
37	September 2, 2014	September 12, 2014
38	September 8, 2014	September 19, 2014
39	September 15, 2014	September 26, 2014
40	September 22, 2014	October 3, 2014
41	September 29, 2014	October 10, 2014
42	October 6, 2014	October 17, 2014
43	October 14, 2014	October 24, 2014
44	October 20, 2014	October 31, 2014
45	October 27, 2014	November 7, 2014
46	November 3, 2014	November 14, 2014
47	November 10, 2014	November 21, 2014
48	November 17, 2014	December 1, 2014
49	November 24, 2014	December 5, 2014
50	December 1, 2014	December 12, 2014
51	December 8, 2014	December 19, 2014
52	December 15, 2014	December 26, 2014

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1800.220	Amendment
1800.320	Amendment
- 4) Statutory Authority: Authorized by Section 78(a)(3) and (b) of the Video Gaming Act [230 ILCS 40]
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking makes the following changes to the Video Gaming (General) rules (11 Ill. Admin. Code 1800):

New continuous reporting requirements: The proposal changes the title of Section 1800.220 from "Continuing Duty to Report Violations" to "Continuing Duty to Report Information". New language in the proposal requires all licensees, applicants for licensure, and persons with significant influence or control ("PSICS") to promptly report to the Board, on a continuing basis, any changes or additions to all material information provided in an application. This material information is declared to include, but not be limited to, the following:

- Use agreements;
- Persons who have acted or will act as a *sales agent, broker or otherwise engage in the solicitation of business* from current or potential licensed video gaming locations; and
- Agreements with any individual or business entity related to the *sharing of or allotting any sums of money* derived from the operation of video gaming.

A terminal operator whose license is denied or non-renewed cannot enforce use agreements: The proposal amends subsection e) of Section 1800.320 ("Minimum Standards for Use Agreements") to release a video gaming location from any continuing contractual obligation under a use agreement if the terminal operator has its license application denied, or is denied renewal of its license. Currently, subsection (e) of Section 320 releases a video gaming location from contractual obligations under a use agreement only when the terminal operator has its license revoked or surrenders its license.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
- 7) Will this proposed 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 proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1800.230	Amended	37 Ill. Reg. 12655; June 20, 2014
1800.240	Amended	37 Ill. Reg. 12655; June 20, 2014
1800.250	Amended	37 Ill. Reg. 12655; June 20, 2014
1800.270	Amended	37 Ill. Reg. 12655; June 20, 2014

- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this notice in the *Illinois Register* to:

Emily Mattison
 General Counsel
 Illinois Gaming Board
 160 North LaSalle Street
 Chicago IL 60601

fax: 312/814-7253
 emily.mattison@igb.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Licensees under the Video Gaming Act which qualify as small businesses.
 - B) Reporting, bookkeeping or other procedures required for compliance: The proposed rulemaking requires compliance with the continuous reporting requirements described in response (5) above.
 - C) Types of Professional skills necessary for compliance: The proposed rulemaking will impose no additional requirements.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda.

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

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE D: VIDEO GAMING
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

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1800.110	Definitions
1800.115	Gender
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1800.230	Duties of Licensed Manufacturers
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1800.250	Duties of Licensed Video Terminal Operators
1800.260	Duties of Licensed Technicians and Licensed Terminal Handlers
1800.270	Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

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1800.320	Minimum Standards for Use Agreements
1800.330	Economic Disassociation

SUBPART D: LICENSING QUALIFICATIONS

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1800.410	Coverage of Subpart
1800.420	Qualifications for Licensure
1800.430	Persons with Significant Influence or Control

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NOTICE OF PROPOSED AMENDMENTS

SUBPART E: LICENSING PROCEDURES

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1800.510	Coverage of Subpart
1800.520	Applications
1800.530	Submission of Application
1800.540	Application Fees
1800.550	Consideration of Applications by the Board
1800.555	Withdrawal of Applications
1800.560	Issuance of License
1800.570	Renewal of License
1800.580	Renewal Fees and Dates
1800.590	Death and Change of Ownership of Video Gaming Licensee

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section

1800.610	Coverage of Subpart
1800.615	Requests for Hearing
1800.620	Appearances
1800.625	Appointment of Administrative Law Judge
1800.630	Discovery
1800.635	Subpoenas
1800.640	Motions for Summary Judgment
1800.650	Proceedings
1800.660	Evidence
1800.670	Prohibition on Ex Parte Communication
1800.680	Sanctions and Penalties
1800.690	Transmittal of Record and Recommendation to the Board
1800.695	Status of Applicant for Licensure Upon Filing Request for Hearing

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

Section

1800.710	Coverage of Subpart
1800.715	Notice of Proposed Disciplinary Action Against Licensees
1800.720	Hearings in Disciplinary Actions
1800.725	Appearances

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

1800.730	Appointment of Administrative Law Judge
1800.735	Discovery
1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section

1800.810	Location and Placement of Video Gaming Terminals
1800.820	Measurement of Distances from Locations
1800.830	Waivers of Location Restrictions

SUBPART I: SECURITY INTERESTS

Section

1800.910	Approvals Required, Applicability, Scope of Approval
1800.920	Notice of Enforcement of a Security Interest
1800.930	Prior Registration

SUBPART J: TRANSPORTATION, REGISTRATION,
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

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1800.1010	Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
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SUBPART K: STATE-LOCAL RELATIONS

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1800.1210 Definitions

1800.1220 Entities Authorized to Perform Fingerprinting

1800.1230 Qualification as a Livescan Vendor

1800.1240 Fingerprinting Requirements

1800.1250 Fees for Fingerprinting

1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

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1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

Section

1800.1410 Ticket Payout Devices

1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices

SUBPART O: NON-PAYMENT OF TAXES

Section

1800.1510 Non-Payment of Taxes

AUTHORITY: Implementing and authorized by the Video Gaming Act [230 ILCS 40].

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150

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NOTICE OF PROPOSED AMENDMENTS

days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December 14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. _____, effective _____.

SUBPART B: DUTIES OF LICENSEES

Section 1800.220 Continuing Duty to Report InformationViolations

Licensees and applicants for licensure under the Act and persons with significant influence and control have a continuing duty to~~must~~ promptly report all of the following to the Administrator or his or her designee:

- a) A violation of the Act, this Part or any illegal conduct, including, but not limited to, the possession, maintenance, facilitation or use of any illegal gaming device;
- b) Any fact, event, occurrence, matter or action that may affect the conduct of video gaming or the business and financial arrangements incidental to the conduct of video gaming, or the ability to conduct the activities for which the licensee is licensed, including, but not limited to, any change or addition in persons identified as having significant influence or control;
- c) Each arrest, summons, citation or charge for any criminal offense or violation, excluding minor traffic violations; ~~and~~

ILLINOIS GAMING BOARD

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- d) Any adverse action taken or nonrenewal relative to a liquor license; ~~and-~~
- e) Any changes or additions to all material information provided in an application for a video gaming license, including but not limited to:
 - 1) Use Agreements;
 - 2) Persons who have acted or will act as a sales agent or broker or otherwise engage in the solicitation of business from current or potential licensed video gaming locations; and
 - 3) Agreements with any individual or business entity related to the sharing of, or allotting, any sums of money derived from the operation of video gaming.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section 1800.320 Minimum Standards for Use Agreements

In addition to the requirements set forth in the Act, a Use Agreement must satisfy the following:

- a) Only be between:
 - 1) a licensed terminal operator that, beginning July 15, 2014, is licensed by the Board at the time the Use Agreement is signed; and
 - 2) a licensed establishment, licensed truck stop establishment, licensed veterans establishment or licensed fraternal establishment;
- b) Contain an affirmative statement that no inducement was offered or accepted regarding the placement or operation of video gaming terminals in a licensed establishment, licensed truck stop establishment, licensed veterans establishment or licensed fraternal establishment;
- c) Contain an indemnity and hold harmless provision on behalf of the State, the Board, and its agents relative to any cause of action arising from a use agreement;

ILLINOIS GAMING BOARD

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- d) Prohibit any assignment other than from a licensed terminal operator to another licensed terminal operator;
- e) Contain a provision that releases the video gaming location from any continuing contractual obligation to the terminal operator in the event that the terminal operator has its license revoked or denied, has its renewal denied, or surrenders its license.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Military Family Relief Fund Act
- 2) Code Citation: 95 Ill. Adm. Code 200
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
200.5	Amendment
200.10	Amendment
200.20	Amendment
200.30	Amendment
200.40	Amendment
200.41	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 22-9 of the Military Code of Illinois [20 ILCS 1805/22-8]
- 5) A Complete Description of the Subjects and Issues Involved: Expands those qualified to receive grants under the Illinois Military Family Relief Fund by replacing "terrorist attacks" with all types of declared emergencies domestic or otherwise. Also broadens those qualified for Status-Based grants to include those serving in a State Active Duty status under the command and control of the Governor and subject to the Illinois Military Code.
- 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: Ensures fairness in qualified members originally overlooked
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comment on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

Department of Military Affairs
Attn: Tom Banning
1301 North MacArthur Boulevard
Springfield IL 62702

217/761-3601
fax: 217/761-3736

- 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: "All funds received by the Department from these sources shall be deposited into the Military Affairs Trust Fund created by this amendatory Act of 1993. All moneys expended by the Department of Military Affairs from this Fund shall be appropriated by the General Assembly for the purposes as indicated by the grantor, donor or, in the case of funds or moneys given or donated for no specific purpose, for any purpose deemed appropriate by the Director in administering the responsibilities of the Department as set forth in the Military Code of Illinois." [20 ILCS 1805/22-8]
 - C) Types of Professional skills necessary for compliance: Executive Management
- 14) Regulatory Agenda on which this rulemaking was summarized: The Department did not publish a regulatory agenda.

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

DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

TITLE 95: VETERANS AND MILITARY AFFAIRS
CHAPTER II: DEPARTMENT OF MILITARY AFFAIRS

PART 200
ILLINOIS MILITARY FAMILY RELIEF FUND ACT

SUBPART A: DEFINITIONS

Section	
200.5	General Purpose
200.10	Definition of Terms Used

SUBPART B: ELIGIBILITY

Section	
200.20	Determination of Eligibility for Family Need Based Grants
200.30	Determination of Eligibility for Status Based Grants
200.40	Determination of Eligibility for Casualty Based Grants – National Guard and Reserve Service Members
200.41	Determination of Eligibility for Casualty Based Grants – Active Duty Service Members

SUBPART C: GRANTS

Section	
200.50	Family Need Based Grant Levels and Limits
200.60	Status Based Grant Levels and Limits
200.70	Casualty Based Grant Levels and Limits – National Guard and Reserve Service Members
200.71	Casualty Based Grant Levels and Limits – Active Duty Service Members
200.80	Documentation, Application, Payment and Denial

SUBPART D: REPORTING

Section	
200.90	Reporting Requirements

AUTHORITY: Implementing and authorized by Section 22-9 of the Illinois Military Code [20 ILCS 1805/22-9].

DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Emergency rule adopted at 27 Ill. Reg. 8468, effective May 6, 2003, for a maximum of 150 days; emergency expired October 2, 2003; adopted at 27 Ill. Reg. 16436, effective October 15, 2003; emergency amendment at 28 Ill. Reg. 16355, effective December 7, 2004, for a maximum of 150 days; emergency expired May 5, 2005; amended at 29 Ill. Reg. 21033, effective December 16, 2005; amended at 31 Ill. Reg. 15834, effective January 1, 2008; emergency amendments at 33 Ill. Reg. 17161, effective December 9, 2009, for a maximum of 150 days; emergency amendments modified in response to an objection by the Joint Committee on Administrative Rules at 34 Ill. Reg. 4917, effective March 22, 2010, for the remainder of the 150 days; amended at 34 Ill. Reg. 6905, effective April 29, 2010; amended at 38 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS

Section 200.5 General Purpose

The intent of Section 22-9 of the Illinois Military Code and this Part is to provide an opportunity on standard individual income tax forms to allow taxpayers to contribute to the Illinois Military Family Relief Fund:

- a) To provide the Illinois Department of Military Affairs the power to make grants from the Fund to:
 - 1) Illinois residents who are members of the Active Duty Armed Forces (on or after November 23, 2009) who are/were called to active military service during an emergency declared by the President of the United States or Congress or as defined in this Part~~as a result of the September 11, 2001 terrorist attacks.~~
 - 2) Illinois National Guard members who are/were called to active duty during an emergency declared by the President of the United States or Congress or as defined in this Part~~military service as a result of the September 11, 2001 terrorist attacks.~~
 - 3) Illinois residents who are members of other Reserve Components of the Armed Forces (including National Guard members of other states) who are/were called to active duty during an emergency declared by the President of the United States or Congress or as defined in this Part~~military service as a result of the September 11, 2001 terrorist attacks.~~

DEPARTMENT OF MILITARY AFFAIRS

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- 4) Members of the Illinois National Guard who have been called to State Active Duty for 30 or more consecutive days of duty.
- 54) Family members of the service members described in subsections (1)(a) through (4)(e).
- b) The grants shall be in the form of three types of payments:
- 1) payments based on need, as determined under Section 200.20;
 - 2) payments based on the member's status, as determined under Section 200.30; and
 - 3) payments based on the member's casualty status, as determined under Sections 200.40 and 200.41.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 200.10 Definition of Terms Used

"Active duty" means: Military service performed under Title 32 USC or Title 10 USC and is military service for a minimum of 60 consecutive days (effective December 9, 2009; previously 30 days).

~~"Duty as a result of the September 11, 2001 terrorist attacks" means: Active duty military service of a minimum of 60 consecutive days (effective December 9, 2009; previously 30 days), directly related to the Presidential response to the attacks.~~

"Emergency" means: Any governmental declaration representing a natural or man-made disaster, during a period of civil unrest, or following a declaration of war or a situation of international/internal armed conflict.

"Family ~~of~~ members" means: A husband, wife or child who has been approved as a dependent and is enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) in accordance with applicable military regulations. The service member's mother, father, brother, sister or other representative may apply for a

DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

grant on behalf of the service member if a copy of a Power of Attorney is included with the application.

"Fund" means: The Illinois Military Family Relief Fund.

"State Active Duty" means: Illinois National Guard members who are activated by, and under the command and control of, the Illinois Governor and subject to the Illinois Military Code [20 ILCS 1805].

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART B: ELIGIBILITY

Section 200.20 Determination of Eligibility for Family Need Based Grants

- a) The grant applicant must show proof of the following:
- 1) He or she is, at the time of entry on mobilization, a member of the Illinois National Guard or an Illinois resident who is a member of another U.S. Armed Forces Reserve component applying on behalf of his or her family, or is a family member of the service member. Proof of residency for military members will consist of information obtained from the supporting documents provided; Department of Defense Form 214 (DD 214) (Certificate of Release or Discharge from Active Duty), item 7b; or orders and military pay statement, along with the individual's certification on the application. Proof of a familial relationship will consist of information obtained from Defense Enrollment Eligibility Reporting System (DEERS).
 - 2) The Illinois National Guard or Reserve component member was on active military duty for at least 60 consecutive days (effective December 9, 2009; previously 30 days) in support of an emergency as defined in Section 200.10 (effective July 3, 2014) as a result of the September 11, 2001 terrorist attacks. Proof of active duty will consist of a DD 214, Department of Defense Form 220 (Report of Active Duty), or copy of the orders issued by an authorized headquarters ordering the member to ~~thatsueh~~ duty and a military pay statement reflecting duty performance. Payment for the first 6 months of active duty service will not occur before day 60 of the first 6 month period. Payment for the second consecutive 6

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month period may be on day one of the second consecutive 6 month period.

- 3) A copy of a payroll record from the member's civilian employer that indicates member's monthly salary, a copy of a recent Inactive Duty Training (IDT) Leave and Earnings Statement (LES) within 90 days prior to mobilization reflecting four IDT periods of pay, plus a copy of a military payroll record that indicates the member's monthly military salary. W2s and completed income tax returns may serve as supporting documentation.
 - 4) Proof that the military salary (including Basic Allowance for Housing) of the member has decreased by 30% or greater from his or her civilian salary and part time (Inactive Duty Training) military pay. With the implementation of the Department of Defense (DOD) Reserve Income Replacement Program, applicants requesting the Family Needs Based Grant must report if they have applied for, or are receiving, payments under this program and that amount will be included in total military income.
 - 5) The Illinois National Guard or Reserve component member holds a pay grade no higher than O-3, if an officer, or W-3, if a warrant officer, or E8 (effective December 9, 2009; previously E9s were eligible) if an enlisted member. Individuals or families will be eligible for the grant based upon rank at the time the period of service for which applying begins. Proof of pay grades will consist of information obtained from supporting documents, DEERS or Re-Enlistment Eligibility Data Display (REDD) from the Defense Manpower Data Center (DMDC) Database.
 - 6) If a custodial parent or guardian is applying for a grant on behalf of a service member's dependent, then the custodial parent or guardian must provide proof of guardianship of a member's dependent currently enrolled in DEERS or a Power of Attorney that authorizes thosesueh transactions.
- b) The following members are ineligible to receive grants:
- 1) All officers, warrant officers, and enlisted members with pay grades of O-4, W-4 or higher and E9 (effective December 9, 2009; previously E9s were eligible);

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- 2) Personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service for duty as prescribed in subsection (a)(2);
- 3) Members who have no dependent family members enrolled in DEERS;
- 4) Members who, at any time prior to the approval of a grant application under this Section, receive a punitive discharge, or an administrative discharge with service characterized as Under Other Than Honorable Conditions or a lower characterized discharge;
- 5) Service members who were unemployed upon entry into current mobilization.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 200.30 Determination of Eligibility for Status Based Grants

- a) The grant applicant must show proof of the following:
 - 1) He or she is, at the time of entry on mobilization, a member of the Illinois National Guard or an Illinois resident who is a member of another U.S. Armed Forces Reserve component or is a family member of the service member. Proof of residency for military members will consist of information obtained from the supporting documents provided; DD 214, item 7b; or orders and military pay statement, along with the individual's certification on the application. Proof of a familial relationship will consist of information obtained from DEERS.
 - 2) The Illinois National Guard or Reserve component member was on active military duty for at least 60 consecutive days (effective December 9, 2009; previously 30 days) in support of an emergency as defined in Section 200.10 (effective July 3, 2014; previously as a result of the September 11, 2001 terrorist attacks). Proof of active duty will consist of a DD 214, DD 220, or copy of the orders issued by an authorized headquarters ordering the member to ~~activesuch~~ duty and a military pay statement reflecting duty performance. After the initial 60 day period, the service member shall receive the grant again after the first 15 days of the second 60 day period.

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- 3) The Illinois National Guard or Reserve component member holds a pay grade no higher than O-3, if an officer, W-3, if a warrant officer, or E8 (effective December 9, 2009; previously E9), if an enlisted member. Individuals or families will be eligible for the grant based upon rank at the time the period of service for which applying begins. Proof of pay grades will consist of information obtained from supporting documents, DEERS or REDD.
 - 4) Service members deployed or activated on State Active Duty for a consecutive (not cumulative) period of duty of more than six months will become eligible for additional status based grants for each consecutive six month period. After the beginning of the seventh, thirteenth, etc, months, applicants may reapply. The subsequent application must include sufficient documentation to validate that the continuous duty was performed in support of an emergency operations as defined in Section 200.10. (This subsection (a)(4) is effective January 1, 2008. Members on active duty on January 1, 2008 will become eligible once they have completed six months on or after January 1, 2008.)
 - 5) If a custodial parent or guardian is applying for a grant on behalf of a service member's dependent, then the custodial parent or guardian must provide proof of guardianship of a member's dependent currently enrolled in DEERS or a Power of Attorney that authorizes those such transactions.
- b) The following members are ineligible to receive grants:
- 1) All officers and warrant officers with pay grades of O-4, W-4 or higher and E9 (effective December 9, 2009; previously E9s were eligible);
 - 2) Personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service for duty as prescribed in subsection (a)(2);
 - 3) Members who, at any time prior to approval of a grant application under this Section, receive a punitive discharge or an administrative discharge with service characterized as Under Other Than Honorable Conditions or a lower characterized discharge.

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(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 200.40 Determination of Eligibility for Casualty Based Grants – National Guard and Reserve Service Members

- a) The grant applicant must show proof of the following:
- 1) He or she is, at the time of entry on mobilization, a member of the Illinois National Guard or an Illinois resident who is a member of another U.S. Armed Forces Reserve component or is a family member of the service member. Proof of residency for military members will consist of information obtained from the supporting documents provided; DD 214, item 7b; or orders and military pay statement, along with the individual's certification on the application. Proof of a familial relationship will consist of information obtained from DEERS.
 - 2) The Illinois National Guard or Reserve component member was on active military duty for at least 60 consecutive days (effective December 9, 2009; previously 30 days) in support of an emergency as defined in Section 200.10 (effective July 3, 2014; previously as a result of the September 11, 2001 terrorist attacks). Proof of active duty will consist of a DD 214, DD 220, or copy of the orders issued by an authorized headquarters ordering the member to ~~activesuch~~ duty and a military pay statement reflecting duty performance.
 - 3) The Adjutant General is authorized to waive the 60-day (effective December 9, 2009; previously 30 days) requirement in subsection (a)(2) upon a written request indicating the circumstances justifying such a waiver. The Adjutant General may use discretion in granting or denying such requests.
 - 4) The Department of Military Affairs will verify the member's casualty status with official documents provided by the service member or official message from the U.S. Department of Defense, including, but not limited to, Line of Duty Investigations, DOD Casualty Reports, Incident Reports, and intake medical reports/medical assessments. Documentation will include proof that the service member sustained an injury as a result of terrorist activity; sustained an injury in combat, or related to combat, as a direct result of hostile action; or sustained an injury going to or returning

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from a combat mission, provided that the incident leading to the injury was directly related to hostile action. This includes injuries to service members who are wounded mistakenly or accidentally by friendly fire directed at a hostile force or what is thought to be a hostile force. This rule is retroactive, but does not apply to applications for casualty based grants that were disbursed prior to December 7, 2004. No payments shall be made without this verification.

- 5) If a custodial parent or guardian is applying for a grant on behalf of a service member's dependent, then the custodial parent or guardian must provide proof of guardianship of a member's dependent currently enrolled in DEERS or a Power of Attorney that authorizes these transactions.
 - 6) There are no grade limitations to eligibility for the casualty based grant.
- b) Casualty grant applications received on the same day as status or needs applications will be processed first.
- c) The following members are ineligible to receive grants under this Section:
- 1) Members who, at any time prior to the approval of a grant application under this Section, receive a punitive discharge, or an administrative discharge with service characterized as Under Other Than Honorable Conditions or a lower characterized discharge;
 - 2) Members whose casualty status is the result of a self-inflicted wound or other misconduct or willful negligence by the member, or if the casualty occurs when the member is in an AWOL, deserter, or dropped-from-rolls status;
 - 3) Personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service for duty as prescribed in subsection (a)(2);
 - 4) Deceased members, as other compensations are paid by the State of Illinois.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

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Section 200.41 Determination of Eligibility for Casualty Based Grants – Active Duty Service Members

- a) The grant applicant must show proof of the following:
 - 1) He or she, at least 60 days prior to the date of injury, was a resident of Illinois and a member of the active duty armed forces. Proof of residency for military members will consist of information obtained from the supporting documents provided: DD Form 214, orders, Leave and Earnings Statement (LES), and/or a copy of the service member's Illinois State income tax return from the previous calendar year and the individual's certification on the application.
 - 2) The service member identified in subsection (a)(1) is/was on active military duty for at least 60 consecutive days [in support of an emergency as defined in Section 200.10 \(effective July 3, 2014; previously as a result of the September 11, 2001 terrorist attacks\)](#). Proof of duty will consist of the individual deployment orders clearly indicating the purpose and period of duty and an LES reflecting Hazardous Duty Pay, Combat Pay, or Combat Zone Tax Exclusion.
 - 3) The Adjutant General is authorized to waive the 60 day requirement in subsection (a)(2) upon written request indicating the circumstances justifying the waiver. The Adjutant General may use discretion in granting or denying these requests.
 - 4) The Department of Military Affairs will verify the member's casualty status with official documents provided by the service member or official message from the U.S. Department of Defense, including but not limited to Line of Duty Investigations, DOD Casualty Reports, Incident Reports and intake medical reports/medical assessments. Documentation shall include proof that the service member sustained an injury on or after November 23, 2009 as a result of terrorist activity; sustained an injury in combat, or related to combat, as a direct result of hostile action; or sustained an injury going to or returning from a combat mission, provided that the incident leading to the injury was directly related to hostile action. Injuries to service members who are wounded mistakenly or accidentally by friendly fire directed at a hostile force or what is thought to be a hostile

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force are eligible. No payments can be made without sufficient documentation.

- 5) If a family member or other person not listed in DEERS signs the application, the applicant must provide a Power of Attorney authorizing the transactions on behalf of the service member.
 - 6) There are no pay grade limitations to eligibility for the casualty based grant.
- b) Casualty grant applications received on the same day as status or needs applications will be processed first.
- c) The following members are ineligible to receive grants under this Section:
- 1) Members who, at any time prior to the approval of a grant application under this Section, received a punitive discharge or an administrative discharge with service characterized as Under Other Than Honorable Conditions or a lower characterized discharge;
 - 2) Members whose casualty status is the result of a self-inflicted wound or other misconduct or willful negligence by the member, or if the casualty occurs when the member is in an Absent Without Leave (AWOL), deserter or dropped-from-rolls status;
 - 3) Deceased members, as other compensations may be paid by the State of Illinois or Department of Defense.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Merit Commission
- 2) Code Citation: 80 Ill. Adm. Code 50
- 3) Section Number: 50.110 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 8-9a of the Secretary of State Merit Employment Code [15 ILCS 310], as amended by PA 98-810
- 5) Complete Description of the Subjects and Issues Involved: Updates the time period in which the Commission shall grant a hearing from 30 to 45 calendar days, pursuant to a change in statute.
- 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 proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed rulemaking does not require expenditures by units of local government.
- 12) Time, Place and Manner in which Interested Persons May Comment on this Proposed Rulemaking: Texts of the proposed amendments are posted on Secretary of State's website (www.sos.state.il.us/departments/index/home) as part of the *Illinois Register*.

Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:

Amy N. Williams
Office of the General Counsel
298 Howlett Building
Springfield IL 62756

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awilliams3@ilsos.net

The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed rules may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of Professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this Rulemaking was Summarized: This rulemaking was not included on either of the most recent regulatory agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
CHAPTER II: SECRETARY OF STATE MERIT COMMISSIONPART 50
MERIT COMMISSION

Section

50.10	Meetings of the Merit Commission
50.20	Classification Plan
50.30	Personnel Rules
50.40	Jurisdiction B Exemptions
50.50	Orders of Compliance
50.60	Disciplinary Hearings and Demotions
50.70	Geographical Transfers
50.80	Allocation Appeals
50.90	Layoff Appeals
50.100	Personnel Code and Personnel Rule Violations
50.110	Record of Hearings and General Procedural Rules
50.120	Authority of the Hearing Officer
50.130	Authority of the Commission Over Hearing Officer
50.140	Administrative Review

AUTHORITY: Implementing and authorized by Sections 8-9a of the Secretary of State Merit Employment Code [15 ILCS 310].

SOURCE: Filed September 15, 1977; amended at 7 Ill. Reg. 17496, effective January 1, 1984; amended at 8 Ill. Reg. 1988, effective February 10, 1984; codified at 8 Ill. Reg. 15000; amended at 11 Ill. Reg. 6285, effective April 15, 1987; amended at 35 Ill. Reg. 12801, effective July 14, 2011; amended at 38 Ill. Reg. _____, effective _____.

Section 50.110 Record of Hearings and General Procedural Rules

- a) Filing and Form of Papers
 - 1) The original copy of any complaint, appeal, pleading, written motion, notice or other documents shall be on 8½ x 11 paper and shall be filed in the Office of the Commission. Documents shall be signed in ink by the party filing them or by his representative and contain the address and

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telephone number of the party, or, if represented, the name, business address and telephone number of such representative.

- 2) Copies of all filed documents shall be served on all known parties to proceedings, and notice of such service shall be given to the Commission.
 - 3) For the purpose of determining the timeliness of filing only, "receipt" is herein defined to mean either personal delivery or date of postmark when deposited in the U.S. mail, in a sealed envelope, with postage prepaid, and properly addressed. If the last date for filing falls upon a weekend or legal holiday, the last date for filing is the first business day following such weekend or legal holiday.
- b) Notice
- Notice to a designated representative is notice to his/her client. Notice to an employee who is not represented shall be served at the address specified in the employee's appeal or, in the absence of such specification, to the last address shown in the employee's personal file. Notice shall be served at the General Law Division of the Attorney General's Office with a copy sent to the Division or Department Head, and to the Director of Personnel.
- c) Time of Hearing
- The Commission shall grant the parties a hearing within ~~45~~30 calendar days following actual, in hand receipt of a written request for hearing, except for cases involving position allocation, geographical transfer, and violation appeals. Geographical transfer, violation, and allocation appeal hearings shall be granted within 60 calendar days after receipt of a request for hearings.
- d) Conduct of Hearings
- All disciplinary hearings shall be public, but individuals displaying disruptive behavior may be barred. Each party may call witnesses to testify in his/her own behalf and to have the aid of counsel at his/her own expense. The respective parties may cross-examine opposing witnesses and present documentary and demonstrative evidence. The hearing need not be conducted according to the technical rules relating to evidence and witnesses. ([See Section 10-40 of the Illinois Administrative Procedure Act](#); [5 ILCS 100/10-40].)
- e) Motions

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- 1) If any party objects to the written charges, or other matters, the Commission favors the practice of submitting motions outlining such objections prior to the date of the hearing.
 - 2) The motion shall point out specifically the defects complained of, and shall ask for appropriate relief, such as: that the action be dismissed, or that a charge be made more definite and certain in a specified particular, or that designated immaterial matter be stricken, and so forth. The Hearing Officer shall rule and enter an appropriate order either to permit or require pleading over or amending or terminating the matter in the whole or in part.
- f) Continuances and Extensions
- 1) The Commission or a Hearing Officer appointed by it to conduct a hearing may, at its discretion, for good cause shown, on timely motion, after notice to the opposite party, extend the time for filing any pleading or documents or may continue the date of a scheduled hearing for a limited period.
 - 2) Motions for extensions or continuances are not timely unless asserted at least 48 hours prior to the time scheduled for filing or hearing except for emergencies.
 - 3) The granting of a request for continuance by the employee in a discharge appeal will constitute a voluntary waiver by him/her of any claim to compensation for the period of such continuance if he/she is ordered retained in his/her position.
- g) Request for List of Witnesses
- Upon timely request made, either party must furnish to the other party a list of the names and addresses of prospective witnesses.
- h) Right to Inspect and Interview
- Any party or their representative shall have the right, upon timely motion, to inspect any relevant documents in the possession of or under the control of any other party and to interview employees having knowledge of relevant facts. Interviews of employees and inspection of documents shall be at times and places reasonable for the employee and for the employer.

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- i) Appearances of Witnesses
- 1) The Commission Chairman and Commissioners are authorized to issue subpoenas for those witnesses or documents as may be required by any party. Subpoenas duces tecum shall specify the books, papers, and accounts or documents desired to be produced. The appearance of a party or agent and/or employee of a party, may be secured by merely serving the party with written notice designating the persons required to appear. For good cause shown the Hearing Officer on motion may quash or modify any subpoena or notice.
 - 2) The Code provides that *any person who shall fail to appear in response to a subpoena or to answer any question or produce any books or papers pertinent to any such investigation or hearing or who shall knowingly give false testimony in relation to any investigation or hearing under the Code ~~herein~~, shall be guilty of a misdemeanor. (Section 15 of the Code)*
- j) Pre-Hearing Conference
- 1) In any action, the Hearing Officer may hold a pre-hearing conference. At the conference, the parties, or their representatives, shall appear as the Hearing Officer directs to consider:
 - A) The simplification of the issue;
 - B) Amendment to the charges;
 - C) The possibility of obtaining admissions and stipulations of fact and of documents to avoid unnecessary proof;
 - D) The limitation of the number of expert witnesses;
 - E) Any other matters that may aid in the disposition of the action.
 - 2) The Hearing Officer shall make an order reciting any action taken, any agreement made by the parties as to any of the matters considered, and the issues to be heard.
- k) Written Interrogatories

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- 1) Any party may direct written interrogatories to any other party. Interrogatories shall be restricted to the subject matter of the particular case.
 - 2) Within a reasonable time period after the service of the interrogatories an answer or objection shall be made to each interrogatory. If an answer may be obtained from a document in the possession or control of a party, it shall be sufficient to specify that document as an answer.
 - 3) Answers to interrogatories may be used in the same manner in Commission proceedings as depositions.
- l) **Depositions**
Upon order of the Hearing Officer, the Commission, its Hearing Officer, or any party may cause a deposition of any witness to be taken for use in a Commission proceeding as evidence. The deposition shall be taken in the manner provided by law for depositions in civil actions in the courts of this state.
 - m) **Written Admissions**
A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request, or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished. Failure to answer such request within a reasonable time shall be deemed as an admission of all items contained in the request.
 - n) **Opening and Closing Statements**
Upon the opening of the hearing, the Hearing Officer may allow the Petitioner and the Respondent to make opening statements. Upon the close of the hearing, each side may make a closing statement orally and/or by written brief incorporating arguments of fact and law. The form of the closing statement shall be at the discretion of the Hearing Officer.
 - o) **Examination of Adverse Party or Agent**
In the hearing of any case, any party or his agent may be called and examined as if under cross-examination at the instance of any adverse party. The party calling for the examination is not concluded thereby, but may rebut the testimony thus given and may impeach the witness by proof of prior inconsistent statement.

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- p) **Hostile Witness**
If the Hearing Officer determines that a witness is hostile or unwilling, the witness may be examined by the party calling him/her as if under cross-examination. The party calling an occurrence witness may, upon showing that he/she called the witness in good faith but is surprised by his/her testimony, impeach the witness by proof of prior inconsistent statements.
- q) **Failure to Comply with Orders or Rules**
If a party, or any person at the instance of or in collusion with a party, unreasonably refuses or fails to comply with this Part, or with any order of the Merit Commission or its Hearing Officer, the hearing authority may enter such adverse finding, order, or decision as may be necessary to insure just disposition of the matter.
- r) **Record of Proceedings**
In all hearings, other than informal allocation conferences, held before the Commission or a Hearing Officer duly appointed by the Commission to conduct those hearings, the Department or Division that is a party thereto shall arrange for a record of the proceedings to be made, transcribed, and filed in the Office of the Commission.
- s) **Proposed Decision and Responses**
- 1) In every contested case, the Hearing Officer shall prepare a proposal for decision that shall be forwarded to the parties at least 10 calendar days prior to the Commission meeting to allow the filing of written exceptions and legal arguments prior to the Commission rendering a final decision.
 - 2) Five copies of any such response must be received by the Commission at least 72 hours prior to the meeting at which a decision is scheduled to be rendered. For purposes of this subsection only "receipt" is defined as "actual, in-hand receipt-".

(Source: Amended at 38 Ill. Reg. _____, effective _____)

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: County Jail Standards
- 2) Code Citation: 20 Ill. Adm. Code 701
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
701.5	Amendment
701.10	Amendment
701.20	Amendment
701.30	Amendment
701.40	Amendment
701.50	Amendment
701.60	Amendment
701.70	Amendment
701.80	Amendment
701.90	Amendment
701.100	Amendment
701.110	Amendment
701.120	Amendment
701.130	Amendment
701.140	Amendment
701.150	Amendment
701.160	Amendment
701.180	Amendment
701.200	Amendment
701.220	Amendment
701.250	Amendment
701.260	Amendment
- 4) Statutory Authority: Implementing and authorized by the Juvenile Court Act of 1987 [705 ILCS 405/] and Sections 3-15-2 and 3-15-3 of the Unified Code of Corrections]730 ILCS 5/3-15-2 and 3-15-3]
- 5) Effective Date of Rule: October 1, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No

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- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 8511; April 25, 2014
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Correcting the citation for the definition of weapons (701.30(c)(2)(L)); adding the requirement for county jails to establish and maintain written procedures for emergency situations (701.150); requiring special assistance to be given as required when a detainee is unable to understand the disciplinary rules as provided (701.160(b)(2)); and non-substantive grammatical and typographical changes.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The rulemaking is required to bring the language into compliance with current Statutes and Rules and to provide updates to the minimum standards required for county jails with respect to the treatment of detainees and their health and safety.
- 16) Information and questions regarding this adopted rule shall be directed to:

Echo Beekman
Department of Corrections
P.O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507

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

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT

CHAPTER I: DEPARTMENT OF CORRECTIONS

SUBCHAPTER f: COUNTY STANDARDS

PART 701

COUNTY JAIL STANDARDS

Section

701.5	Definitions
701.10	Administration
701.20	Personnel
701.30	Records
701.40	Admission Procedures
701.50	Orientation
701.60	Release Procedures
701.70	Classification and Separation
701.80	Housing
701.90	Medical and Mental Health Care
701.100	Clothing, Personal Hygiene, Grooming
701.110	Food Services
701.120	Sanitation
701.130	Supervision
701.140	Security
701.150	Safety
701.160	Discipline
701.170	Employment of Detainees
701.180	Mail Procedures
701.190	Telephone
701.200	Visiting
701.210	Social Service Programs
701.220	Education
701.230	Library
701.240	Religious Services
701.250	Commissary
701.260	Recreation and Leisure Time
701.270	Juvenile Detention
701.280	Temporary Detention Standards
701.290	Standards for Detention of Youths Prosecuted Under the Criminal Code of 1961

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AUTHORITY: Implementing and authorized by the Juvenile Court Act of 1987 [705 ILCS 405] and Sections 3-15-2 and 3-15-3 of the Unified Code of Corrections [730 ILCS 5/3-15-2 and 3-15-3].

SOURCE: Emergency rule adopted November 7, 1974; amended at 4 Ill. Reg. 28, p. 186, effective July 1, 1980; codified at 8 Ill. Reg. 14408; amended at 12 Ill. Reg. 12274, effective October 1, 1988; amended at 13 Ill. Reg. 16739, effective November 1, 1989; amended at 14 Ill. Reg. 20392, effective January 1, 1991; amended at 15 Ill. Reg. 13789, effective October 1, 1991; emergency amendment at 21 Ill. Reg. 626, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 3835, effective April 1, 1997; amended at 28 Ill. Reg. 13729, effective October 1, 2004; amended at 38 Ill. Reg. 18859, effective October 1, 2014.

Section 701.5 Definitions

"Business Day" means a regular working day, excluding weekends and recognized holidays.

"Department" means the Illinois Department of Corrections.

"Jail and Detention Standards Unit" means the unit within the Department of Corrections that is authorized to monitor compliance with the County Jail Standards.

"Jail Officer" means any sworn officer of the Sheriff, including full- or part-time, who is primarily responsible for the control and custody of detainees in a county jail.

"Medical Staff" means staff employed directly by a facility to perform healthcare services, staff contracted by the facility to perform healthcare services, or staff of an organization contracted by the facility to provide healthcare services.

"Mental Health Professional" means a licensed or certified psychiatrist, physician, psychiatric nurse, or clinically trained psychologist, or an individual who has a master's degree in social work and clinical training.

"Trustee" means a detainee, classified as presenting no threat to the safety and security of the jail, who is selected by designated jail staff and not exempted by medical services, and who has volunteered, who will perform routine functions such as housekeeping, laundry services, etc.

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"Unit" means the Jail and Detention Standards Unit.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.10 Administration

a) Staff Training

- 1) All full-time jail officers shall be trained as provided by the [Illinois](#) Police Training Act [50 ILCS 705/8.1]. All personnel assigned jail duties shall be made familiar with these standards. ~~The Such~~ training shall include first aid, CPR, and identification of signs and management of detainees with a mental illness or a developmental disability.
- 2) Jail officers and other personnel assigned to jail duty shall be trained in security measures and handling special incidents such as assaults, disturbances, fires, natural disasters, evacuation procedures, escapes, emergency medical response, communications, crime scene protection, and suicide prevention.
- 3) Jail officers that have contact with juvenile detainees shall receive additional training specific to juvenile issues within correctional settings, as approved by the Illinois Law Enforcement Training Standards Board.
- 43) Jail officers and other personnel primarily assigned to correctional duties shall receive annual training~~be trained annually~~ by or approved by mental health professionals on suicide prevention and mental health issues.
- 54) Documentation~~Written documentation~~ of staff training shall be maintained.

b) Written Procedures

A current written manual of policies and regulations for the operation of the jail shall be established by the jail administrator and furnished to each employee. Written procedures for fires, riots, escapes, hostage situations, major disturbances, use of chemical agents, medical emergencies including suicide prevention and crisis intervention, bomb threats, severe weather, and natural disasters shall be a part of this manual.

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- c) **Post Description**
Comprehensive duty descriptions for each jail operational position shall be in writing and furnished to each employee performing the function.
- d) **Records**
The sheriff or jail administrator shall assure that all records required by law or this Part are maintained and available for examination by staff of the Unit.
- e) **Discrimination and Harassment**
The jail administrator shall prohibit unlawful discrimination and harassment of employees, detainees, and any other persons within the jail on the basis of race, gender, age, religion, national origin, and disability, among other matters.
- f) A code of conduct shall be established ~~that~~~~which~~ defines behavioral and ethical standards and shall be provided in writing to all staff, volunteers, and contractual employees.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.20 Personnel

- a) **Jail Officer Staffing**
 - 1) Each jail must have sufficient personnel to provide adequate ~~24~~~~twenty~~~~four~~hour supervision of detainees.
 - 2) A jail administrator, qualified by training and experience to supervise staff and detainees, shall be appointed when the average daily jail population is expected to exceed 25. If the average daily jail population is 25 or less, the sheriff may function as the jail administrator for purposes of this Part.
 - 3) No person shall be confined without an officer, awake and alert at all times, on continuous duty in the jail.
 - 4) If the ~~jail~~~~facility~~ has more than one floor of detention, one jail officer shall be required for each additional floor when 15 or more detainees are confined. This minimum standard ~~shall~~~~does~~ not apply to the midnight shift provided ~~the~~ 30-minute supervisory checks are performed ~~in~~

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accordance with Section 701.130.

- 5) Supervision shall be provided by a person of the same gendersex, whenwhere feasible, during periods of personal hygiene activities such as showers and toileting.
 - 6) The use of necessary force by a jail officer of a gendersex other than that of a detainee is permitted.
- b) Personnel Rules
- 1) Each jail officer working in direct contact with detainees shall have a thorough knowledge of rules and emergency procedures.
 - 2) Jail officers shall be thoroughly acquainted with all security features of the jail and the location and use of all emergency equipment and first aid supplies. TheSuch familiarization shall be documented.
 - 3) No jail officer shall recommend or furnish any advice concerning the retention of a specific lawyer; however, a list of local lawyers shall be made available.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.30 Records

- a) Booking and Personal Record Information
A booking and personal record file for each detainee received shall be established and maintained in accordance with ~~(See Section 701.40(k).)~~
- b) Monthly Reports
 - 1) Each jail administrator shall submit to the ~~Department of Corrections, Jail Detention and Standards~~ Unit, a monthly population report of the number of persons confined during the preceding month. The report, ~~supplied by the Unit,~~ shall be made on the forms provided by the Department and shall include, at a minimum, the following information for adult males, adult females, juvenile males, juvenile females, and the total number of:

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- A) New bookings and the total number of days served for non-sentenced detainees.
 - B) New regular sentences and the total numbers of days served of regular sentences.
 - C) New work release sentences and the total number of days served of work release sentences.
 - D) New weekend sentences and the number of days served of weekend sentences.
- 2) Duplicate copies of the report shall be prepared. The reporting jail facility shall maintain the original and forward the duplicate to the Department by the tenth day of the month following the report period.
- c) Extraordinary or Unusual Occurrences
- 1) All extraordinary or unusual occurrences~~incidents~~ must be reported to the Jail and Detention Standards Unit by the jail administrator or his or her designee, utilizing the form supplied by the Unit.
 - 2) Reports shall be forwarded as soon as possible, but not to exceed three business days~~within 72 hours~~ after the occurrence, and shall include, but not be limited to:
 - A) Name and address of the jail facility.
 - B) Date, time, and type of~~nature of the~~ occurrence.
 - C) Information regarding any detainee involved in the occurrence~~incident~~, including such as name, date of birth~~age~~, date confined, and arresting charge.
 - D) Information regarding any death, including the name of the deceased, the circumstances of the occurrence, and the date, time and specific cause of death.
 - E) Information regarding any detainee that was transported to a

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hospital or medical facility for treatment and whether he or she was admitted as an inpatient or released.

- FE) A summary of the facts and circumstances surrounding the occurrence~~incident~~.
- GF) Any recommendations~~recommendation~~ to prevent subsequent occurrences.
- HG) Signature of the reporting officer and the date of the report.

3) Extraordinary or unusual occurrences shall mean:

- A) Death, regardless of cause.
- B) Attempted suicide if hospitalization or medical treatment is required.
- C) Serious injury, including accidental or self inflicted injuries.
- D) Escape from confinement or attempted escape.
- E) Serious fire resulting in property damage, personal injury, or evacuation.
- F) Any Inmate disturbance involving four or more individuals, a riot, or a hostage situation.
- G) Battery of~~on~~ a staff member, visitor, or volunteer.
- H) Battery of ~~a~~ detainee~~detainees~~ by a staff member.
- I) Battery of~~on~~ a detainee by another detainee if hospitalization or medical treatment is required.
- J) Sexual assault or attempted sexual assault.
- K) Occurrence of contagious or infectious disease or illness within the jail facility, excluding names of detainees or others involved.

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- L) Discovery of firearms or weapons, as defined in [Section 720 ILCS 31A-0.15/31A-1.4 of the Criminal Code of 2012 \[720 ILCS 5/31A-0.1\]](#), in detainee living or program areas.
 - M) A written or oral act of intimidation by a detainee on detainees or staff for which criminal [charges](#) result.
 - N) Excessive use of force by staff.
 - O) [Involuntary administration of](#) ~~Enforced~~ medication.
 - P) Use of [a control device, such as](#) chemical agents, [oleoresin capsicum \(OC\), electro-muscular disruption device, restraint chair, baton, etc.](#)
 - Q) Major property damage.
- d) Other Reports and Records
Each jail administrator shall submit such other reports or records pertaining to jail administration as required by the Department for ~~those~~ such purposes as statistical reports.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.40 Admission Procedures

- a) Posting of Rights
A Notice of Rights, available from the Unit, and jail rules and regulations shall be conspicuously posted in all receiving rooms and in common areas to provide maximum accessibility to detainees.
- b) [Pat Down](#) ~~Frisk~~ Search
Detainees shall be given an immediate [pat down](#) ~~frisk~~ search.
- c) Legal Confinement Authority
The jail officer accepting persons for confinement must determine that each is being confined under proper legal authority.

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- d) Identity
- 1) The identity of the person being ~~detained~~admitted must be verified as the person named in the commitment documents. Documents must become a part of the detainee's record.
 - 2) Each detainee must be photographed and fingerprinted. ~~These and these~~ records shall be maintained in accordance with the Criminal Identification Act [20 ILCS 2630~~5~~] and the Juvenile Court Act of 1987 [705 ILCS 405].
- e) Injuries
- Any seriously injured, seriously ill, or unconscious person must not be admitted to the jail until a medical examination has been conducted by a licensed physician, except when a properly staffed medical facility staffed by a physician or physician's assistant is a part of the jail.
- f) Strip Search
- 1) A strip search shall be performed in an area that ensures privacy and dignity of the individual. The individual shall not be exposed to the view of others who are not specifically involved in the process.
 - 2) Strip searches shall be conducted by a person of the same gendersex.
 - 3) All personal clothing shall be carefully searched for contraband.
 - 4) The probing of body cavities may not be done except ~~when~~where there is reasonable suspicion of contraband. Intrusive searches may only be conducted:
 - A) By a medically trained person who is not a detainee, for example, a physician, physician's assistant, registered nurse, licensed practical nurse, or paramedic; and
 - B) In a private location under sanitary conditions.
- g) Personal Property
- 1) Each item of personal property, including any medication, taken from the

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detainee shall be ~~identified~~listed and described on a property receipt in the presence of the detainee.

- 2) A receipt shall be issued ~~that~~which shall include the signatures of the admitting officer and the detainee. The original receipt shall be filed in the detainee's personal record file and the duplicate shall be given to the detainee.
- 3) Medication shall be processed in accordance with subsection (j).
- ~~4~~3) All personal property of the detainee shall be securely stored until the detainee is released, discharged, or transferred or the detainee approves, in writing, the release of his or hers~~such~~ property to a designated person or its disposal. The jail shall establish and maintain~~have~~ a policy for the disposal of abandoned property.
- ~~5~~4) Personal property released to a third party must have the detainee's authorizing signature and a signature of the receiving individual.

h) Telephone Calls

- 1) Detained persons shall be permitted to make a reasonable number of completed telephone calls, both local and long distance, to an attorney of their choice and to a family member or friend. ~~The~~Such calls should be afforded to the detainee as soon as practicable, generally within one hour after arrival.
- 2) The expense for making a telephone call, if any, shall be borne by the detainee or the individual called.
- ~~3~~) ~~When a family member is not available, a friend may be called.~~
- ~~3~~4) The date and time of telephone calls made during the admission process shall be documented~~recorded~~.

i) Physical and Mental Health Assessments

- 1) The admitting officer shall observe the detainee for any obvious injuries or illnesses requiring immediate emergency medical care, rashes, unusual

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cough, high temperature, body pests, and general mental status. The officer shall determine by questioning whether the detainee:

- A) Has any medical condition that requires medical attention, such as dependence on drugs or alcohol, diabetes, epilepsy, allergies, asthma, heart condition, etc.;
 - B) Has any indications of acute mental or emotional disturbance, mental illness, developmental disabilities, or dual diagnosis;
 - C) Is at imminent risk of self harm~~Has any suicidal tendencies~~ as determined by the use of an approved screening instrument or history of medical illness;
 - D) Is on medication; and
 - E) If female, is pregnant.
- 2) Mental health screenings shall include either an assessment by a mental health professional or an assessment by a jail officer using an approved screening instrument for assessing mental health.
- 3) When a detainee shows signs of or reports unusual physical or mental distress, he or she shall be referred to health care personnel as soon as possible.
- A) Detainees exhibiting psychiatric symptoms, such as acute psychotic features or mood disturbances, or detainees who have a known psychiatric history shall be evaluated by a mental health professional.
 - B) Detainees exhibiting suicidal behavior or ideations shall be placed in a reasonable level of care that provides for their safety and stability.
- j) Medication
- 1) Any medication in the possession of a detainee at admission shall be withheld until identification and verification of its proper use is obtained

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and documented by a licensed medical professional. Medical staff shall obtain~~This~~ verification ~~shall be made~~ as soon as possible, no later than~~but within~~ the time interval specified for administration of the medication on the prescription container.

- 2) Medications shall be administered as prescribed ~~and procedures shall be in place for the emergency involuntary or voluntary administration of medications, including psychotropic medications.~~
- k) Booking and Personal Record Information
- 1) A record or records for each detainee shall be established at the time of admission and shall be maintained throughout the period of confinement. Expungement and sealing of booking and personal record information shall be made in accordance with Section 5.2 of the Criminal Identification Act [20 ILCS 2630/5.2].
 - 2) The~~Such~~ record shall include:
 - A) The detainee's name and social security number.
 - B) Aliases and nicknames used by the detainee.
 - C) The detainee's address.
 - D) Marital status of the detainee.
 - E) The detainee's age and date of birth.
 - F) The name of the person to notify in case of an emergency, including that~~the~~ individual's address and telephone number.
 - G) The detainee's physical~~Physical~~ description and characteristic marks, including any tattoos of the detainee.
 - H) The detainee's occupation.
 - I) Education level attained by the detainee.

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- J) The detainee's religion or religious preference.
 - K) The holding offense.
 - L) The date and time of admission and authority to detain.
 - M) The name and title of officers presenting and receiving the detainee.
 - N) The name and telephone number of the detainee's attorney.
 - O) Previous arrest record and convictions of the detainee.
 - P) The medical record of:
 - i) The detainee's health and physical condition: at the time of admission; during confinement, including treatment and medication administered; and at the time of discharge; and
 - ii) The detainee's medical and hospitalization insurance carrier and policy numbers.
 - Q) Itemized record of the detainee's cash and other valuables, expenditures, and receipts while in custody.
 - R) The dates of temporary absences from the jail, the authority to be absent, and the destination.
 - S) A record of visitor's names and the dates of visits.
 - T) A record of detainee misconduct and subsequent discipline administered.
 - U) The case disposition, judge, and court.
- l) Lice and Other Body Pests
Treatment, directed by the facility physician, shall be initiated immediately when body pests are detected.

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- m) Showers
All detainees must shower or bathe when admitted.
- n) Cell Assignment
 - 1) The detainee shall be assigned to suitable quarters.
 - 2) Jail staff shall be responsible for cell assignment and shall consider, among other matters:
 - A) The status of a new detainee, for example, pre- or post-trial detention, etc.;
 - B) The detainee's gendersex, health, age, type of offense charged, and prior record if known;
 - C) Whether there are any accomplices or material witnesses already within the jail from whom the detainee should be separated; and
 - D) Classification and separation criteria outlined in Section 701.70.
- o) Issued Items~~Items of Issue~~
 - 1) Detainees shall be issued clean bedding, a towel, necessary clothing, and soap.
 - A) Bedding shall consist of at least a mattress cover, flame retardant mattress, and covering appropriate to the season of the year.
 - B) The towel shall be made of cloth and be bath size.
 - 2) Detainees shall be permitted to purchase a toothbrush and dentifrice from the commissary unless furnished by the jail staff. If the detainee is without funds in his or her possession, he or she shall be issued such items by jail staff.
 - 3) Detainees shall be held accountable for all jail property issued to them.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

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Section 701.50 Orientation

- a) Orientation information shall be provided in a manner that the detainee is able to understand. Special assistance shall be provided as needed.
- b) The detainee orientation shall include, but not be limited to:
- 1)a) Information pertaining to rising and retiring, meals, mail procedures, including electronic mail procedures if allowed by the jail administrator, work assignments, telephone privileges, visiting, correspondence, commissary, and medical care.
 - 2)b) Rules of conduct.
 - 3)e) Disciplinary procedures.
 - 4)d) Information regarding work, educational, and vocational training programs, counseling, and all social services.
 - 5)e) Procedures for making requests or entering complaints to the jail staff, judiciary, or Unit~~Department of Corrections~~ personnel.
- f) ~~Special assistance shall be given to illiterate and non-English speaking detainees.~~

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.60 Release Procedures

- a) Identification
- 1) Positive detainee identification shall be made by the releasing officer before discharge, transfer, or release is effected.
 - 2) When a detainee is discharged or is released to the custody of another, a record shall be made of the date, time, and the authority.
- b) Physical Inspection
- Prior to final release or discharge, each detainee shall receive a physical

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inspection by a person of the same gendersex, ~~when~~where possible, and a record shall be made of any wounds or injuries.

- c) **Contraband**
Detainees being discharged, released, or transferred shall be searched by a person of the same gendersex to prevent detainees from taking property that does not belong to them or other items of contraband as defined in ~~ArticleSection~~ 31A-~~1.1~~ of the Criminal Code of ~~2012~~~~1961~~ [720 ILCS 5/Art. 31A-~~1.1~~].
- d) **Personal Property**
All personal property and funds inventoried at the time of admission or added during the period of confinement and not transferred to a third party or expended during confinement, other than those legally confiscated, shall be returned to the detainee upon release.
- 1) Items shall be carefully inventoried, or otherwise accounted for, with the releasing officer and the detainee signing the inventory form.
 - 2) A record of any maintenance medication, including the amount, released with an offender shall be documented.
 - 3)2) A copy of the itemized and signed receipt shall be maintained by the jail as a permanent record.
 - 4)3) Personal property of the detainee being transferred to another facility shall be inventoried and items to be transferred with the detainee shall be documented and turned over to the transporting officer in the presence of the detainee. Personal property allowed by the receiving facility shall be transferred with the detainee. Items not transferred shall be disposed of by the transferring facility in accordance with its procedures, for example, having a relative pick up items, mailing items to a person designated by the detainee, etc.
- e) **Discharge of Mentally Ill Detainees**
- 1) When a mentally ill detainee is released, he or she shall be given a listing of community mental health resource addresses and telephone numbers and provided with the opportunity to receive a copy of the jail's mental health, medical, and medication records.

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- 2) Linkage and after care may include a referral to a mental health provider, a prescription for medications, or a ~~two~~ week supply of prescribed medications.
- f) Transfers to the Illinois Department of Corrections Pursuant to Sections 3-8-1, ~~3-10-1~~ and 5-4-1 of the Unified Code of Corrections [730 ILCS 5/3-8-1, ~~3-10-1~~ and 5-4-1] ~~and Section 5-33 of the Juvenile Court Act [705 ILCS 405/5-33]~~, when a detainee is delivered to the custody of the Department, the following information must be included with the items delivered:
- 1) ~~*The sentence imposed. The mittimus or judgement order which must include the offender's name, indictment or petition number, sentence or disposition, offense, judge's name and signature, date of sentence, any court findings concerning offender status (such as, Habitual Juvenile Offender, Violent Juvenile Offender, Guilty but Mentally Ill, Sex Offender, or Truth in Sentencing), dates for time served and, where applicable, whether the sentences are to be served concurrently or consecutively. In the case of a youth committed as a delinquent, a certified copy of the court order appointing the Juvenile Division legal custodian is also required.*~~
 - 2) *Any findings of great bodily harm made by the court.*
 - ~~3)2)~~ *Any statement by the court on the basis for imposing the sentence.*
 - ~~4)3)~~ *Any presentence reports.*
 - 5) *Any sex offender evaluations.*
 - 6) *Any substance abuse treatment eligibility screening and assessment of the detainee by an agent designated by the State to provide assessments for Illinois courts.*
 - ~~7)4)~~ *The number of days, if any, which the detainee has been in custody and for which he or she is entitled to credit against the sentence. Certification of jail credit time shall include any time served in the custody of the Illinois Department of Human Services-Division of Mental Health or Division of Developmental Disabilities ~~Mental Health and Developmental Disabilities~~, time served in another state or federal jurisdiction and any time served*

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while on probation or periodic imprisonment.

- 5) *A record of the committed person's time and his or her behavior and conduct while in custody of the county. Any action on the part of the committed person, including but not limited to an escape attempt, participation in a riot, assault, battery, intimidation, sexual behavior, arson, or suicide attempt which might affect security status and a record of medical treatment, if any, should be included in the record.*
- 8)6) *State's attorney's statement of facts, including the facts and circumstances of the offenses for which the detainee was committed, any other factual information accessible to the State's Attorney prior to the commitment to the Department relative to the detainee's habits, associates, disposition and reputation or other information that may aid the Department during the custody of the detainee. If the statement is unavailable at the time of delivery, the statement ~~must~~ shall be transmitted within ~~10~~ten days ~~after~~of receipt by the clerk of the court.*
- 9)7) *Any medical or mental health records or summaries.*
- 10) *Any victim impact statements.*
- 11)8) *Name of ~~municipalities~~municipality where the arrest of the detainee and the commission of the offense occurred, if ~~the~~such municipality has a population of more than 25,000 persons.*
- 12)9) *All additional matters ~~that~~which the court directs the clerk to transmit.*
- 13) *The mittimus or sentence (judgment) order that provides the following information:*
- A) *The criminal case number, names and citations of the offenses, judge's name, date of sentence and, where applicable, whether the sentences are to be served concurrently or consecutively;*
- B) *The number of days spent in custody; and*
- C) *If applicable, the calculation of pre-trial program sentence credit awarded by the court to the detainee, including, at a minimum,*

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identification of the type of pre-trial program the detainee participated in and the number of eligible days the court finds the detainee spent in the pre-trial program multiplied by the calculation factor of 0.5 for the total court-awarded credit.

- 14) A record of the detainee's time and his or her behavior and conduct while in the custody of the county. Any action on the part of the detainee that might affect his or her security status with the Department, including, but not limited to, an escape attempt, participation in a riot, or a suicide attempt should be included in the record.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.70 Classification and Separation

- a) Classification Information
- Each facility shall have written guidelines for the classification of detainees that specify criteria and procedures for determining and changing the status, assignment, or security of a detainee. To determine each detainee's degree of security, housing, programs, and assignments, the following items of information, to the extent available, shall be considered, among other matters:
- 1) Gender~~Sex~~.
 - 2) Age.
 - 3) Offense.
 - 4) Status; that is, pretrial, awaiting sentence, or sentenced.
 - 5) Past criminal history, including known prior institutional history.
 - 6) Probation or parole status.
 - 7) Medical condition, including pregnancy, and treatment needs.
 - 8) Mental and emotional condition and needs.
 - 9) History of substance abuse.

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- 10) Sexual orientation, transgenderism and gender non-conformity~~Homosexuality~~.
 - 11) Academic and vocational needs.
 - 12) Special services and program needs.
 - 13) Detainee's attitudes regarding him or herself and his or her future.
 - 14) Gang activity.
 - 15) Physical size and stature.
- b) Separation by Category
- 1) Gender~~Sex~~
Male and female detainees, supervised under both the direct and indirect supervision options (see Section 701.130), must be housed separately by sight and sound.
 - 2) Age
Detainees under the age of 18 years and detainees 18 years of age and older~~Juvenile and adult detainees~~, supervised under both the direct and indirect supervision options, must be housed separately by sight and sound.
 - 3) Witnesses
Persons being detained as witnesses, supervised under both the direct and indirect supervision options, shall be separated from detainees charged with an offense.
 - 4) Non-criminal
 - A) Non-criminal detainees~~offenders~~ such as traffic violators, nonsupport cases, and persons charged with civil contempt who are supervised under the direct supervision option shall be kept separate by cell or detention room from detainees~~persons~~ charged with criminal offenses.

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- B) When possible, non-criminal ~~detainees~~offenders such as traffic violators, non-support cases, and persons charged with civil contempt who are supervised under the indirect supervision option shall be kept separate by detention room cluster or cell block from ~~detainees~~persons charged with criminal offenses.
- C) When possible, misdemeanants and felons should be housed separately, except ~~when~~where the detainee's prior history warrants similar housing.
- 5) Charged Detainees and Convicted Offenders
- A) Charged ~~detainees~~offenders who are supervised under the direct supervision option shall be separated from convicted offenders by cell or detention room.
- B) Charged ~~detainees~~offenders who are supervised under the indirect supervision option shall be separated from convicted offenders by detention room cluster or cell block.
- 6) Mentally Ill, Developmentally Disabled, Dually Diagnosed, or Emotionally Disturbed
- A) Detainees who are mentally ill, developmentally disabled, dually diagnosed, or emotionally disturbed shall be housed or tiered and maintained under supervision as recommended by a mental health professional.
- B) Action shall be taken to transfer detainees who have been determined by mental health professionals to be severely mentally ill, developmentally disabled, or emotionally disturbed to an appropriate facility.
- c) Classification Review
Review of the ~~detainee's~~committed person's security and assignment classification shall be conducted periodically, but at least every 60 days.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

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Section 701.80 Housing

- a) Cell and Detention Room Space
 - 1) At least 50 square feet of floor space shall be provided in each cell, with a minimum ceiling height of eight feet.
 - 2) At least 64 square feet of floor space shall be provided for each detention room with a minimum ceiling height of eight feet.
 - 3) With regard to existing facilities built prior to July 1, 1980, the Department will not initiate legal action against a county if the only physical noncompliance relates to square footage of the individual cell or detention room.
- b) Cell or Detention Room Occupancy

All existing cells and detention rooms should be designated for a maximum of double occupancy (two detainees~~inmates~~ per cell or detention room).
- c) Cell or Detention Room Equipment

Each cell or room shall be equipped with:

 - 1) A rigidly constructed metal bed, with a solid or perforated metal bottom, securely anchored to the floor or wall or a concrete sleeping surface; a flame-retardant mattress with no inner springs; staph-check mattress covering; and bed covers suitable to the season. A sleeping surface constructed of concrete may only be used if the construction design is approved in advance by the Department. In determining whether to approve design of concrete beds, the Department will consider, among other matters, the architectural design, whether the concrete is solid, whether beds would be constructed in a manner that~~which~~ would not affect heating of the cell, whether the height and measurements are similar to a standard jail bed, and whether the location of the bed would restrict detainee movement.
 - 2) A washbasin with piped hot and cold water.
 - 3) A prison type toilet.

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- 4) Illumination sufficient to assure comfortable reading at desk level (at least 20 foot-candles illumination at a height of three feet above the floor). Light fixtures shall be tamper proof.
- d) Dormitory Space
- 1) A dormitory is defined as a multiple occupancy room that is designed to hold more than two ~~detainees~~~~inmates~~ who are screened prior to admission for suitability to group living.
 - 2) Floor space for dormitories shall be determined by the number of detainees each individual dormitory is designated to house.
 - A) At least 50 square feet of floor space shall be provided per occupant.
 - B) There shall be a clear floor to ceiling height of not less than eight feet.
- e) Dormitory Occupancy
- 1) The measures outlined in Section 701.70 (~~Classification, Separation, Segregation~~) shall be followed prior to placement in a dormitory.
 - 2) Dormitories are to be utilized exclusively for persons who are suitable for group living. It is suggested that the most likely candidates for dormitory style living are work releasees, weekenders, ~~trustees~~~~trusties~~, and sentenced misdemeanants (after intensive screening).
- f) Dormitory Room Equipment
- Each dormitory shall be equipped with:
- 1) A bed for each detainee made of rigidly constructed metal, with a solid or perforated metal bottom; the bed shall be securely anchored to the floor or wall.
 - 2) A washbasin with piped hot and cold water for every eight occupants. A supply of disposable drinking cups shall be provided if the washbasin is

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not drinking fountain equipped.

- 3) A prison type toilet for every eight occupants.
 - 4) A shower with piped hot and cold water for every eight occupants.
 - 5) Illumination sufficient to assure comfortable reading at desk level (at least 20 foot-candles at a height of three feet above the floor). Light fixtures shall be tamper proof.
 - 6) Securely anchored metal tables ~~and as well as~~ chairs or benches. Tables and chairs do not have to be securely anchored in direct supervision units provided that alternatives would not affect the safety and security of the facility or individuals. Adequate seating shall be provided for detainees.
- g) Accessibility
Cells or detention rooms shall conform to current building and accessibility codes. This standard is waived for existing structures.
- h) Day Room
Day rooms provide a place for meals to be eaten outside individual cells or detention rooms and for other approved activities.
- 1) For existing structures, a day room area containing no less than 35 square feet must be provided in conjunction with each cell block or detention room cluster. For new structures or major renovations of existing cell blocks or detention room clusters, a day room area containing no less than 35 square feet per cell or detention room must be provided in conjunction with each cell block or detention room cluster.
 - 2) Each day room shall be equipped with securely anchored metal tables ~~and as well as~~ chairs or benches. Tables and chairs do not have to be securely anchored in direct supervision units provided that alternatives would not affect the safety and security of the facility or individuals. Adequate seating shall be provided for detainees.
- i) Showers
Showers shall be provided in each cell block area.

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- j) **Mirror**
Cells and detention rooms shall contain a metal mirror anchored securely to the wall.
- k) **Ventilation**
Detention areas shall be comfortably heated and cooled according to the season with a system designed to eliminate disagreeable odors and to routinely provide temperatures within the normal comfort zone.
- l) **Compliance**
- 1) All requirements of a physical nature shall be complied with by the jails. However, if the Department has previously given written approval for final architectural plans for new construction or remodeling, new standards of a physical nature will not be enforced.
 - 2) ~~Noncompliance~~~~Those noncompliances~~ relating to physical conditions ~~that~~~~which~~ adversely affect the treatment of detainees with respect to their health and safety may be considered for further action under the provisions of Section 3-15-2(b) of the Unified Code of Corrections [730 ILCS 5/3-15-2(b)].
- m) **Variances**
- 1) Variances connected with physical requirements may be granted by the Director of the Department for existing facilities for a specific period of time. Variance expiration dates will be determined at the time granted. Variance requests of an administrative nature will not be granted. In determining whether to grant a variance, the Department will consider, among other factors, the nature of the standard, previous noncompliance, the cost, the population, the alternative means of complying with the intent of the standard, the length of time requested for the variance, the consequences if the variance is not granted, and the safety and security of the facility or individuals.
 - 2) The variance request must be in writing, signed by the sheriff, and pertain to a specific standard. The request must describe the reasons for the variance; the period of time for the variance; any hardship the facility might experience by complying with the standard; plans to be

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implemented to eventually comply with the particular standard; and a statement that the variance would not adversely affect the health and safety of detainees or security of the jail.

- 3) The approval or denial of a variance request will be returned by letter to the requesting governmental agency.
 - 4) The Director of the Department, at his or her discretion, may grant a renewal of the variance provided documentation is received from the governing body that indicates a good faith effort on its part to effect necessary actions to comply with the standard in question.
- n) Architectural Plans
- ~~Prior to new~~New construction ~~or~~remodeling plans of detention facilities must be submitted to the Department for review and approval to ensure the physical plant conforms to the Department's construction standards.
- 1) The architect's preliminary drawings and final plans and specifications ~~must~~shall be submitted ~~to the Department~~.
 - 2) ~~To determine compliance with the requirements of the State of Illinois Executive Order 2006-5, Construction Activities in Special Flood Hazard Areas, a copy of the effective Federal Emergency Management Agency floodplain map clearly identifying the building site location and a statement of floodplain determination from an architect or engineer must be submitted to the Department. Plans showing the proposed building location must be submitted to the Illinois Department of Natural Resources, to determine compliance with the Regulation of Construction within Flood Plains (92 Ill. Adm. Code 706) and Construction Activities in Special Flood Hazard Areas (Executive Order 79-4, effective June 1, 1979).~~
 - 3) Subsections (c)(1), (3), and (4), ~~subsection (f)(6), and subsection (h)(2) of this Section~~ may be waived for those facilities exercising the Direct Supervision Option, as described in Section ~~701.130(a)(1)~~701.70(e), provided that alternatives would not affect the safety and security of the facility or individuals.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

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Section 701.90 Medical and Mental Health Care

- a) Medical and Mental Health Services
All jails shall provide a competent medical authority to ensure that the following documented medical and mental health services are available:
- 1) Collection and diagnosis of complaints.
 - 2) Treatment of ailments.
 - 3) Prescription of medications and special diets.
 - 4) Arrangements for hospitalization.
 - 5) Liaison with community medical facilities and resources.
 - 6) Environmental health inspections.
 - 7) Supervision of special treatment programs, such as for alcohol and other drug dependency dependent detainees.
 - 8) Administration of medications, including emergency voluntary and involuntary administration of medication, including psychotropic medication, and distribution of medication when medical staff is not on site.
 - 9) Maintenance and confidentiality of accurate medical and mental health records.
 - 10) Maintenance of detailed records of medical supplies, particularly of narcotics, barbiturates, amphetamines, and other dangerous drugs.
- b) Physician, Mental Health, and Dental Services
- 1) A medical doctor shall be available to attend the medical and mental health needs of detainees.
 - A) Arrangements shall be made for provisions of emergency dental

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care as determined necessary by a dentist or a physician.

- B) Professional mental health services may be secured through linkage agreements with local and regional providers or independent contracts. Linkage agreements and credentials of independent contractors shall be documented.
- 2) General medical physician services may be provided by:
 - A) Staff physicians;
 - B) Contractual services; or
 - C) A nearby hospital.
- c) Admission Examination
 - 1) All persons admitted to confinement shall undergo a physical assessment as prescribed in Section 701.40(i).
 - 2) Newly admitted persons suspected of having any type of communicable disease shall be isolated and an immediate referral shall be made to the jail physician for possible transfer to a medical facility unless the admitting facility can safely and effectively segregate and maintain a medically prescribed course of treatment.
 - 3) All detainees confined shall be given a medical screening by a medical doctor, a physician assistant, a nurse practitioner, a registered nurse or, a licensed practical nurse, ~~or a physician assistant~~ within 14 days after confinement, and as required by a medical doctor thereafter.
- d) Sick Call
 - 1) A schedule shall be established for daily sick call.
 - 2) The names of those detainees reporting to sick call shall be recorded in the medical log.
 - 3) Detainees with emergency complaints shall receive attention as quickly as

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possible, regardless of the sick call schedule.

- 4) Non-medical jail staff may issue ~~any form of~~ over-the-counter medication, providing the attending physician gives prior written approval to the facility for such issue and the issue is made at the request of the detainee.
- e) **Written Record or Log**
A written record shall be maintained, as part of the detainee's personal file, of all treatment and medication prescribed, including the date and hour ~~thesueh~~ treatment and medication is administered. A written record shall be maintained of over-the-counter medication, for example, aspirin, cough medicine, etc., issued by jail staff. A written record shall be kept of all detainees' special diets.
- f) **Medical Security**
- 1) Security of medical supplies shall be maintained at all times. Drugs, including over-the-counter medication, and other abusable medical supplies shall be secured and accessible only to designated staff.
 - 2) When a physician or other medical personnel attends patients at the facility, a jail officer shall be present to maintain order, prevent theft of medication, equipment, or supplies, and to assure an orderly process.
 - 3) Detainees shall receive one dose of medication at a time and shall be required to ingest medication in the presence of a medical staff member or jail officer. Detainees may be approved by the jail administrator, in consultation with a physician or other medical professional, to retain life saving medication on his or her person. Safety and security of the facility and detainee shall be considered before granting approval.
 - 4) Detainees shall not be assigned to work with or have access to medical supplies, patients, records, or medications.
- g) **First Aid Training**
At least one member of the jail staff on each shift shall have successfully completed, and received biannual recertification from, a recognized course of first aid training, including cardiopulmonary resuscitation (CPR).
- h) **Mental Health Training**

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Annually, ~~mental health professionals shall provide training to all~~ jail officers and other personnel primarily assigned to correctional duties shall be trained on suicide prevention and mental health issues. The training shall be approved or provided by a mental health professional.

- 1) Suicide prevention training shall include the nature and symptoms of suicide; the specifics of identification of suicidal individuals through the recognition of verbal and behavioral cues, situational stressors, evaluation of detainee coping skills; and other signs of potential risk; monitoring; evaluation; stabilization; and referral of suicidal individuals.
 - 2) Mental health training shall include the nature of mental illness; symptoms; specifics of identification of mentally ill individuals through the recognition of verbal and behavioral cues symptoms of mental illness, situational stressors, evaluation of detainee coping skills; and other signs of potential risk; monitoring; evaluation; stabilization; and referral of the mentally ill detainee.
- i) **First Aid Supplies**
Those facilities not having a dispensary shall maintain a stock of first aid supplies for the treatment of cuts, bruises, sprains; and other minor injuries.
 - j) **Tuberculosis (TB) Isolation**
The following standards shall be followed for TB isolation rooms, where provided, and associated shower rooms.
 - 1) Supplied air to a room should be a continuous and constant volume. Variable air volume devices should be locked open. Air flow should be measured and balanced to original building specifications. The air supplied must be a minimum of six air changes per hour.
 - 2) Air returns shall be permanently sealed.
 - 3) All air from the room shall be exhausted to the exterior of the building. Exhaust air volume in a room must always be greater than the supplied air volume. Several rooms may be exhausted from one exhaust fan.
 - A) Where feasible, the exhaust fan outlet at the exterior of the building shall be situated to prevent room air from being

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discharged near inhabited areas, building air intakes, and exterior zones of stagnant or trapped air.

- B) Where the above is not feasible, room air should be directly exhausted through a high efficiency particulate air (HEPA) filtration system. If a HEPA system is utilized, the system shall be installed and filters shall be replaced as recommended by the system manufacturer.
- 4) An air pressure switch or sail switch should be placed in the exhaust air duct. This switch should illuminate a red light at an occupied station when air flow in the duct is disrupted. A sign should be placed next to the red light instructing individuals to call the maintenance department immediately when the red light is illuminated. Facilities using a window exhaust fan or through wall unit shall install a similar indicator light showing loss of power.
- 5) A differential air pressure gauge should be used to monitor each isolation room. The gauge ~~shall have~~ has two ports ~~and. The gauge~~ shall be piped per the manufacturer's instructions. One port shall be piped to the isolation room. The other shall be piped to the hallway outside that room. The gauges shall be placed in a location where they are convenient to read, but are also protected from vandalism and damage. They may require a cover or other protective device. The staff shall be responsible for monitoring these gauges to ensure differential pressure is being maintained.
- 6) Operable windows must be closed permanently or made inoperable.
- 7) The corridor door to the isolation room must have a door closer installed. The corridor door must not be allowed to remain in the open position when the room is occupied.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.100 Clothing, Personal Hygiene, Grooming

- a) Cleanliness

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- 1) Mechanical washing and drying equipment and cleaning agents must be provided when detainees are required to supply and wear personal clothing.
 - 2) When clothing is provided by the jail, clean clothing shall be issued at least twice weekly.
- b) Grooming and Personal Hygiene
- 1) Detainees without funds shall be provided necessary equipment and articles to maintain proper grooming and hygiene, when requested by the detainee.
 - 2) Bathing or showering shall be allowed three times weekly, except as amended by medical advice in individual cases.
 - 3) Absent safety and security concerns:
 - A) Detained males shall be permitted to shave daily. Shaving equipment and shaving soap shall be made available. Safety razors shall not be shared ~~amongbetween~~ detainees. Battery powered or rechargeable personal grooming devices with razor heads may be used; however, the razor head must be sanitized after each use.
 - B)4) Detained females shall be provided with shaving supplies appropriate for personal hygiene needs.
 - 4)5) Barber and beautician services shall be made accessible but must not violate required security measures.
 - 5)6) Female detainees shall be provided articles for feminine hygiene.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.110 Food Services

- a) Meal and Food Service
 - 1) Food must be of sufficient nutritional value and provide a minimum of

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1,800 to 2,000 calories for adults and 2,500 to 3,000 calories for juveniles per day.

- 2) Food quantity must be sufficient to satisfy, within reason, the detainee's needs.
- 3) ~~Three meals~~Meals shall be provided at reasonable and proper intervals, ~~that is,~~ adhering to recognized breakfast, lunch, and dinner schedules, with no more than 14 hours between the evening meal and next morning breakfast. ~~Meals shall not be served earlier than: 6:30 a.m. for breakfast, 11:00 a.m. for lunch, and 4:00 p.m. for supper.~~
- 4) A beverage other than water shall be served with each meal.
- 5) Of the three meals provided for each 24 hours of detention, one shall be a balanced and complete hot meal.
- 6) Special diets shall be adhered to when prescribed by ~~a~~-jail medical staff~~physician~~.
- 7) The jail administrator may elect to provide meals and food service by one or more of the following methods:
 - A) Contract for catered food service.
 - B) Provide frozen, or otherwise pre-prepared, meals ~~that~~which have been processed by the procedure required to produce a condition suitable for consumption.
 - C) Food preparation and service in an on-site kitchen with food service staff who are employees of the facility.
- 8) At least one full-time cook or the food service provider shall have food services sanitation manager certification from the Illinois Department of Public Health.
- 9) Detainees may abstain from any foods the consumption of which violates their required religious tenets.

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- A) Menu items may be substituted when a detainee's religious beliefs prohibit the eating of particular foods.
 - B) The detainee may submit a written request to the jail administrator for an alternative diet.
 - C) The jail administrator may confer with religious leaders or faith representatives in determining whether to grant any such requests.
- b) Menus
- 1) Menus shall be preplanned and copies of the menu served shall be maintained for a period of three months.
 - 2) The menu shall be diversified so as to avoid the monotony of a standardized diet.
- c) Food Preparation and Service
- 1) Food service operations, whether contractual or on-site, shall be conducted in conformance with the Illinois Department of Public Health Food Service Sanitation Code, (77 Ill. Adm. Code 750).
 - 2) Detainees shall be screened by medical staff prior to commencing work in food services areas.
 - 3) Employees and detainees shall be visually evaluated at the beginning of each shift. Any individual with boils, infected wounds, or respiratory infections must be cleared by medical staff before being permitted to work in any food service area.
 - 4) Detainees working in food service shall be required to bathe and dress in clean work clothing provided by the jail prior to their daily work shift.
 - 5) The jail cook or kitchen staff must be familiar with security aspects of jail operation and be effective in training and supervising detainees in food services.
 - 6) Heated or insulated carts or trays capable of transporting ~~containers of~~

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food, beverages, and eating utensils shall be utilized when the serving or dining area (cell, day room, etc.) is a significant distance from the kitchen and appropriate food holding temperatures would not otherwise be maintained.

- 7) Food and drink, while being stored, prepared, displayed, served, or transported, shall be protected from contamination by insects or foreign substances.
- 8) Divided or compartmented trays shall be used for full meal service. Food trays, dishes, and eating utensils shall be removed from detainee's quarters (cell, day room, etc.) soon after the meal is finished and returned to the kitchen for proper washing and sterilizing or disposal.
- 9) Openings to the outside shall be effectively protected against the entrance of rodents and insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents or other means. Screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings shall be tight-fitting and free of breaks. Screening materials shall be at least 16 mesh to the inch.
- 10) Ranges, stoves, and ovens shall be equipped with an accurate thermostat or temperature gauge and be in conformance with ~~State~~ or local fire codes pertaining to hood exhaust and fire suppression systems.
- 11) A mechanical dishwasher ~~that~~which meets Illinois Department of Public Health standards (77 Ill. Adm. Code 750) is preferred, but in its absence:
 - A) A three-compartment, stainless steel sink with drainboard is required: one compartment for washing with hot water containing adequate soap or detergent; a second compartment for rinsing; and a third compartment for sanitizing with a chemical sanitizing agent or water with a temperature of no less than 170 degrees ~~Fahrenheit~~F.
 - B) Dishes and trays shall be drain dried and not wiped dry.
- 12) Dry stores such as flour, cereal, dried beans, peas, coffee, and canned goods shall be stored in a cool, dry, and well ventilated area, screened or

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otherwise protected against insects and rodents. Containers used to store dry bulk quantities shall be lined with or have the interior coated with an acceptable impervious substance or plastic.

- 13) Fresh fruits, vegetables, dairy products, meats, and frozen foods shall be refrigerated. All refrigerators and freezers shall be equipped with an accurate thermometer. Frozen food shall be kept at or below ~~zero~~ degrees ~~Fahrenheit~~. Potentially hazardous food items shall either be stored frozen or at or below 41 degrees ~~Fahrenheit~~. All perishable food shall be stored at temperatures that will protect against spoilage.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.120 Sanitation

- a) General Requirements
 - 1) Non-carpeted floors shall be swept and mopped with detergent or a germicidal agent at least once daily. Germicidal cleaning agents shall be used on all floors in toilet, shower, and food service areas.
 - 2) Windows shall be clean.
 - 3) Openings to the outside shall be effectively protected against the entrance of rodents and insects with tight fitting self-closing doors. When appropriate, closed windows or screening may be utilized for protection against flying insects. Screening material shall not be less than 16 mesh to the inch.
 - 4) Forced air or other form of artificial ventilation in the living area shall provide at least 10 cubic feet of fresh or purified air per minute per person.
 - 5) Walls shall be kept clear of etched or inscribed graffiti or writing.
 - 6) Walkways and corridors shall be free of ~~litter or~~trash and debris.
 - 7) Mops and other cleaning tools and implements shall be thoroughly cleaned and dried after each use and securely stored in a well ventilated place under staff control.

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- 8) All detainee cleaning details shall be under the supervision of a jail officer.
- b) Facility Equipment
 - 1) Toilets, washbasins, shower stalls, and sinks shall be thoroughly cleaned and sanitized each day with detergent and a germicidal agent.
 - 2) Trash and garbage shall be removed at least daily and disposed of in a sanitary manner.
 - c) Facility Drinking Equipment

Drinking water shall be provided in cells, dormitories and recreation or day room areas and may be from a sink tap, or, preferably, a sink spout (bubbler).
 - d) Facility Supplies
 - 1) An adequate supply of clean clothing, bedding, towels, soap, and cleaning supplies shall be maintained.
 - 2) Sheets, pillowcases, and mattress covers shall be changed and washed at least once a week.
 - 3) Vinyl covered mattresses must be washed with hot water, detergent, and disinfectant monthly or before reissue.
 - 4) Blankets shall be laundered, or otherwise sterilized, monthly or before reissue.
 - 5) Cotton or fiber filled mattresses or pads shall be aired and spray sanitized monthly or before reissue.
 - 6) A clean towel shall be issued each detainee at least twice weekly.
 - 7) Shaving and barber tools shall be thoroughly cleaned, disinfected using bleach or a germicidal agent, and secured.
 - e) Facility Food Service

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- 1) The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be kept clean.
 - 2) All counters, shelves, tables, equipment, and utensils with which food or drink come in contact shall be maintained in good repair and free of corrosion, cracks, and chipped or pitted surfaces.
 - 3) Utensils shall be stored in a clean, dry place protected (covered or inverted) from flies, dust, overhead leakage, and condensation.
 - 4) There shall be adequate plumbing facilities, in good working order, ~~that~~which meet applicable State plumbing codes or public health standards.
 - 5) The range cooking surface shall be scraped daily. Hoods, vents, and filters shall be cleaned regularly.
 - 6) All windows, walls, and woodwork shall be kept clean.
- f) Body Pests
- 1) Frequent inspection of living areas shall be made to aid in control of body pests.
 - 2) Immediate control or extermination measures shall be taken when body pest infestation occurs. Control measures may include spraying or fumigation of equipment and building areas and spraying, controlled storage (to interrupt pest reproductive cycles), and laundering of bedding, clothing, and other equipment.
- g) Pest and Vermin Control
- A continuous and effective program of insect and rodent control and extermination shall be established and documented.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.130 Supervision

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- a) Shift Coverage
- 1) There must be a sufficient number of officers present in the jail, awake and alert at all times, to provide supervision directly or indirectly while detainees are in custody.
 - A) Direct supervision means direct and continuous supervision of detainees by a jail officer on a 24-hour basis. The jail officer shall be in direct visual and oral contact with the detainees, without separation by security walls or other barriers.
 - B) Indirect supervision means non-continuous direct visual and oral contact with detainees and may include separation by security walls or other barriers.
 - 2) A jail officer shall provide personal observation, not including observation by a monitoring device, at least once every 30 minutes. [A record of the observation shall be documented in the shift record.](#)
 - 3) Dormitories housing more than 25 ~~detainees~~^{inmates} must provide personal continuous observation by staff, not including observation by a monitoring device.
 - 4) Radio operators, who may perform jail officer duties such as 30-minute ~~personal observations~~^{supervisory} checks, shall have jail officer training in accordance with Section 701.10.
- b) Shift Record
- A written record book, or log, with entries in ink or a time clock type record [with electronic recorder](#) shall be maintained by each jail officer assigned to cell block duty on each shift. Entries shall show the time of each visit by the jail officer, his or her [written or digital](#) signature, and any relevant remarks such as incidents and activities occurring on the shift.
- c) Detainee Imposed Discipline Prohibited
- No detainee shall ~~ever~~ be allowed to have authority or disciplinary control over anyone.
- d) Night Hours

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- 1) Detainees shall be locked in their individual cells between the designated times of lights out and arising in the morning, except for night work crews ~~that~~which are continuously supervised.
- 2) Designated lights out time shall be determined by administrative policy but shall not be set earlier than 10:00 p.m.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.140 Security

- a) Searches
Detainees permitted to leave the confines of the jail temporarily, for any reason, shall be thoroughly searched prior to leaving and before re-entering the jail.
- b) Supervision
Jail officers and other personnel assigned to jail duty must be trained in security measures and handling special incidents in accordance with Section 701.10.
- c) Facility Security Measures
Assistance of detainees in exercising security measures shall be prohibited.~~Jail officers only must exercise and control security measures and shall not permit detainee assistance.~~
 - 1) All jail locks, doors, bars, windows, screens, grilles, and fencing shall be regularly and frequently inspected to ensure proper functioning and to detect and prevent escape efforts.
 - 2) All cell block doors and all doors opening into a corridor shall be kept locked, except when necessary to permit entry or exit.
 - 3) In cell block ~~designs that included~~design which includes safety vestibules, two doors into the cell block shall not be unlocked and opened at the same time.
 - 4) Unoccupied cells, detention rooms, and storage rooms shall be kept locked at all times.

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- 5) Backup personnel shall be notified and available when cell doors to living quarters are opened.
 - 6) Glass or unattached metal items shall not be permitted in the detention area.
 - 7) ~~Trustees~~Trusties shall be carefully supervised and not be permitted unrestricted movement.
 - 8) Jail sections housing persons who are escape risks, suicidal ~~or~~, mentally disturbed or impaired, or who present special security concerns, shall be given ~~appropriate~~special care and supervision and checked more frequently than the standard 30-minute check.
 - 9) A master population record, computer printout or locator board, shall be established and maintained at the control center, indicating the various jail sections and housing assignments.
 - ~~10)~~ ~~Jail officers shall conduct population spot checks at least hourly.~~
 - ~~10)11)~~ A documented inventory of all keys available to jail officers shall be made at the beginning of each shift.
 - ~~11)12)~~ Random, unannounced, irregularly scheduled shakedowns of detainees and ~~jail and detention areas~~their quarters shall be made to detect the presence of weapons and other contraband.
 - ~~12)13)~~ Bars, walls, windows, and floors of the jail and detention sections shall be regularly and frequently inspected and kept clear of large posters, pictures, calendars, and articles of clothing that obstruct direct observation of detainee activity~~which might be used to conceal escape attempts.~~
- d) Tools and Equipment
- 1) All tools and equipment shall be inventoried and securely stored.
 - 2) The jail shall have a method of accounting for all tools and equipment issued, received, and returned to secure storage.

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- 3) After use, tools and equipment shall be accounted for by the jail officer responsible and secured in the proper storage place.
 - 4) Eating utensils shall be accounted for after each meal and returned to the kitchen.
- e) Maintenance
Any damaged or nonfunctioning security equipment must be promptly reported and repaired.
- f) Access to ~~Keys and~~ Records by Detainee
~~1) Detainees, including trustees, shall not be permitted to handle, use, or have jail keys of any type in their possession. 2) No detainee shall be assigned work that requires access to any records of staff or persons currently or previously in detention.~~
- g) Population Count
A physical head count of all detainees shall be made and recorded at least three times daily.
- h) Key Control
- 1) A record of all keys inventoried and issued shall be maintained.
 - 2) Jail keys must be stored in a secure key locker when not in use.
 - 3) There must be at least one full set of jail keys, separate from those in use, stored in a safe place, accessible only to designated jail personnel for use in the event of an emergency.
 - 4) Detainees, including trustees, shall not be permitted to handle, use or possess jail keys of any type.
- i) Firearms and Other Weapons
- 1) No person, including law enforcement personnel, shall be permitted to enter any secure section of the jail with a gun or other weapon on his or her person.

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- 2) Weapons shall be stored in a secure and locked drawer, cabinet, or container outside the security area.
 - 3) Reserve firearms, ammunition, ~~control devices~~~~chemical agents~~, and other protective equipment shall be stored in a secured room (arsenal).
- j) Control Devices~~Chemical Agents~~
Persons who may be authorized to use a control device, such as chemical agents, oleoresin capsicum (OC), electro-muscular disruption devices, restraint chairs, baton~~tear gas, mace, oleocapsicum (commonly known as pepper mace or OC), etc.~~, in accordance with the jail's written policy, shall be trained in the proper employment of the ~~device~~~~chemical agents~~. ~~Training~~~~Such training~~ shall be documented.
- 1) ~~Control devices~~~~Chemical agents~~ shall be used only as a last resort to bring detainees under the necessary degree of control and only after thorough consideration of alternative means and of the hazards involved, including the physical characteristics of the area where it is to be used. A record of the ~~occurrence~~~~incident~~ shall be ~~documented~~~~made~~.
 - 2) Detainees affected by ~~the control device used~~~~shall~~~~tear gas or other~~~~chemical agents~~ ~~must~~ be given a thorough medical examination and appropriate treatment immediately after security control has been gained.
- k) Emergency Power Source
- 1) An emergency electrical power source shall be available in the event of a power failure.
 - 2) Emergency flashlights must have a six hour illumination capability.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.150 Safety

- a) Pre-Planning
Each facility shall establish and maintain written procedures covering response to and drills for emergency situations, including, but not limited to, natural disasters and mass evacuation. Jail staff shall be trained on the procedures.

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ba) Fire Protection

- 1) Based on the size of the facility, there shall be at least one fire extinguisher installed in the basement and on each floor for each 5,000 square feet of floor area.
- 2) Extinguishers shall be readily accessible to staff but not detainees. The local fire department shall be contacted regarding the location, type, and number of fire extinguishers.
- 3) Extinguishers shall be examined not less than once each year and shall be tagged with the date of inspection and initials of the inspector.
- 4) All jail personnel shall be familiar with the characteristics and operation of all types of extinguishers in the facility.
- 5) Each jail shall prepare~~Prepare~~ and post a fire plan requiring simulated fire drills, use of equipment, evacuation procedures, and other requirements of the Fire Marshal.

cb) Emergency Exits

- 1) The location of emergency exits shall be made known to all jail personnel and the keys for the doors shall be immediately available to jail staff.
- 2) There shall be two exits from each floor of detention. All means of egress shall be kept clean and open.

de) Horseplay

Detainees shall be prohibited from engaging in wrestling, contact sports, horseplay, or any activity likely to cause injury.

ed) Safety Orientation

Detainees who volunteer and are assigned to vocational tasks shall be given a safety orientation prior to participation.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

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Section 701.160 Discipline

- a) Written Disciplinary Rules and Regulations
The jail shall have and maintain written standards~~Standards~~ relating to discipline.
The disciplinary rules and regulations must comply with Section 3.1 of the County Jail Good Behavior Allowance Act [730 ILCS 130/3.1]:
- 1) *The jail administrators who supervise institutions under the Act shall meet and promulgate uniform rules and regulations for behavior and conduct, penalties, and the awarding, denying, and revocation of good behavior allowance, in such institutions. All disciplinary action shall be consistent with the provisions of applicable law. Committed persons shall be informed of rules of behavior and conduct, the penalties for violation thereof, and the disciplinary procedure by which such penalties may be imposed. Any rules, penalties and procedures shall be posted and made available to the committed persons.*
 - 2) *Whenever a person is alleged to have violated a rule of behavior, a written report of the infraction shall be filed with the jail administrator within 72 hours of the occurrence of the infraction or the discovery of it, and such report shall be placed in the file of the institution or facility. No disciplinary proceeding shall be commenced more than 8 days after the infraction or the discovery of it, unless the committed person is unable or unavailable for any reason to participate in the disciplinary proceeding.*
 - 3) *All or any of the good behavior allowance earned may be revoked by the jail administrator, unless he or she initiated the charge, and in that case by the disciplinary board, for violations of rules of behavior at any time prior to discharge from the institution, consistent with the provisions of the Act.*
 - 4) *In disciplinary cases that may involve the loss of good behavior allowance or eligibility to earn good behavior allowance, the jail administrator shall establish disciplinary procedures consistent with the following principles:*
 - A) *The jail administrator may establish one or more disciplinary boards, made up of one or more persons, to hear and determine charges. Any person who initiates a disciplinary charge against a committed person shall not serve on the disciplinary board that*

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will determine the disposition of the charge. In those cases in which the charge was initiated by the jail administrator, he or she shall establish a disciplinary board which will have the authority to impose any appropriate discipline.

- B) *Any committed person charged with a violation of rules of behavior shall be given notice of the charge, including a statement of the misconduct alleged and of the rules this conduct is alleged to violate, no less than 24 hours before the disciplinary hearing.*
 - C) *Any committed person charged with a violation of rules is entitled to a hearing on that charge, at which time he or she shall have an opportunity to appear before and address the jail administrator or disciplinary board deciding the charge.*
 - D) *The person or persons determining the disposition of the charge may also summon to testify any witnesses or other persons with relevant knowledge of the incident. The person charged may be permitted to question any person so summoned.*
 - E) *If the charge is sustained, the person charged is entitled to a written statement, within 14 days after the hearing, of the decision by the jail administrator or the disciplinary board which determined the disposition of the charge, and the statement shall include the basis for the decision and the disciplinary action, if any, to be imposed.*
 - F) *The jail administrator may impose the discipline recommended by the disciplinary board, or may reduce the discipline recommended; however, no committed person may be penalized more than 30 days of good behavior allowance for any one infraction.*
 - G) *The jail administrator, in appropriate cases, may restore good behavior allowance that has been revoked, suspended, or reduced.*
- 5) *The jail administrator, or his or her designee, may revoke the good behavior allowance specified in Section 3 of the Act of a detainee sentenced to the Illinois Department of Corrections for misconduct committed while in the custody of the jail administrator. If a detainee,*

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while in the custody of the jail administrator, is convicted of assault or battery on a peace officer, correctional employee, or another detainee, for criminal damage to property or for bringing into or possessing contraband in the jail in violation of Section 31A-1.1 of the Criminal Code of 2012, his or her day for day good behavior allowance shall be revoked for each day such allowance was earned while the detainee was in the custody of the jail administrator.

- b) Distribution of Rules
- 1) Every detainee shall be provided with the following:
 - A) Rules and regulations governing behavior.
 - B) Conduct constituting a penalty offense.
 - C) Types and duration of penalties, including loss of visiting privileges, that including duration, which may be imposed.
 - D) Who may impose penalties.
 - E) Authorized methods of seeking information and making complaints.
 - F) All other matters necessary to enable the detainee to understand both his or her rights and obligations.
 - 2) The~~If a detainee is illiterate,~~ information in subsection (b)(1) ~~of this Section~~ shall be conveyed to the detainee in a manner he or she understands. Special assistance shall be given as needed.~~him or her orally. Special assistance shall be given to non-English speaking detainees.~~
- c) Complaints
- 1) Each detainee shall be permitted to make requests or complaints to the jail administration in written form, without censorship of substance as to substance.
 - 2) If not resolved at the local level, detainees may submit a complaint to the

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~~Jail and Detention Standards~~ Unit. A copy of the local decision must be attached to the complaint.

- d) Reporting of Violations
Jail officers who observe disciplinary violations shall submit a written report of the ~~occurrence~~~~incident~~.
- e) Investigations and Penalties
 - 1) Decisions on investigations and penalties for disciplinary violations shall be made in accordance with disciplinary rules of the county jails.
 - 2) Supervisory staff shall conduct a review of the factors of an alleged minor rule violation within 24 hours after its occurrence. The supervisor may modify the discipline taken. Detainees segregated as a result of a minor rule infraction shall be informed by supervisory staff of the results of his or her review. The detainee may submit a grievance to a higher authority.
 - 3) Segregation shall not exceed 72 hours for minor rule violations.
- f) Violation Classifications
Violations shall be classified as minor or major.
 - 1) Minor violations of conduct rules are those for which the penalty does not exceed a reprimand or the loss of privileges for more than 72 hours.
 - 2) Major violations are those for which the penalty may be more severe, such as loss of ~~good behavior allowance~~~~good time~~, transfer to segregation or isolation confinement, transfer to a higher classification of custody, any other change in status ~~that which~~ may ~~adversely tend to~~ affect ~~adversely~~ a detainee's time of release or discharge, or the filing of additional charges subject to prosecution.
- g) Prehearing Rules for Major Violations
 - 1) Someone other than the reporting officer shall conduct an investigation into the facts of the alleged misconduct to determine if a violation occurred and if there is cause to believe the alleged ~~detainee~~~~offender~~ committed the violation. If cause exists, a hearing date shall be scheduled.

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The hearing shall be convened in accordance with subsection (a)(2) ~~of this Section.~~

- 2) No penalty shall be imposed until after the hearing, except that the accused may be segregated from the rest of the population or transferred to a different tier or cell block if jail authorities feel that the detainee constitutes a threat to other detainees, staff members, or to oneself or institutional order.
- h) Hearing Rules for Major Violations
- 1) Rules governing major violations shall provide for a hearing on the alleged violation.
 - 2) The hearing shall be before an impartial officer or committee, which may include a public member.
 - 3) The accused shall be allowed to present evidence or witnesses in his or her behalf. However, witnesses may be denied if their testimony would be irrelevant or cumulative or jeopardize the safety and security of the facility.
 - 4) The accused shall be allowed to pose questions to the hearing officer or committee to be asked of witnesses against the accused.
 - 5) ~~When~~Where the accused has a disability that requires him or her to need special assistance ~~is illiterate~~, the issues are complex; and it is unlikely he or she ~~the offender~~ will be able to collect and present the necessary evidence, the aid of a fellow detainee or member of the staff shall be made available to the accused.
 - 6) The hearing officer or committee shall render the decision in writing setting forth the findings, the conclusion, and any penalty imposed. If the decision finds the accused did not commit the alleged violation, all reference to the charges shall be removed from his or her file.
 - 7) Findings of the hearing officer or committee shall be reviewed by the jail administrator or designee, who may accept the decision or reduce the penalty imposed.

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- i) Disciplinary Findings and Penalty Imposition
- 1) In reaching a decision regarding the type of discipline to be imposed, the hearing officer or committee shall evaluate the violation and the violator and choose the disposition ~~that~~which is most likely to promote conformance to normal standards of conduct.
 - 2) A restriction of privileges shall be carefully evaluated and assessed as it relates to the infraction and does not impose a secondary penalty on another person.
 - 3) Segregation shall be imposed only after lesser penalties have been considered.
 - 4) Detainees under 18 years of age who are in segregation must remain separated by sight and sound from detainees 18 years or older.
 - ~~A) Segregation of a minor under 17 must conform with statutes and minimum standards regarding separation from adults.~~
 - ~~B) Minors under 16 who are in segregation must remain in the jail section designated for juveniles.~~
 - ~~5)4) Restricted diets and corporal punishment are prohibited.~~
 - ~~6)5) Forfeiture of good behavior allowance~~good time~~ shall be assessed in conformity with Section 3.1 of the County Jail Good Behavior Allowance Act ~~[730 ILCS 130/3.1].~~~~
- j) Use of Restraints
- Restraint devices, such as handcuffs, waist chains, leg irons, leg braces, straitjackets, etc., shall not be applied as a penalty.
- 1) Excluding pregnant detainees held in a jail located in a county of 3,000,000 or more inhabitants or any female detainees in labor, Such restraints may be used on a detainee:
 - A) As a precaution against escape during transportation.

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- B) On medical grounds by direction of the physician.
- C) By order of the jail administrator in order to prevent a detainee from injuring others or to prevent a detainee from damaging or destroying property.
- 2) Use of any type of restraints on a pregnant detainee being held in a jail located in a county of 3,000,000 or more inhabitants shall be prohibited unless otherwise provided by Section 3-15003.6 of the Counties Code [55 ILCS 5/3-15003.6].
- 3) Use of any type of restraints on a female detainee who it has been determined is in labor shall be prohibited during transport to a medical facility for the purposes of delivery of a child.
- 4) Use of leg restraints, shackles or waist restraints on any female detainee who it has been determined is in labor shall be prohibited.
- 5)2) A written report shall be placed on file whenever restraint devices are applied in accordance with subsection (j)(1). Additionally, each individual case shall be reviewed at least once every 24 hours to determine the necessity for ~~such~~ restraints.
- 6)3) Psychotropic medicines shall not be used as a disciplinary device or control measure.
- k) Use of Force by Staff
Limitations on the use of force do not prohibit self defense, prevention of injury to another staff member or detainee, prevention of property damage, or efforts to subdue a recalcitrant or to thwart or prevent escape or attempt to escape. The least force necessary under the circumstances shall be employed.
- l) Prosecution
~~When~~Where ~~a detainee~~a detainee or inmate is alleged to have committed a crime, the facility shall document and refer the case to appropriate law enforcement officials for possible prosecution.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

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Section 701.180 Mail Procedures

- a) Scope
- 1) A detainee may correspond with anyone in the free community provided the correspondence ~~is not a known violation of~~~~does not violate~~ any state or federal law, except:
 - A) A detainee may be permitted to correspond with an individual who is incarcerated in another correctional or detention facility, provided joint prior approval of both chief administrative officers is obtained. Permission shall be based on safety and security concerns.
 - B) A detainee may not correspond with jail employees, contracted staff, or volunteers unless authorized in advance by the jail administrator.
 - 2) All mail must clearly identify the sender and include any identifying numbers.
- b) Incoming Mail
- 1) Detainees may receive incoming mail subject to the procedures outlined ~~in this subsection (b) herein.~~
 - 2) All incoming, non-privileged mail shall be opened and inspected for contraband prior to delivery.
 - 3) Cashier's checks, money orders, or certified checks shall be recorded in the detainee's personal property record ~~or trust fund account~~, indicating the sender, amount, and date ~~or shall be deposited into the detainee's commissary fund account.~~ Personal checks and cash shall be returned to the sender, ~~along~~ with a notification that funds may not be received in that form.
 - 4) Incoming mail containing contraband shall be held for further inspection and disposition by the jail administrator.

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- A) Contraband received shall be labeled, and a log shall be maintained indicating the date of receipt, the name and address of the sender, the name of the detainee to whom it is addressed, and the names and date of the persons handling the contraband~~same~~.
 - B) The appropriate law enforcement agencies shall be notified and the items shall be maintained in the event they are to be used as evidence in criminal proceedings or disciplinary action.
- 5) All incoming mail shall be delivered promptly to the detainee. A discharged or transferred detainee's first-class mail shall be forwarded to the detainee's forwarding address, if known. If no forwarding address is available, mail shall be returned to the sender.
 - 6) A detainee shall not be allowed to open, read, or deliver another detainee's mail without his or her permission.
 - 7) Detainees may receive books and periodicals subject to inspection and approval by jail personnel. Packages may be received only if approved by administrative policy and remain subject to inspection before delivery to the detainee.
 - 8) The jail administrator or his or her designee may spot check and read incoming non-privileged mail when there is reason to believe that jail security may be impaired or mail procedures are being abused.
 - 9) When a detainee is prohibited from receiving a letter or portions of a letter~~thereof~~, the detainee and the sender shall be notified in writing of the decision.
- c) Outgoing Mail
- 1) Each detainee shall be permitted to send, at personal expense, an unlimited number of letters each week.
 - 2) Detainees may not send packages by mail, unless granted permission to do so by the jail administrator. The detainee shall provide for the postage cost for mailing a package.

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- 3) Outgoing mail shall be clearly marked with the detainee's sender's name and identification number. Mail not clearly marked ~~in this manner~~ shall be returned to the sender if the sender's identity is known, and, if not, the mail shall be destroyed.
- 4) Outgoing mail shall be collected Monday through Friday and delivered to the U.S. Postal Service promptly.
- 5) Outgoing non-privileged mail may be inspected and read. Detainees shall submit all outgoing non-privileged mail in unsealed envelopes. Outgoing non-privileged mail received sealed shall be returned to the sender if the sender is identifiable. If the sender cannot be identified, the mail shall be destroyed. Outgoing non-privileged mail may be reproduced or withheld from delivery if it presents a threat to security or safety, including the following:
 - A) The letter contains threats of physical harm against any person or threats of criminal activity or threats of blackmail or extortion;
 - B) The letter contains information regarding sending contraband into or out of the facility, plans to escape, or plans to engage in criminal activity;
 - C) The letter is in code and its contents cannot be understood by jail staff;
 - D) The letter violates any jail rules or contains plans to engage in activities in violation of jail rules;
 - E) The letter solicits gifts, goods, or money from other than family members;
 - F) The letter contains information that, which if communicated, might result in physical harm to another;
 - G) The letter contains ~~unauthorized~~ correspondence with another detainee or offender or other unauthorized individual; or

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- H) The letter or contents ~~of the letter~~thereof constitute a violation of State or federal law.
- 6) The detainee shall be notified in writing of any outgoing mail withheld.
- d) Certified or Registered Mail
Each jail shall establish procedures for processing certified or registered mail.
- e) Outgoing Privileged Mail
Outgoing letters from detainees to persons or organizations listed in this subsection (e) below and that which are clearly marked as "privileged" ~~shall be~~ considered privileged mail and may be sealed by the detainee prior to submission for mailing. ~~Those~~Such letters shall not be opened by the jail staff before mailing and shall be dispatched promptly.
- 1) Federal or Illinois legislators; Judges of any court or the Illinois Court of Claims or clerks of courts; the Attorney General of the United States and Illinois; the Director of the Federal Bureau of Prisons; and the Governor of the State of Illinois.
- 2) The Director, Chiefs, Deputy Directors, or Assistant Deputy Directors of the Illinois Department of Corrections; the Chief of the Jail and Detention Standards Unit of the Illinois Department of Corrections; members of the Illinois Prisoner Review Board; and county sheriffs.
- 3) Chief Executive Officers of the Federal Bureau of ~~Investigation~~Investigations, the Drug Enforcement Administration, the Criminal Division of the Department of Justice, and the United States Customs Service, the Secret Service, the Illinois State Police and police departments in the State of Illinois.
- 4) Any Illinois Inspector General.
- 5) Clerks of the Courts or the Illinois Court of Claims.
- ~~6)4)~~ The John Howard Association.
- ~~7)5)~~ Registered attorneys.

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- ~~8)6)~~ Any organization ~~thatwhich~~ provides direct legal representation to detainees, but not including organizations ~~thatwhich~~ provide referrals to attorneys, such as bar associations.
- f) **Incoming Privileged Mail**
Incoming privileged mail means mail from sources identified in subsection (e) ~~of this Section~~ except for clerks of courts. Incoming privileged mail ~~thatwhich~~ is clearly marked as "privileged" may be opened only for the purpose of verifying the recipient and the sender and to ascertain that nothing other than privileged mail is enclosed. Privileged mail shall be opened in the presence of the detainee.
- g) **Electronic Mail**
- 1) The jail administrator may allow detainees to send or receive electronic mail.
 - 2) If electronic mail service is allowed, a website with instructions shall be established through which electronic mail may be sent to detainees.
 - 3) Electronic mail shall be considered non-privileged and shall be subject to all inspection procedures of regular non-privileged mail.
 - 4) If the electronic mail is determined to have improper content or compromise safety and security, the mail shall not be sent or delivered, as applicable, and a report of the occurrence shall be completed. The report shall include the name of the detainee involved, name and email address of the other party, date and time the email was sent or received, and the reason for the rejection. The report shall be dated and signed by the person making the determination.
 - 5) If a detainee is no longer in the custody of the jail at the time electronic mail is received, designated staff shall so notify the sender.
- hg) **Disciplinary Denial**
No disciplinary restrictions shall be placed on a detainee's mail privileges.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.200 Visiting

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- a) Visit Regulations
The jail administrator shall prescribe regulations relative to visits with detainees.
- 1) Regulations shall provide a schedule identifying no fewer than two visiting days each week, one of which must be during the weekend.
 - 2) At least one visit per week per detainee shall be allowed, except when an individual detainee has been assessed a disciplinary penalty for a violation of a rule or regulation~~visiting regulation infraction~~.
 - 3) Visits shall not be less than 15 minutes. Extended visits may be granted by the jail administrator for visitors who travel great distances.
 - 4) Two or more persons permitted to visit at the same time shall count as a single visit.
 - 5) There shall be no age restriction on visitors when a child is accompanied by a parent or guardian.
- b) Visits by Attorneys, Probation Officers, Pretrial Service Officers, and Clergy
- 1) Attorneys, probation officers, pretrial service officers, and clergy from recognized religious groups shall be permitted to visit detainees at reasonable hours other than during regularly scheduled visiting hours or periods. These and such visits shall not count as an allotted visit.
 - 2) An area for interview between a detainee and his or her attorney, probation officer, or pretrial service officer, shall be provided and arranged so as to ensure privacy.
- c) Security Precautions
- 1) All visitors shall be required to sign the visitor register or visitor card and provide identification before being permitted to visit a detainee. Jail staff may interview or request background information from potential visitors to determine whether they pose a threat to safety or security of the jail.
 - 2) Detainees must be thoroughly searched before and after each visit, unless

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the visit is conducted via such means as video conferencing.

- 3) Visitors and items brought onto jail property are subject to search and a search notice sign must be conspicuously posted.
- 4) In jails where visiting is conducted in an open room or area, constant visual supervision by jail staff must be exercised.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.220 Education

- a) Jails are encouraged to provide relevant educational programs ~~that~~which may include:
 - 1) Adult Basic Education Courses aimed at reducing the level of illiteracy by increasing individual reading vocabulary, encouraging writing ~~skills~~skill, explaining basic arithmetic, and providing an opportunity for detainees to learn more about community business and social activities ~~that~~which affect their lives.
 - 2) Elementary and High School Courses ~~that are specific or general.~~ Depending upon the aim of the detainee, these courses may serve to provide knowledge related to a definite interest or be suitable for a continued educational program in the community after release.
 - 3) General Education Development (G.E.D.) courses to prepare qualified detainees for the G.E.D. test ~~forso they can earn~~ a high school equivalency diploma.
 - 4) Correspondence Courses for both high school students and graduates can be arranged through local school districts, ~~State~~state colleges, and universities.
 - 5) Social Education taught by instructors from local schools and colleges, volunteers from community agencies, and university students to instruct detainees in understanding self-concept, how to modify existing life style habits, and how to understand and relate to others. Detainees, individually or in groups, can be introduced to acceptable methods of finding and

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getting a job. They may also be introduced to vocational requirements such as proper work habits, job performance, personal relationships, and keeping a job. Jail personnel can assist detainees in obtaining birth certificates and social security numbers, to find suitable employment after release, and to utilize the services of community agencies such as local unions, employment offices, and private agencies or industries.

- b) Educational information and academic materials shall be permitted and made accessible to detainees.
- c) Vocational information and materials shall be permitted and made accessible to detainees, provided their presence does not jeopardize security.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.250 Commissary

- a) Each jail ~~may~~ shall establish and maintain a commissary system to provide detainees with ~~approved items~~ or access to services approved by the Sheriff that are not supplied by the jail.
- b) No member of the jail staff shall gain personal profit, directly or indirectly, as a result of the commissary system.
- c) Prices charged detainees shall not exceed those for the same articles if sold in local community stores nor shall the prices charged for postal supplies exceed those for the same articles sold at local post offices.
- d) Commissary access shall be provided on a regularly scheduled basis and not less than once weekly.
- e) ~~Commissary purchases must be reflected by a debit entry on the detainee's cash account. Entry must be initialed by the detainee or a receipt must be issued.~~
- e)f) Net~~All~~ profits from the commissary system shall be used for education, recreation or other purposes within the jail for the benefit of detainees, as deemed appropriate by the Sheriff, detainee welfare, and such monies shall be subject to audit. ~~Profits may be used for record keeping expenses of the commissary.~~

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- f) Accurate accounting for all purchases, sales and expenditures of the commissary system, including phone services and, if provided, email access, shall be maintained. An annual audit shall be arranged with the county auditor or county treasurer.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

Section 701.260 Recreation and Leisure Time

- a) All construction designs submitted for approval after publication of these standards must include an exercise room or yard of sufficient area to allow strenuous physical exercise. A day room may be designated as an exercise room provided the minimum standards for exercise areas are met.
- b) The exercise area shall be appropriately equipped and utilized within the limitations of security requirements.
- c) Detainees shall be allowed in the exercise area for no less than one hour per day unless the jail administrator determines that participation in such activity by a particular detainee or group ~~of them~~ is harmful or dangerous to the security or morale of the facility.
- d) Recreation and leisure time activities should be planned and scheduled.
- e) Tools and material ~~that could~~~~which can~~ be used for unauthorized purposes must be carefully controlled.

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)

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NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Secure Residential Youth Care Facilities
- 2) Code Citation: 20 Ill. Adm. Code 801
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
801.10	Repeal
801.15	Repeal
801.20	Repeal
801.25	Repeal
801.30	Repeal
801.40	Repeal
801.50	Repeal
801.60	Repeal
801.70	Repeal
801.80	Repeal
801.90	Repeal
801.100	Repeal
801.110	Repeal
801.120	Repeal
801.130	Repeal
801.140	Repeal
801.150	Repeal
801.160	Repeal
801.170	Repeal
801.180	Repeal
801.190	Repeal
801.200	Repeal
801.210	Repeal
801.220	Repeal
801.230	Repeal
801.240	Repeal
801.310	Repeal
801.315	Repeal
801.320	Repeal
801.325	Repeal
801.330	Repeal
801.340	Repeal
801.350	Repeal
801.360	Repeal

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801.370	Repeal
801.380	Repeal
801.390	Repeal
801.400	Repeal
801.410	Repeal
801.420	Repeal
801.430	Repeal
801.440	Repeal
801.450	Repeal
801.460	Repeal
801.470	Repeal
801.480	Repeal
801.490	Repeal
801.500	Repeal
801.510	Repeal
801.520	Repeal
801.530	Repeal
801.540	Repeal
801.550	Repeal
801.560	Repeal
801.570	Repeal
801.580	Repeal
801.590	Repeal
801.600	Repeal
801.610	Repeal
801.620	Repeal
801.630	Repeal
801.640	Repeal
801.650	Repeal
801.660	Repeal
801.670	Repeal
801.680	Repeal
801.690	Repeal
801.700	Repeal
801.710	Repeal
801.720	Repeal
801.730	Repeal
801.740	Repeal
801.750	Repeal

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801.760	Repeal
801.770	Repeal
801.780	Repeal
801.790	Repeal
801.800	Repeal
801.810	Repeal
801.820	Repeal
801.830	Repeal
801.840	Repeal
801.850	Repeal
801.860	Repeal
801.870	Repeal
801.880	Repeal
801.890	Repeal

- 4) Statutory Authority: Implementing and authorized by 730 ILCS 170
- 5) Effective Date of Repealer: October 1, 2014
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 8574; April 25, 2014
- 10) Has JCAR issued a Statement of Objection to this repealer? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this repealer replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

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- 15) Summary and Purpose of Repealer: Part 801 was repealed in its entirety because the legislation under which the statutory language was created was found unconstitutional (*People v. Cervates*)(189 Ill. 2d 80(1999)).
- 16) Information and questions regarding this adopted repealer shall be directed to:

Echo Beekman
Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Boiler and Pressure Vessel Safety
- 2) Code Citation: 41 Ill. Adm. Code 120
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
120.11	Amendment
120.1400	Amendment
- 4) Statutory Authority: Implementing and authorized by the Boiler and Pressure Vessel Safety Act [430 ILCS 75]
- 5) Effective Date of Rule: September 4, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes. Copies of the incorporated codes are on file in the Office of the State Fire Marshal, 100 W. Randolph St., Ste. 4-600, Chicago, Illinois 60601 and are available for public inspection at that location.
- 8) A copy of the adopted rule, including any matter incorporated by reference, is on file in the Office of the State Fire Marshal, 100 W. Randolph St., Ste. 4-600, Chicago, Illinois, and is available for public inspection at that location.
- 9) Notice of Proposed Rulemaking published in the *Illinois Register*: April 11, 2014; 38 Ill. Reg. 7741.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Changes made between the Proposed and Adopted Versions: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None requested.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending to this part? No
- 15) Summary and Purpose of Rulemaking: Updates materials incorporated by reference.

OFFICE OF THE STATE FIRE MARSHAL

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

Clayton Novak
Boiler and Pressure Vessel Safety
Attn: Part 120 Rules
Office of the State Fire Marshal
100 W. Randolph Street
Suite 4-600
Chicago IL 60601

312/814-2381
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The full text of the Adopted Amendments begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHALPART 120
BOILER AND PRESSURE VESSEL SAFETY

SUBPART A: DEFINITIONS AND ADMINISTRATION

Section

120.4	Foreward (Repealed)
120.7	Kindly Observe the Following Briefs and Avoid Unnecessary Inconvenience (Repealed)
120.10	Definitions
120.11	Incorporation of National Standards
120.15	Fees
120.20	Administration
120.30	Inspectors, Examinations, Certificate of Competency and Commission
120.41	Special Inspector Trainee (Repealed)

SUBPART B: CONSTRUCTION, INSTALLATION, INSPECTION,
MAINTENANCE, AND USE

Section

120.100	New Installations of Boilers, Miniature Boilers, Heating Boilers and Hot Water Supply Boilers
120.105	Boiler Exemptions (Repealed)
120.200	New Installations of Pressure Vessels
120.205	Pressure Vessel Exemptions (Repealed)
120.300	Existing Installations of Power Boilers
120.400	Existing Installations of Miniature Boilers (Repealed)
120.500	Operation of Boilers and Pressure Vessels
120.600	Existing Installation of Pressure Vessels
120.700	General Requirements for all Boilers and Pressure Vessels (Repealed)
120.800	Nuclear Power Plant Components (Repealed)
120.900	Flame Safeguard Requirements and Incorporated Standards (Repealed)

SUBPART C: REPAIR AND ALTERATION

Section

OFFICE OF THE STATE FIRE MARSHAL

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120.1000	Repairs and Alterations to Boilers and Pressure Vessels by Welding
120.1010	Authorization to Repair Boilers and Pressure Vessels
120.1020	Issuance and Renewal of the Certificate
120.1030	Changes to Certificates of Authorization
120.1040	Quality Control Requirements
120.1041	Repair and Alteration Requirements

SUBPART D: STATE SPECIALS

Section	
120.1100	Procedure for the Issuance of a State Special Permit

SUBPART E: REPAIR OF SAFETY AND SAFETY RELIEF VALVES

Section	
120.1200	Authorization for Repair of Safety & Safety Relief Valves
120.1210	Authorization to Repair ASME and National Board Stamped Safety and Safety Relief Valves
120.1220	Issuance and Renewal of the Certificate
120.1240	Changes to Certificates of Authorization
120.1250	Repairs to Safety and Safety Relief Valves
120.1260	Quality Control System
120.1270	Nameplates
120.1275	Field Repair
120.1280	Performance Testing of Repaired Valves
120.1285	Training of Valve Repair Personnel
120.1290	ASME "V", "UV" or National Board "VR" Certificate Holders

SUBPART F: OWNER-USER QUALITY CONTROL REQUIREMENTS

Section	
120.1300	Introduction
120.1301	Authority and Responsibility
120.1305	Organization
120.1310	Inservice Inspection Program
120.1320	Drawings, Design Calculations, and Specification Control
120.1325	Material Control
120.1330	Examination and Inspection Program
120.1335	Correction of Nonconformities

OFFICE OF THE STATE FIRE MARSHAL

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120.1340	Welding
120.1345	Nondestructive Examination
120.1350	Calibration of Measurement and Test Equipment
120.1355	Records
120.1360	Inspectors

SUBPART G: HISTORICAL BOILERS

Section

120.1400	Scope
120.1410	Historical Boiler Definition
120.1420	Historical Boiler Inspections
120.1430	Fees
120.1440	Repairs and Alterations

120.APPENDIX A	Operational and Maintenance Log
120.EXHIBIT A	Hot Water Heating Boilers
120.EXHIBIT B	Steam Heating Boilers
120.APPENDIX B	Record of Welded Repair (Repealed)

AUTHORITY: Implementing the Boiler and Pressure Vessel Safety Act [430 ILCS 75] and authorized by Sections 2 and 2.1 of the Boiler and Pressure Vessel Safety Act [430 ILCS 75/2 and 2.1].

SOURCE: Boiler and Pressure Vessel Safety Act Rules and Regulations adopted at 4 Ill. Reg. 7, p. 126, effective January 31, 1980; codified at 5 Ill. Reg. 10677; amended at 7 Ill. Reg. 6925, effective July 1, 1983; amended at 10 Ill. Reg. 9510, effective July 1, 1985; amended at 11 Ill. Reg. 16587, effective January 1, 1988; amended at 16 Ill. Reg. 6808, effective July 1, 1992; amended at 17 Ill. Reg. 14917, effective September 1, 1993; amended at 19 Ill. Reg. 11904, effective August 15, 1995; amended at 20 Ill. Reg. 9540, effective July 3, 1996; amended at 21 Ill. Reg. 997, effective January 1, 1997; amended at 23 Ill. Reg. 162, effective January 1, 1999; amended at 24 Ill. Reg. 18555, effective December 7, 2000; amended at 25 Ill. Reg. 11914, effective January 1, 2002; amended at 27 Ill. Reg. 518, effective January 01, 2003; emergency amendment at 27 Ill. Reg. 14855, effective September 2, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. 1737, effective January 13, 2004; amended at 28 Ill. Reg. 13509, effective September 24, 2004; amended at 32 Ill. Reg. 17198, effective October 16, 2008; amended at 35 Ill. Reg. 9028, effective July 1, 2011; amended at 37 Ill. Reg. 13424, effective August 1, 2013; amended at 38 Ill. Reg. 18925, effective September 4, 2014.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

SUBPART A: DEFINITIONS AND ADMINISTRATION

Section 120.11 Incorporation of National Standards

- a) Where standards are incorporated by reference in this Part, the incorporated material does not include any later editions or amendments.
- b) The Board hereby adopts the following nationally recognized standards and addenda:

- 1) American Petroleum Institute (API)
1220 L Street, Northwest
Washington DC 20005

API-510, Ninth Edition, June 2006, Pressure Vessel Inspection
Code: Maintenance Inspection, Rating, Repair, and Alteration

- 2) American Society of Mechanical Engineers (ASME)
United Engineering Center
Three Park Avenue
New York NY 10017
www.asme.org

- A) ASME Boiler and Pressure Vessel Code, ~~2013~~2010 Edition ~~and~~
~~2011 Addenda~~

Section I	Rules for Construction of Power Boilers
Section II	Material Specifications – Part A – Ferrous
Section II	Material Specifications – Part B – Nonferrous
Section II	Material Specifications – Part C – Welding Rods, Electrodes and Filler Metals
Section II	Material Specifications – Part D – Properties (Customary)
Section IV	Rules for Construction of Heating Boilers
Section V	Nondestructive Examination

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

Section VI	Recommended Rules for the Care and Operation of Heating Boilers
Section VII	Recommended Guidelines for the Care of Power Boilers
Section VIII	Pressure Vessels – Division 1, Rules for Construction of Pressure Vessels (Including Appendix M)
Section VIII	Pressure Vessels – Division 2 – Alternative Rules
Section VIII	Pressure Vessels – Division 3 – Alternative Rules for Construction of High Pressure Vessels
Section IX	Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators
Section X	Fiberglass-Reinforced Plastic Pressure Vessels

B) ASME CSD-1 2009 – Controls and Safety Devices for Automatically Fired Boilers

- 3) National Board of Boiler and Pressure Vessel Inspectors (NB)
1055 Crupper Avenue
Columbus OH 43229
www.nationalboard.org

National Board Inspection Code (NBIC), ~~2013~~2014 Edition

- 4) National Fire Protection Association (NFPA)
1 Batterymarch Park
Quincy MA 02269-9101
www.nfpa.org

NFPA 85 Boiler and Combustion Systems Hazards Code,
2011 Edition

(Source: Amended at 38 Ill. Reg. 18925, effective September 4, 2014)

OFFICE OF THE STATE FIRE MARSHAL

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SUBPART G: HISTORICAL BOILERS

Section 120.1400 Scope

This Subpart covers historical boilers, including steam tractors, traction engines, hobby steam boilers, portable steam boilers, and other boilers that require inspection under the definition of historical boilers. This Subpart is to be enforced in accordance with the requirements of the [2013~~2011~~](#) Edition, National Board Inspection Code (NBIC), Part 2, Section 6, Supplement 2 – Historical Boilers, unless excepted.

(Source: Amended at 38 Ill. Reg. 18925, effective September 4, 2014)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Educator Licensure
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3) Section Numbers: Adopted Action:
25.355 New Section
25.360 Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) Effective Date of Rule: September 8, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: March 28, 2014; 38 Ill. Reg. 7096
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No changes were made during the first notice period.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreement letter was issued.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
25.25	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.70	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.275	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.315	Repeal	38 Ill. Reg. 14081; July 11, 2014

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

25.345	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.400	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.450	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.475	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.497	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.550	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.800	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.805	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.807	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.810	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.820	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.825	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.830	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.832	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.835	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.840	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.845	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.848	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.850	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.855	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.860	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.865	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.872	Repeal	38 Ill. Reg. 14081; July 11, 2014
25.875	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.880	Amendment	38 Ill. Reg. 14081; July 11, 2014
25.Appendix E	Amendment	38 Ill. Reg. 14081; July 11, 2014

- 15) Summary and Purpose of the Rulemaking: In a separate rulemaking, staff are proposing that programs that prepare superintendents meet the new requirements beginning in September 1, 2019. These new requirements will be set forth in 23 Ill. Adm. Code 33. Further, existing programs will not be allowed to enroll any new candidates after September 1, 2016, thereby enabling the cohorts participating in those programs to complete their studies and receive the endorsement before the new requirements take effect. Currently, 18 programs are approved for the preparation of superintendents.

Changes are needed in Part 25 to acknowledge the requirements for the superintendent endorsement beginning September 1, 2019, and to inform candidates who are currently enrolled in programs or who will be enrolled before 2016 of the date by which they must obtain their endorsement in order to avoid being subject to the new requirements.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted rule should be directed to:

Kellee Sullivan, Division Administrator
Educator Licensure
Illinois State Board of Education
100 North First Street, E-310
Springfield IL 62777

217/557-6763

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 25

EDUCATOR LICENSURE

SUBPART A: DEFINITIONS

Section
25.10 Accredited Institution

SUBPART B: LICENSES

Section
25.11 New Certificates (February 15, 2000) (Repealed)
25.15 Types of Licenses; Exchange
25.20 Requirements for the Elementary Certificate (Repealed)
25.22 Requirements for the Elementary Certificate (2004) (Repealed)
25.25 Requirements for the Professional Educator License
25.30 Endorsement in Teacher Leadership (Through December 31, 2012) (Repealed)
25.32 Teacher Leader Endorsement (Beginning September 1, 2012)
25.35 Acquisition of Subsequent Certificates; Removal of Deficiencies (Repealed)
25.37 Acquisition of Subsequent Teaching Endorsements on a Professional Educator License
25.40 Requirements for the Special Certificate (Repealed)
25.42 Requirements for the Special Certificate (2004) (Repealed)
25.43 Standards for Licensure of Special Education Teachers
25.45 Standards for the Initial Special Preschool-Age 12 Certificate – Speech and Language Impaired (Repealed)
25.46 Special Provisions for the Learning Behavior Specialist I Endorsement
25.47 Special Provisions for the Learning Behavior Specialist I Approval
25.48 Short-Term Emergency Approval in Special Education
25.50 General Certificate (Repealed)
25.60 Alternative Educator Licensure Program for Teachers (Beginning January 1, 2013)
25.65 Alternative Educator Licensure

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 25.67 Alternative Route to Teacher Licensure
25.70 Endorsement for Career and Technical Educator
25.72 Endorsement for Provisional Career and Technical Educator
25.75 Part-time Provisional Certificates (Repealed)
25.80 Endorsement for Part-time Provisional Career and Technical Educator
25.82 Requirements for the Early Childhood Certificate (2004) (Repealed)
25.85 Special Provisions for Endorsement in Foreign Language for Individuals Currently Certified (Repealed)
25.86 Special Provisions for Endorsement in Foreign Language for Individuals Prepared as Teachers But Not Currently Certified (Repealed)
25.90 Endorsement for Transitional Bilingual Educator
25.92 Endorsement for Visiting International Educator
25.95 Language Endorsement for the Transitional Bilingual Educator
25.97 Endorsement for Elementary Education (Grades 1 through 6)
25.99 Endorsement for the Middle Grades (Grades 5 through 8) 25.100 Teaching Endorsements on the Professional Educator License
25.105 Temporary Substitute Teaching Permit (Repealed)

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

Section

- 25.110 System of Approval: Levels of Approval (Repealed)
25.115 Recognition of Institutions and Educational Units, and Approval of Programs
25.120 Standards and Criteria for Institutional Recognition and Program Approval (Repealed)
25.125 Accreditation Review of the Educational Unit (Repealed)
25.127 Review of Individual Programs (Repealed)
25.130 Interventions by the State Board of Education and State Educator Preparation and Licensure Board
25.135 Interim Provisions for Continuing Accreditation and Approval – July 1, 2000, through Fall Visits of 2001 (Repealed)
25.136 Interim Provisions for Continuing Accreditation – Institutions Visited from Spring of 2002 through Spring of 2003 (Repealed)
25.137 Interim Provisions for Continuing Accreditation and Approval – July 1, 1999, through June 30, 2000 (Repealed)
25.140 Requirements for the Institution's Educational Unit Assessment Systems
25.142 Assessment Requirements for Individual Programs
25.145 Approval of New Programs Within Recognized Institutions

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 25.147 Approval of Programs for Foreign Language Beginning July 1, 2003
25.150 The Periodic Review Process (Repealed)
25.155 Procedures for the Initial Recognition of an Institution as an Educator Preparation Institution and Its Educational Unit
25.160 Notification of Recommendations; Decisions by State Board of Education
25.165 Discontinuation of Programs

SUBPART D: SCHOOL SUPPORT PERSONNEL

- Section
25.200 Relationship Among Endorsements in Subpart D
25.210 Requirements for the Certification of School Social Workers (Repealed)
25.215 Endorsement for School Social Workers
25.220 Requirements for the Certification of Guidance Personnel (Repealed)
25.225 Endorsement for School Counselors
25.227 Interim Approval for School Counselor Interns
25.230 Requirements for the Certification of School Psychologists (Repealed)
25.235 Endorsement for School Psychologists
25.240 Standard for School Nurse Endorsement (Repealed)
25.245 Endorsement for School Nurses
25.250 Standards for Non-Teaching Speech-Language Pathologists
25.252 Endorsement for Non-Teaching Speech-Language Pathologists
25.255 Interim Approval for Speech-Language Pathologist Interns
25.275 Renewal of the Professional Educator License Endorsed for School Support Personnel

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

- Section
25.300 Relationship Among Credentials in Subpart E
25.310 Definitions (Repealed)
25.311 Alternative Route to Superintendent Endorsement (Beginning January 1, 2013)
25.313 Alternative Route to Administrative Endorsement (Through August 31, 2013) (Repealed)
25.314 Alternative Route to Administrative Certification for Teacher Leaders (Repealed)
25.315 Renewal of Administrative Endorsements
25.320 Application for Approval of Program (Repealed)
25.322 General Supervisory Endorsement (Repealed)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 25.330 Standards and Guide for Approved Programs (Repealed)
25.333 General Administrative Endorsement (Repealed)
25.335 General Administrative Endorsement (Through August 31, 2014)
25.337 Principal Endorsement (2013)
25.338 Designation as Master Principal (Repealed)
25.344 Chief School Business Official Endorsement (Repealed)
25.345 Endorsement for Chief School Business Official
25.355 [Endorsement for Superintendent \(2019\)](#)~~Superintendent Endorsement (Repealed)~~
25.360 Endorsement for Superintendent ([Through August 31, 2019](#))
25.365 Endorsement for Director of Special Education

SUBPART F: GENERAL PROVISIONS

Section

- 25.400 Registration of Licenses; Fees
25.405 Military Service; Licensure
25.410 Reporting Requirements for Revoked or Suspended Licenses; License Application Denials
25.411 Voluntary Removal of Endorsements
25.415 Credit in Junior College (Repealed)
25.420 Psychology Accepted as Professional Education (Repealed)
25.425 Individuals Prepared in Out-of-State Institutions
25.427 One-Year Limitation
25.430 Institutional Approval (Repealed)
25.435 School Service Personnel Certificate – Waiver of Evaluations (Repealed)
25.437 Equivalency of General Education Requirements (Repealed)
25.440 Master of Arts NCATE (Repealed)
25.442 Illinois Teacher Corps Programs (Through August 31, 2013) (Repealed)
25.444 Illinois Teaching Excellence Program
25.445 College Credit for High School Mathematics and Language Courses (Repealed)
25.450 Lapsed Licenses
25.455 Substitute Certificates (Repealed)
25.460 Provisional Special and Provisional High School Certificates (Repealed)
25.464 Short-Term Authorization for Positions Otherwise Unfilled (Repealed)
25.465 Credit (Repealed)
25.470 Meaning of Experience on Administrative Certificates (Repealed)
25.475 Renewal Requirements for Holders of Multiple Types of Endorsements on a Professional Educator License
25.480 Supplemental Documentation and Review of Certain License Applications

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

25.485	Licensure of Persons with Prior Certificate or License Sanctions
25.486	Licensure of Persons Who Are Delinquent in the Payment of Child Support
25.487	Licensure of Persons with Illinois Tax Noncompliance
25.488	Licensure of Persons Named in Reports of Child Abuse or Neglect
25.489	Licensure of Persons Who Are in Default on Student Loans
25.490	Licensure of Persons Who Have Been Convicted of a Crime
25.491	Licensure of Persons with Unsatisfactory Performance Evaluation Ratings
25.493	Part-Time Teaching Interns (Repealed)
25.495	Approval of Out-of-State Institutions and Programs (Repealed)
25.497	Supervisory Endorsements

SUBPART G: PARAPROFESSIONALS;
OTHER PERSONNEL

Section	
25.510	Endorsement for Paraprofessional Educators
25.520	Substitute Teaching License
25.530	Specialized Instruction by Noncertificated Personnel (Repealed)
25.540	Approved Teacher Aide Programs (Repealed)
25.550	Approval of Educational Interpreters

SUBPART H: CLINICAL EXPERIENCES

Section	
25.610	Definitions
25.620	Student Teaching
25.630	Pay for Student Teaching (Repealed)

SUBPART I: ILLINOIS LICENSURE TESTING SYSTEM

Section	
25.705	Purpose – Severability
25.710	Definitions
25.715	Test Validation
25.717	Test Equivalence
25.720	Applicability of Testing Requirement and Scores
25.725	Applicability of Scores (Repealed)
25.728	Use of Test Results by Institutions of Higher Education
25.730	Registration – Paper-and-Pencil Testing

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

25.731	Registration – Computer-Based Testing
25.732	Late Registration
25.733	Emergency Registration
25.735	Frequency and Location of Tests
25.740	Accommodation of Persons with Special Needs
25.745	Special Test Dates
25.750	Conditions of Testing
25.755	Cancellation of Scores; Voiding of Scores
25.760	Passing Score
25.765	Individual Test Score Reports
25.770	Re-scoring
25.775	Institution Test Score Reports
25.780	Fees

SUBPART J: RENEWAL OF PROFESSIONAL EDUCATOR LICENSES
ENDORSED IN A TEACHING FIELD

Section	
25.800	Professional Development Required
25.805	Continuing Professional Development Options
25.807	Additional Specifications Related to Professional Development Activities of Special Education Teachers
25.810	State Priorities
25.815	Submission and Review of the Plan (Repealed)
25.820	Requirements for Coursework on the Assessment of One's Own Performance
25.825	Requirements for Coursework Related to the National Board for Professional Teaching Standards (NBPTS)
25.830	Statement of Assurance for Renewal of Licenses
25.832	Validity and Renewal of NBPTS Master Teacher Designation
25.835	Review of and Recommendation Regarding Statement of Assurance for Renewal
25.840	Action by State Educator Preparation and Licensure Board; Appeals
25.845	Responsibilities of School Districts
25.848	General Responsibilities of LPDCs
25.850	General Responsibilities of Regional Superintendents
25.855	Approval of Illinois Providers
25.860	Out-of-State Providers
25.865	Awarding of Credit for Activities with Providers
25.870	Continuing Education Units (CEUs) (Repealed)
25.872	Special Provisions for Interactive, Electronically Delivered Continuing

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- Professional Development
25.875 Continuing Professional Development Units (CPDUs)
25.880 "Valid and Exempt" Licenses; Proportionate Reduction; Part-Time Teaching
25.885 Funding; Expenses (Repealed)

SUBPART K: REQUIREMENTS FOR RECEIPT OF
THE STANDARD TEACHING CERTIFICATE

- Section
25.900 Applicability of Requirements in this Subpart (Repealed)
25.905 Choices Available to Holders of Initial Certificates (Repealed)
25.910 Requirements for Induction and Mentoring (Repealed)
25.915 Requirements for Coursework on the Assessment of One's Own Performance
(Repealed)
25.920 Requirements for Coursework Related to the National Board for Professional
Teaching Standards (NBPTS) (Repealed)
25.925 Requirements Related to Advanced Degrees and Related Coursework (Repealed)
25.930 Requirements for Continuing Professional Development Units (CPDUs)
(Repealed)
25.935 Additional Activities for Which CPDUs May Be Earned (Repealed)
25.940 Examination (Repealed)
25.942 Requirements for Additional Options (Repealed)
25.945 Procedural Requirements (Repealed)
- 25.APPENDIX A Statistical Test Equating – Licensure Testing System
25.APPENDIX B Certificates Available Effective February 15, 2000 (Repealed)
25.APPENDIX C Exchange of Certificates for Licenses (July 1, 2013)
25.APPENDIX D Criteria for Identification of Teachers as "Highly Qualified" in Various
Circumstances
25.APPENDIX E Endorsement Structure Beginning July 1, 2013

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

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg. 15044, effective August 28, 1986; amended at 11 Ill. Reg. 12670, effective July 15, 1987;

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amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at 15 Ill. Reg. 17048, effective November 13, 1991; amended at 16 Ill. Reg. 18789, effective November 23, 1992; amended at 19 Ill. Reg. 16826, effective December 11, 1995; amended at 21 Ill. Reg. 11536, effective August 1, 1997; emergency amendment at 22 Ill. Reg. 5097, effective February 27, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 11767, effective June 25, 1998; amended at 22 Ill. Reg. 19745, effective October 30, 1998; amended at 23 Ill. Reg. 2843, effective February 26, 1999; amended at 23 Ill. Reg. 7231, effective June 14, 1999; amended at 24 Ill. Reg. 7206, effective May 1, 2000; emergency amendments at 24 Ill. Reg. 9915, effective June 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12930, effective August 14, 2000; preemptory amendment at 24 Ill. Reg. 16109, effective October 12, 2000; preemptory amendment suspended at 25 Ill. Reg. 3718, effective February 21, 2001; preemptory amendment repealed by joint resolution of the General Assembly, effective May 31, 2001; emergency amendments at 25 Ill. Reg. 9360, effective July 1, 2001, for a maximum of 150 days; emergency expired November 27, 2001; emergency amendments at 25 Ill. Reg. 11935, effective August 31, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16031, effective November 28, 2001; amended at 26 Ill. Reg. 348, effective January 1, 2002; amended at 26 Ill. Reg. 11867, effective July 19, 2002; amended at 26 Ill. Reg. 16167, effective October 21, 2002; amended at 27 Ill. Reg. 5744, effective March 21, 2003; amended at 27 Ill. Reg. 8071, effective April 28, 2003; emergency amendments at 27 Ill. Reg. 10482, effective June 26, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 12523, effective July 21, 2003; amended at 27 Ill. Reg. 16412, effective October 20, 2003; emergency amendment at 28 Ill. Reg. 2451, effective January 23, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 8556, effective June 1, 2004; emergency amendments at 28 Ill. Reg. 12438, effective August 20, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1212, effective January 4, 2005; amended at 29 Ill. Reg. 10068, effective June 30, 2005; amended at 29 Ill. Reg. 12374, effective July 28, 2005; emergency amendment at 29 Ill. Reg. 14547, effective September 16, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 15831, effective October 3, 2005; amended at 30 Ill. Reg. 1835, effective January 26, 2006; amended at 30 Ill. Reg. 2766, effective February 21, 2006; amended at 30 Ill. Reg. 8494, effective April 21, 2006; amended at 31 Ill. Reg. 10645, effective July 16, 2007; amended at 32 Ill. Reg. 3413, effective February 22, 2008; amended at 32 Ill. Reg. 13263, effective July 25, 2008; emergency amendment at 32 Ill. Reg. 18876, effective November 21, 2008, for a maximum of 150 days; amended at 33 Ill. Reg. 5462, effective March 24, 2009; amended at 34 Ill. Reg. 1582, effective January 12, 2010; amended at 34 Ill. Reg. 15357, effective September 21, 2010; amended at 35 Ill. Reg. 4315, effective February 23, 2011; preemptory amendment at 35 Ill. Reg. 14663, effective August 22, 2011; amended at 35 Ill. Reg. 16755, effective September 29, 2011; amended at 36 Ill. Reg. 2191, effective January 24, 2012; amended at 36 Ill. Reg. 12455, effective July 23, 2012; emergency amendment at 36 Ill. Reg. 12903, effective July

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24, 2012, for a maximum of 150 days; amended at 37 Ill. Reg. 199, effective December 19, 2012; amended at 37 Ill. Reg. 8379, effective June 12, 2013; amended at 37 Ill. Reg. 16729, effective October 2, 2013; amended at 38 Ill. Reg. 11261, effective May 6, 2014; amended at 38 Ill. Reg. 18933, effective September 8, 2014.

SUBPART E: REQUIREMENTS FOR THE LICENSURE OF
ADMINISTRATIVE AND SUPERVISORY STAFF**Section 25.355** Endorsement for Superintendent (2019)~~Superintendent Endorsement~~
~~(Repealed)~~

- a) This endorsement is required for superintendents and assistant superintendents.
- b) A superintendent endorsement shall be affixed to a professional educator license provided that the candidate successfully completes each of the requirements specified in 23 Ill. Adm. Code 33 (Programs for the Preparation of Superintendents in Illinois) or has completed a comparable approved program in another state or country or holds a comparable certificate or license issued by another state or country (see Section 25.425 of this Part). For the purposes of this subsection (b), "comparable" means:
 - 1) The out-of-state program is offered by an institution that has received approval under Subpart C of this Part to offer a superintendent preparation program (see 23 Ill. Adm. Code 33); or
 - 2) The individual seeking the endorsement has had his or her coursework and preparation program reviewed by an institution approved to offer a superintendent preparation program in Illinois; has successfully completed any deficiencies in that preparation that the institution has identified, as applicable; and has been recommended for entitlement by that institution.
- c) In accordance with Section 21B-25(2)(D) of the School Code [105 ILCS 5/21B-25(2)(D)], beginning July 1, 2013, each candidate shall hold an Illinois professional educator license and have two years of experience working full-time as a principal, director of special education or chief school business official either:
 - 1) on the Illinois general administrative, principal, director of special education or chief school business officer endorsement in:

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- A) an Illinois public school; or
- B) a nonpublic school recognized under 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools) whose chief administrator is required to hold a professional educator license endorsed for general administrative or principal and when a majority of the teachers employed in the school are required to hold a professional educator license endorsed in the teaching field specific to each teacher's assignment; or
- 2) while holding a credential required by the employing state in order to serve as principal, director of special education or chief school business official that is comparable in validity and educational and experience requirements (Section 21B-25(2)(D) of the School Code) to the applicable Illinois endorsement, if the candidate completed a comparable out-of-state program for the applicable credential held. (See also Section 25.425 of this Part.)
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills pursuant to Section 25.720 of this Part.
- e) Nothing in this Section is intended to preclude the candidate from seeking the issuance of an educator license with stipulations endorsed for provisional educator under Section 21B-20 of the School Code in the event that he or she has failed to meet one or more of the requirements for a professional educator license endorsed for superintendent.

(Source: Old Section repealed at 29 Ill. Reg. 15831, effective October 3, 2005; new Section added at 38 Ill. Reg. 18933, effective September 8, 2014)

Section 25.360 Endorsement for Superintendent (Through August 31, 2019)

This endorsement, to be affixed to a professional educator license, is required of school district superintendents. (See also 23 Ill. Adm. Code 29.130.) No candidate shall be admitted to a superintendent endorsement program approved under this Section after August 31, 2016. Candidates who are enrolled shall complete the program and have the endorsement issued no later than September 1, 2019.

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- a) Each candidate for the superintendent's endorsement shall hold a master's degree or equivalent awarded by a regionally accredited institution of higher education. For the purposes of this subsection (a), "equivalent" shall mean the completion of a degree beyond the bachelor's degree level (e.g., juris doctor (J.D.), doctor of philosophy (Ph.D.), doctor of education (Ed.D.)).
- b) Each candidate shall have completed an Illinois program approved for the preparation of superintendents pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate or license issued by another state or country (see Section 25.425 of this Part).
- ~~e) For endorsements issued before July 1, 2013, each candidate shall have *at least two years' full-time administrative or supervisory experience in schools on a general supervisory, general administrative, director of special education, or chief school business official endorsement on an administrative certificate, or a comparable out-of-state credential.* (See Section 21-7.1(e)(4) of the School Code [105 ILCS 5/21-7.1(e)(4)]; the superintendent's endorsement shall not be issued as an individual's first endorsement on the administrative certificate unless issued on the basis of a comparable out-of-state credential.) Experience as a dean of students shall count toward fulfillment of this requirement only for time when the individual had authority for, and performed administrative functions such as, evaluation of certified staff or suspension of students.~~
- c~~d~~) In accordance with Section 21B-25(2)(D) of the School Code, beginning July 1, 2013, each candidate shall hold an Illinois professional educator license and have two years of experience working full-time as a principal, director of special education or chief school business official either:
- 1) on the Illinois general administrative, principal, director of special education or chief school business officer endorsement in:
 - A) an Illinois public school; or
 - B) a nonpublic school recognized under 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools) whose chief administrator is required to hold a professional educator license endorsed for general administrative or principal and when a majority of the teachers employed in the school are

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required to hold a professional educator license endorsed in the teaching field specific to each teacher's assignment; or

- 2) while holding a credential required by the employing state in order to serve as principal, director of special education or chief school business official that is comparable in validity and educational and experience requirements [\(Section 21B-25\(2\)\(D\) of the School Code\)](#) to the applicable Illinois endorsement, if the candidate completed a comparable out-of-state program for [the applicable credential held](#)~~superintendent certification or licensure~~. (See also Section 25.425 of this Part.)
- [de](#)) A candidate's experience serving in a position other than principal for which the general administrative endorsement is required shall be accepted as qualifying the individual to receive the superintendent's endorsement, provided the application for the endorsement is submitted on or before August 31, 2014.
- [ef](#)) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills pursuant to Section 25.720 of this Part.
- [fg](#)) Nothing in this Section is intended to preclude the candidate from seeking the issuance of an educator license with stipulations endorsed for provisional educator under Section 21B-20 of the School Code in the event that he or she has failed to meet one or more of the requirements for a professional educator license endorsed for superintendent.

(Source: Amended at 38 Ill. Reg. 18933, effective September 8, 2014)

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- 1) Heading of the Part: Programs for the Preparation of Superintendents in Illinois
- 2) Code Citation: 23 Ill. Adm. Code 33
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
33.10	New Section
33.20	New Section
33.30	New Section
33.40	New Section
33.45	New Section
33.50	New Section
33.60	New Section
33.70	New Section
33.Appendix A	New Section
33.Appendix B	New Section
33.Appendix C	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) Effective Date of Rule: September 8, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes; see Section 33.30(c).
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: March 28, 2014; 38 Ill. Reg. 7822
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Sections 33.10 and 33.40(b) were clarified to recognize that the superintendent for City of Chicago School District 299 is not required to hold a superintendent endorsement [105 ILCS 5/Art. 34].

In response to P.A. 98-872, effective July 11, 2014, Section 33.60(b) was modified to allow admission of candidates who have two years of experience in a general administrative position (previously limited to only working as a principal).

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A number of formatting changes requested by JCAR were made in the appendices.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of the Rules: In 2012, State Board educator licensure staff formed the Illinois Superintendent Advisory Group (ISAG) with the charge of developing recommendations to redesign the way in which superintendents are prepared in Illinois. The group met monthly from July 2012 to May 2013 and consisted of practicing and retired superintendents, as well as representatives of institutions of higher education with superintendent preparation programs, the Illinois Board of Higher Education, teachers unions, organizations that advocate on behalf of or study education, and groups that crafted the redesigned principal preparation programs several years ago.

The examination of the way in which superintendents are prepared represents a continuation of efforts to redesign educator preparation programs. The ISAG's recommendations build upon the work of the Illinois School Leadership Task Force and others, regarding principal preparation, by focusing on the role of the school district superintendent as the chief instructional leader of the district. The expectations for and competencies expected of candidates in the new superintendent preparation programs are informed by recent educational reforms, such as implementation of performance evaluations incorporating student growth, and the results of ongoing research focusing on the impact that effective school leadership has on student achievement.

New Part 33 borrows heavily from the structure of 23 Ill. Adm. Code 30 (Programs for the Preparation of Principals in Illinois). It is organized around general requirements, internship and required coursework, candidate selection, program approval and competencies for superintendents.

Programs that prepare superintendents are required to meet the new requirements set forth in Part 33 by September 1, 2019, which should give existing programs ample time to ensure alignment. Further, existing programs will not be allowed to enroll any new candidates after September 1, 2016, thereby enabling the cohorts participating in those programs to complete their studies and receive the endorsement before the new

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requirements take effect. Currently, 18 programs are approved for the preparation of superintendents.

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

Kellee Sullivan, Division Administrator
Educator Licensure
Illinois State Board of Education
100 North First Street, E-310
Springfield IL 62777

217/557-6763

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 33

PROGRAMS FOR THE PREPARATION OF SUPERINTENDENTS IN ILLINOIS

Section

33.10	Definitions
33.20	Purpose and Applicability
33.30	General Program Requirements
33.40	Internship Requirements
33.45	Assessment of the Internship
33.50	Coursework Requirements
33.60	Candidate Selection
33.70	Program Approval and Review
33.Appendix A	Competencies for Superintendents
33.Appendix B	Standard 2: Required Assessments
33.Appendix C	Standard 2: Assessment Rubric

AUTHORITY: Implementing Section 21B-25 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/21B-25 and 2-3.6].

SOURCE: Adopted at 38 Ill. Reg. 18948, effective September 8, 2014.

Section 33.10 Definitions

As used in this Part:

"Educational unit" means the college, school, department or division of an institution or not-for-profit entity that is primarily responsible for the initial and continuing preparation of educators.

"Field-based experiences" means multiple experiences that occur within a school setting that relate directly to core subject matter of the course and enable candidates to apply theory to practice.

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"Internship" means a sustained, continuous, structured and supervised experience lasting a minimum of 12 months, with defined objectives and activities designed to enable candidates to acquire the skills and knowledge necessary to demonstrate mastery of certain competencies expected of superintendents. (Also see Appendix A.)

"Internship Supervisor" means a superintendent of the school district (or the chief executive officer of a school district authorized under Article 34 of the School Code [105 ILCS 5/Art. 34]) where a candidate's internship is conducted and who supervises candidates during the internship period.

"Institution" means a regionally accredited institution of higher learning as specified in Section 21B-105 of the School Code [105 ILCS 5/21B-105]. (Also see 23 Ill. Adm. Code 25.10 (Accredited Institution).)

"Not-for-profit entity" means an entity that is subject to the General Not For Profit Corporation Act of 1986 [805 ILCS 105] or incorporated as a not-for-profit entity in another state but registered to do business in the State of Illinois pursuant to the Business Corporation Act of 1983 [805 ILCS 5] and that is recognized to provide an educator preparation program in the State of Illinois pursuant to 23 Ill. Adm. Code 25.Subpart C (Approving Programs that Prepare Professional Educators in the State of Illinois).

"Partner" means one or more institutions, not-for-profit entities or school districts that jointly design, implement and administer the superintendent preparation program. For the purposes of this Part, "partners" do not include school districts and their schools that serve only as sites for candidates to complete internship requirements or field experiences.

"Program completers" means persons who have met all the requirements of a State-approved superintendent preparation program established pursuant to this Part and who have fulfilled the requirements for receipt of a superintendent endorsement set forth in Section 21B-25 of the School Code [105 ILCS 5/21B-25] and 23 Ill. Adm. Code 25.355 (Endorsement for Superintendent (2019)).

Section 33.20 Purpose and Applicability

- a) This Part sets forth the requirements for the approval of programs to provide individuals with the knowledge, skills and experiences necessary to implement a

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systems-orientation approach to educational leadership, financial oversight, school management, and parental and community involvement.

- 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.
- c) Candidates successfully completing a superintendent preparation program shall obtain a superintendent endorsement on a professional educator license and are eligible to work as superintendents or assistant superintendents.
- d) No later than September 1, 2019, all programs for the preparation of superintendents shall meet the requirements set forth in this Part.
- e) Beginning September 1, 2016, institutions or not-for-profit entities may admit new candidates only to superintendent preparation programs that have been approved under this Part.

Section 33.30 General Program Requirements

- a) The program shall be jointly established by one or more institutions or not-for-profit entities in partnership with one or more public school districts and in consultation with one or more professional organizations that represent school administrators, school boards, chief school business officials or regional superintendents of education.
- b) The responsibility and roles of each partner in the design, implementation and administration of the program shall be set forth in a written agreement signed by each partner. The written agreement shall address at least the following:
 - 1) the process and responsibilities of each partner for the selection and assessment of candidates;
 - 2) the establishment of the internship and any field experiences, and the specific roles of each partner in providing those experiences, as applicable;
 - 3) the development and implementation of a training program for internship supervisors and faculty supervisors that supports candidates' progress during their internships in participating in and demonstrating leadership;

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- 4) names and locations of non-partnering school districts where the internship and any field experiences may occur, including the roles and responsibilities of the participating districts and the provider; and
 - 5) the process to evaluate the program at least annually, including the partnership, and the role of each partner in making improvements based on the results of the evaluation.
- c) Each program shall meet the Educational Leadership Program Standards: 2011 ELCC District Level published by the National Policy Board for Educational Administration, 1615 Duke Street, Alexandria VA 22314-3483 and posted at <http://npbea.org/wp-content/uploads/2012/06/ELCC-District-Level-Standards-2011.pdf>. No later amendments to or editions of these standards are incorporated by this Part.
- d) Each program shall offer curricula that address student learning, school improvement and system management and focus on:
- 1) support of rigorous standards for all students (e.g., students with disabilities, English language learners, gifted students, students in early childhood programs) and high-quality accountability systems that promote increasing student achievement and improving results;
 - 2) the efficient use of district or school resources (e.g., human, fiscal, technological) and the importance of maintaining a safe, healthy and productive environment;
 - 3) understanding the knowledge, skills and responsibilities of high-quality professional staff, as articulated in standards governing the receipt of educator licensure listed at 23 Ill. Code 25.115(e)(1) (Recognition of Institutions and Educational Units, and Approval of Programs); and
 - 4) collaborative relationships with all members of the school community (e.g., parents, school board members, local school councils or other governing councils, community partners).

Section 33.40 Internship Requirements

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- a) The internship portion of the program shall be conducted at one or more public school districts so as to enable the candidate to be exposed to and to participate in a variety of educational leadership situations in settings that represent diverse economic and cultural conditions and involve interaction with various members of the school community (e.g., parents, school board members, local school councils or other governing councils, community partners).
- 1) The internship shall consist of the following components:
- A) Engagement in leadership activities at all grade levels (i.e., preschool through grade 12), that focus on creating, evaluating, selecting, supervising and monitoring high-quality and rigorous curricular, instructional, assessment and financial resources designed to:
- 1) increase achievement of students in general education, special education, bilingual education and gifted education settings; and
- 2) contribute to school improvement;
- B) Active participation in the hiring, supervision and evaluation of administrators, teachers, other licensed staff and nonlicensed staff, as applicable, and development of professional development plans aligned to the goals of the district improvement plan;
- C) Active participation in management and operational activities (e.g., strategic or long-range planning, policies and procedures, budgeting and financial management, facilities maintenance) that promote efficiency and a safe and healthy environment; and
- D) Active collaboration with administrators, faculty, families and communities that results in decision-making that has legal and ethical bases.
- 2) The internship shall require the candidate to work directly with administrators and others in the school district's primary office and to participate and take the lead in specific tasks related to meeting the competencies referenced in Appendix A.

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- b) Internship Site
 - 1) A public school district may serve as an internship site if the superintendent:
 - A) holds a valid and current professional educator license endorsed for superintendent issued pursuant to 23 Ill. Adm. Code 25.355 or 25.360; or
 - B) if the internship site is located in another state, holds a valid and current license that is comparable to the required Illinois professional educator license endorsed for superintendent issued by the state in which the internship site is located.
 - 2) The provisions of subsection (b)(1) do not apply to a school district authorized under Article 34 of the School Code.
 - 3) In all cases, the superintendent shall have two years of successful experience in that position as evidenced by relevant data and formal evaluations or letters of recommendation from former supervisors that reflect achievement of the competencies set forth in Appendix A.
- c) The school district superintendent shall serve as the internship supervisor for that portion of the program.
 - 1) Each internship supervisor shall meet the following qualifications:
 - A) hold a valid and current professional educator license endorsed for superintendent or a valid and current license that is comparable to the required Illinois professional educator license endorsed for superintendent issued by the state in which the internship site is located; and
 - B) have served at least two years on a full-time basis as a superintendent, except that a first-year superintendent may serve as the internship supervisor if that individual was hired after the candidate started the internship in the respective school district.

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- 2) Each internship supervisor shall:
 - A) assign the candidate to the administrative staff whose duties and responsibilities are most closely aligned to the particular leadership skills and experiences being assessed; however, the internship supervisor shall retain supervisory authority and oversight for the candidate's progress;
 - B) observe, evaluate and provide feedback to each candidate about the candidate's performance; and
 - C) work in collaboration with other personnel with whom the candidate has been assigned to complete the assessment of the candidate's performance during the internship as required pursuant to Section 33.45.
- d) Programs shall ensure that each candidate:
 - 1) successfully completes the training and passes the assessment required under Section 24A-3 of the School Code [105 ILCS 5/24A-3] prior to licensure, or before the candidate evaluates staff, should evaluations be included as a component of the preparation program, whichever occurs first; and
 - 2) passes the applicable content-area test (see 23 Ill. Adm. Code 25.710 (Definitions)) prior to receipt of endorsement.
- e) Programs may charge fees of candidates, in addition to tuition, to be used to reimburse school districts for the costs of employing substitute administrators for candidates who are full-time administrators and must be absent from their school districts in order to complete internship activities.
- f) Programs may provide monetary stipends for candidates while they are participating in their internship.
- g) A program may extend the length of an internship beyond the expected date of completion for any candidate who has to discontinue the internship portion of the program due to unforeseen circumstances, such as a medical or family emergency, provided that the program adopts procedures for requesting the

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exemption, the specific reasons under which the exemption would be granted, and the length of time within which a candidate must resume the internship. A copy of the policy shall be provided to each candidate who enrolls in the program.

Section 33.45 Assessment of the Internship

- a) The superintendent preparation program shall rate each candidate's level of knowledge and abilities gained as a result of the candidate's participation in the internship required under Section 33.40 by implementing a process to assess both the candidate's understanding of school practices that foster student achievement and a positive learning environment and of his or her ability to provide effective leadership. The assessment process and any rubrics to be used shall be submitted as part of the program's application for approval under Section 33.70.
- b) Except for ELCC Standard 2 (Curriculum and Instruction), the candidate shall demonstrate the competencies listed in Appendix A by completing during the course of the internship the tasks specific to each of the competencies identified in the assessment rubric developed pursuant to subsection (a).
- c) Each superintendent preparation program shall use the assessments identified in Appendix B to determine a candidate's level of knowledge and abilities gained relative to competencies defined for ELCC Standard 2 (Curriculum and Instruction). The program shall rate a candidate's demonstration of having achieved competencies listed in Appendix A as "meets the standards" or "does not meet the standards" in accordance with the rubric set forth in Appendix C.
 - 1) A candidate must achieve a "meets the standards" on each competency in order to successfully complete the internship.
 - 2) A candidate who fails to achieve a "meets the standards" on any of the competencies may repeat the tasks associated with the failed competency at the discretion of the superintendent preparation program.

Section 33.50 Coursework Requirements

- a) The coursework required by the preparation program of its candidates must cover each of the following areas:

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- 1) State and federal laws, regulations and case law affecting Illinois public schools;
 - 2) State and federal laws, regulations and case law regarding programs for students with disabilities and English language learners;
 - 3) use of technology for effective teaching and learning and administrative needs;
 - 4) use of a process that determines how a child responds to scientific, research-based interventions that are designed to screen students who may be at risk of academic failure, monitor the effectiveness of instruction proposed for students identified as at risk, and modify instruction as needed to meet the needs of each student;
 - 5) identification of bullying; understanding the different types of bullying behavior and its harm to individual students and the school; and the importance of teaching, promoting and rewarding a peaceful and productive school climate; and
 - 6) the process to be used to evaluate licensed staff in accordance with the provisions of Section 24A-3 of the School Code.
- b) The superintendent preparation program shall determine the courses for which completion of field experiences will be required and the time allotted to field experiences across all courses in the curriculum.
- c) A superintendent preparation program may allow candidates to "proficiency out" of certain coursework, provided that the candidate presents acceptable evidence of having mastered the competencies gained from the coursework and the program has adopted a policy regarding proficiency procedures.
- 1) The policy adopted under this subsection (c) shall require that candidates provide evidence of specific experiences that exemplify competency rather than providing only the results from written examinations or evidence of participation in an activity.

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- 2) The policy adopted under this subsection (c) shall list those courses that are mandatory for program completion, regardless of a candidate's previously acquired competencies.
- d) In addition to meeting the requirements in subsections (a) and (b), programs providing 50 percent or more of coursework via distance learning or video-conferencing technology shall be approved only if they meet the following conditions.
- 1) Candidates must be observed by a full-time tenure track faculty member who provides instruction in the superintendent preparation program. The observations, which must take place in person, shall be for a minimum of two full days each semester, and for a minimum of 20 days throughout the length of the program. The observations must include time spent interacting and working with the candidate in a variety of settings (e.g., attending meetings with the candidate, observing the candidate during the internship portion of the program, working with school board members or other school administrators, participating in budget-setting sessions).
 - 2) Each candidate shall be required to spend a minimum of one day per semester, exclusive of internship periods, at the program's Illinois facility in order to meet with the program's full-time faculty, to present and reflect on projects and research for coursework recently completed, and to discuss the candidate's progress in the program.

Section 33.60 Candidate Selection

Candidates admitted to a program for superintendent preparation shall be selected through an in-person interview process. Each candidate must meet the following minimum requirements:

- a) Hold a valid and current Illinois professional educator license endorsed in general administrative, principal, chief school business official or director of special education.
- b) Have at least two years' full-time administrative or supervisory experience in a public school district or nonpublic school recognized in accordance with 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools) on one of the following endorsements to the professional educator license or, for

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out-of-state candidates, the requisite experience while holding a certificate or license that is comparable to the respective Illinois credential:

- 1) General Administrative;
 - 2) Principal;
 - 3) Director of Special Education; or
 - 4) Chief School Business Official.
- c) Passage of the test of basic skills if the candidate had not been required to take the test for receipt of his or her Illinois professional educator license or previously issued administrative certificate (see 23 Ill. Adm. Code 25.720(b) (Applicability of Testing Requirements and Scores)).
- d) Submission of a portfolio that presents evidence of a candidate's achievements during his or her administrative experience in each of the following categories:
- 1) Support of all students in the classroom to achieve high standards of learning;
 - 2) Significant leadership roles in the school (e.g., curriculum, assessment or instructional development, school management or budgeting, evaluation of staff, mentoring);
 - 3) Strong oral and written communication skills;
 - 4) Analytic abilities needed to collect and analyze data for school and district improvement;
 - 5) Demonstrated respect for family and community;
 - 6) Strong interpersonal skills; and
 - 7) Strong demonstrated leadership skills and abilities.
- e) For purposes of subsection (d), "evidence" includes, but is not limited to:

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- 1) Evaluations of the candidate's administrative abilities from supervisors that attest to school and district improvement;
 - 2) Evidence of leadership roles held and descriptions of the impact the candidate has had on the classroom, school or district, or the constituents served;
 - 3) An analysis of school or district data (e.g., student scores) that describes how the data were used to inform instructional planning and implementation, including an explanation of what standards were addressed, the academic achievement or school improvement outcomes, and steps taken when expected outcomes did not occur;
 - 4) Information about the candidate's work with families and/or community groups and a description of how this work affected school or district operations, policies and procedures;
 - 5) Examples of the candidate's analytical abilities as evidenced by a description of how he or she used the results from student assessments to improve student learning; and
 - 6) Evidence of curriculum development, student assessments or other initiatives that resulted from the candidate's involvement with school committees.
- f) Each applicant shall interview face to face with no fewer than two of the program's full-time faculty members and shall, at a minimum, discuss the contents of his or her portfolio and complete on site a written response to a scenario presented by the interviewers.

Section 33.70 Program Approval and Review

- a) A program seeking approval shall follow the procedures set forth in 23 Ill. Adm. Code 25.145 (Approval of New Programs within Recognized Institutions).
- b) In addition to meeting the requirements of 23 Ill. Adm. Code 25.145, the program proposal required to be submitted as part of the request for approval shall specify how the program will meet the requirements set forth in this Part, as well as address each of the following:

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- 1) The guidance to be developed to ensure that internship supervisors effectively assist candidates to optimize their experiences during the internship;
- 2) The roles and responsibilities of candidates and internship supervisors;
- 3) The process the institution or not-for-profit entity will use to communicate with the internship supervisor and candidate;
- 4) Any additional requirements for admission to the program that the institution or not-for-profit entity will impose;
- 5) A description of the rubric the program will use to assess and evaluate the quality of a candidate's portfolio required under Section 33.60;
- 6) The competencies, to include those specified in Appendix A, expected of candidates who complete the program and how those expectations will be communicated to the candidate upon his or her admittance to the program;
- 7) The activities to meet the expectations embedded in the competencies specified in Appendix A that will be required of candidates for completion of the program and how these activities and expectations will be communicated to the candidate upon his or her admittance to the program;
- 8) A copy of the partnership agreement or agreements and a description of the partners' involvement in the development of the program, a description of the roles each partner will have, and information about how the partnership will continue to operate and how it will be evaluated;
- 9) A copy of any agreements with school districts (other than those participating in the partnership) that will serve as sites for the internship or field experiences;
- 10) A description of each course proposed and the internship, to include:
 - A) a course syllabus;

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- B) how progress will be measured and successful completion will be determined;
 - C) a data table that demonstrates each course's, and the internship's, alignment to the ELCC standards (see Section 33.30(c)); and
 - D) for individual courses, a detailed description of any field experiences required for course completion;
- 11) Copies of assessments and rubrics to be used in the program, including but not limited to samples of scenarios to which a candidate must provide a written response and interview questions for selection in the program and any additional assessments to be used for the internship beyond what is required under Section 33.45;
 - 12) A description of the coursework for candidates and training to be provided for faculty members relative to the evaluation of licensed staff under Article 24A of the School Code [105 ILCS 5/Art. 24A]; and
 - 13) A complete description of how data about the program will be collected, analyzed and used for program improvement, and how these data will be shared with the educational unit or not-for-profit entity and the partnering school district.
- c) A request for program approval shall be submitted to the State Superintendent for consideration (see 23 Ill. Adm. Code 25.145(b)). The State Superintendent shall provide a complete request to the Superintendent Preparation Review Panel for its review and recommendation as to whether the program should be approved. The panel, to be appointed by the State Superintendent, shall consist of:
- 1) two individuals holding current and valid Illinois professional educator licenses endorsed in a teaching field and currently employed in Illinois public schools;
 - 2) four individuals holding current and valid professional educator licenses endorsed for superintendent, and currently employed as superintendents in Illinois public schools;

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- 3) two individuals holding current and valid professional educator licenses endorsed for principal or general administrative and currently employed as principals in Illinois public schools;
 - 4) two individuals from institutions of higher education in Illinois that have a recognized educational unit approved for the provision of educator preparation programs pursuant to 23 Ill. Adm. Code 25.Subpart C, one of whom shall be from a public institution and one of whom shall be from a nonpublic institution; and
 - 5) one licensed administrative staff member currently employed in a school district in any city in Illinois having a population exceeding 500,000.
- d) The Superintendent Preparation Review Panel shall acknowledge receipt of the request for approval within 30 days after receipt. Based upon its review, the Panel may:
- 1) issue a recommendation to the State Educator Preparation and Licensure Board (SEPLB) that the superintendent preparation program be approved; a copy of that recommendation and notification of the SEPLB's meeting to consider the Panel's recommendation shall be provided to the applicant; or
 - 2) issue a recommendation to the SEPLB that the superintendent preparation program be denied, including the reasons for the recommended denial; a copy of that recommendation and notification of the SEPLB's meeting to consider the Panel's recommendation shall be provided to the applicant.
- e) An institution or not-for-profit entity may withdraw its request for approval by notifying the State Superintendent of Education of its intent to withdraw no later than 15 days after it receives notification of the Superintendent Preparation Review Panel's recommendation.
- f) Actions following upon the recommendation of the SEPLB shall be as described in 23 Ill. Adm. Code 25.160 (Notification of Recommendations; Decisions by State Board of Education).
- g) An approved principal preparation program shall be subject to the review process set forth in 23 Ill. Adm. Code 25.Subpart C.

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Section 33. Appendix A Competencies for Superintendents

This Appendix sets forth the competencies that a candidate must acquire, aligned to each of the Standard Elements of the Educational Leadership Program Standards: 2011 ELCC District Level, as a result of successfully completing a superintendent preparation program.

Standard Category and Standard Elements	Competencies Aligned to the Standard Elements
Standard 1: Vision	
Standard Element 1.1 Understand and collaboratively develop, articulate, implement and steward a shared vision of learning for a school district.	Design, lead and support a collaborative process for developing and implementing a shared district vision and mission for learning that is characterized by a respect for students and their families, and community partnerships and includes a focus on the future.
Standard Element 1.2 Understand and collect and use data to identify district goals, assess organizational effectiveness and implement district goals.	Identify district-based tactical and strategic goals, and collaboratively develop implementation plans to achieve those goals and promote organizational learning and effectiveness.
Standard Element 1.3 Understand and promote continuous and sustainable district improvement.	Lead the process to develop a comprehensive plan for communicating and stewarding the district's vision, using evidence-centered continuous and sustainable improvement strategies, data reporting and strategic planning processes.
Standard 1.4 Understand and evaluate district progress and revise district plans supported by stakeholders.	Lead the process to evaluate district improvement processes to identify strategies or practices to be used to build the organizational capacity necessary to support continual and sustainable district improvement supported by district stakeholders.
Standard 2: Curriculum, Instruction and Assessment	

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<p>Standard Element 2.1</p> <p>Advocate, nurture and sustain a district culture and instructional program conducive to student learning through collaboration, trust and a personalized learning environment with high expectations for students.</p>	<p>Promote the district's plan for all students to achieve academic and social-emotional success.</p>
<p>Standard Element 2.2</p> <p>Understand and create and evaluate a comprehensive, rigorous and coherent curricular and instructional program for the district.</p>	<p>a) Lead the district in the process to create and evaluate comprehensive, rigorous, and coherent programs to maximize high-quality teaching and learning practices within the district;</p> <p>b) Lead district change and collaboration that focuses on improvements to district practices, student outcomes, curriculum, instruction and assessment that:</p> <ol style="list-style-type: none"> 1) Incorporates cultural competence in development of these programs; 2) Meets the unique learning needs and interests of diverse student populations; and 3) Personalizes the learning environment with high expectations for all students.
<p>Standard Element 2.3</p> <p>Understand and develop and supervise the instructional and leadership capacity across the district.</p>	<p>a) Systematically direct the monitoring of teaching and learning practices across the district and provide assistance to school administrators;</p> <p>b) Facilitate the direction of the alignment of curriculum, instruction and assessments;</p> <p>c) Direct the use of evidence-based research in making curricular, instructional and assessment decisions;</p> <p>d) Provide district resources to support high-quality curriculum, instruction and assessments;</p> <p>e) Link the evaluation process to student progress, utilizing data from principals and teachers, and other related data sources;</p> <p>f) Develop assessment and accountability systems that utilize multiple data sources to monitor student success;</p>

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	<ul style="list-style-type: none"> g) Lead the process to design performance evaluation systems for staff based on multiple measures of professional performance and student outcomes, and provide feedback based on evidence; h) Provide leadership for districtwide and school-level professional development plans that result in continuous growth and increased capacity of school staff and leaders for improved teaching and student learning; and i) Set the expectation that the faculty and staff maximize time spent on curriculum, instruction and assessment.
<p>Standard Element 2.4</p> <p>Understand and promote the most effective and appropriate technologies to support teaching and learning within the district.</p>	<ul style="list-style-type: none"> a) Lead the use of district technology and performance management systems to support teaching and learning; and b) Monitor, evaluate and report on the effectiveness of curriculum, instruction and assessment practices across the district, and make appropriate recommendations.
Standard 3: Management	
<p>Standard Element 3.1</p> <p>Understand and monitor and evaluate district management and operational systems.</p>	<ul style="list-style-type: none"> a) Develop and oversee district systems for effective and efficient management of policies, procedures and practices; b) Review and utilize the district's strategic and long-range plans to guide the district's daily practices; c) Analyze district processes and operations to identify and place in priority order strategic and tactical challenges for the district; and d) Identify and demonstrate the ability to lead the process to implement best practices in personnel management, facilities operation, financial and student procedures, data management, technology management and transportation systems.
<p>Standard Element 3.2</p> <p>Understand and efficiently use human, fiscal and technological resources within the district.</p>	<ul style="list-style-type: none"> a) Develop multi-year fiscal plans and annual budgets aligned to the district's strategic plan (vision, mission, values and goals);

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	<ul style="list-style-type: none"> b) Analyze and develop a district's budget and financial status and project the district's long-term resource needs and expenditures; c) Lead the process to develop and implement facility and space utilization plans for the district; d) Lead the process to develop plans that reflect the district's vision for the use of technology to manage district operational systems; e) Identify, recommend, secure, allocate and evaluate appropriate human resources to support the educational program and operations; f) Demonstrate the ability to implement effective internal controls for the receipt and distribution of funds at the district and school levels; and g) Lead and implement an effective process for asset management.
<p>Standard Element 3.3</p> <p>Understand and promote district-level policies and procedures that protect the welfare and safety of students and staff across the district.</p>	<ul style="list-style-type: none"> a) Lead the process to review, revise and implement district policies and procedures that result in a safe and secure environment for students and staff; and b) Develop, review, analyze and implement crisis plans in collaboration with district personnel and public safety officials.
<p>Standard Element 3.4</p> <p>Understand and develop district capacity for distributed leadership.</p>	<ul style="list-style-type: none"> a) Work with district- and building-level leaders to identify collaborative leadership potential within the school district; and b) Identify strategies for developing district's leadership capacity and sustainability.
<p>Standard Element 3.5</p> <p>Understand and ensure that district time focuses on supporting high-quality school instruction and student learning.</p>	<ul style="list-style-type: none"> a) Identify, research and recommend district standards that protect instructional time and schedules; b) Develop, evaluate and implement districtwide plans and procedures that focus on high-quality instruction and student learning (including but not limited to discipline, district calendars and daily schedules); and c) Work collaboratively through the collective bargaining process to formalize district standards relative to instructional time and schedules.

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Standard 4: Relationships	
Standard Element 4.1 Understand and collaborate with faculty and community members by collecting and analyzing information pertinent to the improvement of the district's educational environment.	<ul style="list-style-type: none"> a) Lead the process to collect, analyze, interpret and communicate information pertinent to the district's environment and collaboratively discuss strategies to determine improvement strategies; and b) Collaborate with families, staff, faculty, and board of education and community members to respond to diverse community interests and needs and to mobilize community resources.
Standard Element 4.2 Understand and mobilize community resources by promoting understanding, appreciation and use of the community's diverse cultural, social and intellectual resources throughout the district.	<ul style="list-style-type: none"> a) Promote trust, equity, fairness and respect among school board members, school administrators, faculty, parents, students and the district community; b) Lead the process to identify and use diverse community resources to improve district programs; and c) Develop a process to assess needs of families and develop collaborative strategies for effective district relationships with families and caregivers.
Standard Element 4.3 Understand and respond to community interests and needs by building and sustaining positive district relationships with families and caregivers.	<ul style="list-style-type: none"> a) Lead the process to develop and maintain relationships with families and caregivers and involve them in district decision-making processes; and b) Lead the process to develop and implement an all-inclusive district-community engagement plan.
Standard Element 4.4 Understand and respond to community interests and needs by building and sustaining productive district relationships with community partners.	<ul style="list-style-type: none"> a) Identify appropriate opportunities for partnerships; and b) Promote and implement research-based practices that promote constructive partnerships with families, caregivers, local services and clubs, and other appropriate community members in the district.
Standard 5: Ethical Leadership	
Standard Element 5.1	<ul style="list-style-type: none"> a) Promote the success of every student, both academically and socially, by understanding and

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Understand and act with integrity and fairness to ensure a district system of accountability for every student's academic and social success.	<p>applying knowledge of laws, regulations and professional ethics related to schools and children; and</p> <p>b) Lead the process to create a system that monitors, analyzes and evaluates every student's academic and social success to ensure equitable district decisions and practices that are in alignment with the district's vision and mission.</p>
<p>Standard Element 5.2</p> <p>Understand and model principles of self-awareness, reflective practice, transparency and ethical behavior as related to the superintendent's roles in the district.</p>	<p>a) Model and articulate the expectation of principles of self-awareness, reflective practice, transparency and ethical behavior to ensure all employees and the board of education act with integrity and fairness in supporting district policies and practices;</p> <p>b) Model and expect a district-level leadership culture grounded in ethical standards and practices; and</p> <p>c) Develop and model appropriate verbal and non-verbal communication skills (including speaking, writing and listening).</p>
<p>Standard Element 5.3</p> <p>Understand and safeguard the values of democracy, equity and diversity within the district.</p>	<p>a) Model the emotional intelligence, maturity and resiliency to uphold core values and persist in the face of adversity;</p> <p>b) Model, implement and evaluate district policies and procedures that support and advocate for democratic values, equity and diversity;</p> <p>c) Practice the principles of democracy, equity and diversity of thought; and</p> <p>d) Practice and advocate respect for diversity of all classes of people.</p>
<p>Standard Element 5.4</p> <p>Understand and evaluate the potential moral and legal consequences of decision-making in the district.</p>	Identify, analyze, evaluate and articulate the potential moral and legal consequences of a particular decision.
<p>Standard Element 5.5</p> <p>Understand and promote social justice within the district to</p>	<p>a) Ensure that student characteristics and needs inform all aspects of schooling; and</p> <p>b) Promote district policies, programs and practices that ensure social justice, equity, confidentiality,</p>

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ensure individual student needs inform all aspects of schooling.	acceptance and respect between and among students and staff within a district.
Standard 6: Advocacy and Influence	
Standard Element 6.1 Understand and advocate for the district's students, families and caregivers.	<ul style="list-style-type: none"> a) Advocate for every child and his or her families and caregivers; b) Engage, communicate and collaborate with stakeholders so that they understand the rationale behind federal, State and district policy development and the implications of federal, State and district policies for every child.
Standard Element 6.2 Understand and act to influence local, district, State and national decisions affecting student learning in a district environment.	<ul style="list-style-type: none"> a) Identify and analyze emerging district, local, national and global issues in order to adapt district leadership strategies and practices; b) Advocate for federal, State and district policies and programs that promote equitable learning outcomes for every child; and c) Communicate policies, laws and regulations, and procedures to appropriate district stakeholders.
Standard Element 6.3 Understand and anticipate and assess emerging trends and initiatives in order to adapt district-level leadership strategies.	<ul style="list-style-type: none"> a) Keep the board of education and stakeholders informed of emerging trends and initiatives in providing proactive leadership for the district; b) Analyze how law and policy are applied consistently, fairly and ethically; and c) Anticipate and assess emerging trends and initiatives in order to guide personal and professional leadership strategies.

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Section 33.Appendix B Standard 2: Required Assessments

The superintendent preparation program shall use each of the assessments listed in this Appendix B to determine the candidate's achievement of the competencies outlined in Appendix A for each standard element of Standard 2: Curriculum, Instruction and Assessment.

Standard Category and Standard Elements	Assessment
Standard 2: Curriculum, Instruction and Assessment	
<p>Standard Element 2.1</p> <p>Advocate, nurture and sustain a district culture and instructional program conducive to student learning through collaboration, trust and a personalized learning environment with high expectations for students.</p>	<p>The candidate will utilize existing district data (e.g., school climate surveys) to make observations for improving the district's culture for collaboration, trust, learning and expectations.</p>
<p>Standard Element 2.2</p> <p>Understand and create and evaluate a comprehensive, rigorous and coherent curricular and instructional program for the district.</p>	<p>Working with district leadership (including some principals), the candidate will review the district's curricular and instructional program, and map the program and its intended outcomes for the students. Afterwards, the candidate will determine what data are needed from the curricular and instructional program to analyze whether the student's intended outcomes are being met. Finally, the candidate will develop a continuous improvement process for the curricular and instructional program based on evidence-based research and data from the district.</p> <p>The candidate will develop a comprehensive curriculum, instruction and assessment analysis project that integrates the major components and theories of school change and improvement. The candidate will:</p> <ol style="list-style-type: none"> 1) Analyze the district's curriculum map or sequence, using data from the district's curriculum evaluation processes to determine what is working and what is not working for student success, reporting any

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	<p>recommendations for change as a result of the analysis;</p> <ol style="list-style-type: none"> 2) Analyze the district's instructional processes and formats using data from staff evaluations that demonstrate adherence to the instructional formats to determine which formats are working and which are not working for student success, reporting any recommendations for change resulting from that analysis; and 3) Analyze the district's assessment data as they relate to the district's curriculum and instruction and, based on the data, determine what curriculum areas are in need of change and what instructional formats need adjustments, reporting any recommendations for change resulting from that analysis. <p>The candidate shall provide a final report to the internship supervisor that includes direct references to changes and improvement in the following areas: cultural competence, achievement of diverse students and personalizing the learning environment with high expectations for all students.</p>
<p>Standard Element 2.3</p> <p>Understand and develop and supervise the instructional and leadership capacity across the district.</p>	<p>Working with a school district, the candidate will complete the following activities associated with "supervision of instruction":</p> <ol style="list-style-type: none"> 1) Meet with principals and district leaders to assess the teaching and learning issues of the district. Based on the findings, develop a plan of action to improve teaching and learning practices. Using evidence-based research, develop a plan that clearly stipulates what practices are to be changed; how the change process will take place; who will be involved; timeline for action; resources needed (human, time and financial) for the plan to be implemented; and the evaluation or assessment activities to be used to determine if the changes are effective. 2) Meet with a building principal to analyze the building's achievement data and map the alignment

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	<p>of the building's curriculum, instruction and assessments. Based on the findings of the data analysis and mapping, the candidate will make recommendations for alignment changes using evidence-based research to support the recommendations.</p> <p>3) Using the recommendations from items 1 and 2, the candidate will develop a budget in consultation with the superintendent and/or chief school business official sufficient for full implementation of the recommendations. The budget should include the following resources: human, time, material and additional outside resources.</p> <p>The candidate will work with district leadership to review and map the assessment and accountability system the district uses to monitor student growth. At a minimum, the candidate will include in the map of the district's system the following information: the multiple and varied assessments; the persons responsible for administering the assessments; the data collection system and persons responsible for collection and assimilation of the data; the persons responsible for using the data to improve teaching and learning and a description of how that process or system works; and a description of how the assessments and data are used in the performance evaluations of teachers and administrators.</p> <p>The candidate will review the district's professional development plan. If none is available, the candidate will develop a plan that reflects the goals, practices and needs of the district. In collaboration with several district administrators, the candidate will determine what data informed the development of the plan. The candidate will review and analyze that data, or if none is available, determine and document what data should be gathered and analyzed. Based upon the data analysis, the candidate will review the professional development</p>
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	<p>plan again and make recommendations for improvement based on research and the results of that analysis. The candidate will include the recommendations in a reporting format that could be given to the district's board of education. This report will be presented to the candidate's internship supervisor.</p> <p>The candidate will determine the district's goals about the use of instructional time by consulting local board policy, administrative regulations and/or district leadership. Once the goals specific to instructional time have been determined, the candidate will conduct an "instructional time study" of each school in the district, review the data from this audit and provide a report for improvement with recommendations to the internship supervisor. The candidate will include research that supports the recommendations being made in the report.</p>
<p>Standard Element 2.4</p> <p>Understand and promote the most effective and appropriate technologies to support teaching and learning within the district.</p>	<p>The candidate will conduct a technology study of the district that focuses on the integration of technology into content areas. The candidate will review the data from the study and provide a report that includes recommendations for improvement to the districtwide leadership team. The candidate will include research that supports the recommendations being made in the report.</p> <p>The candidate will create a protocol to use for interviewing the following people in a school district: the superintendent and a sample of district stakeholders (e.g., local board members, principals, parents). The purpose of the interviews is to determine the district's culture of collaboration, trust, learning and expectations for students, staff, administrators and board members.</p>

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Comprehensive Instructional Renewal Project	<p>Upon completion of each of the assessments set forth in this Appendix B, the candidate will develop a comprehensive Instructional Renewal Project that integrates the major components and theories of school change and improvement, and the results and information learned from other assessment projects conducted relative to curriculum, instruction and assessments. The candidate will do the following:</p> <ol style="list-style-type: none">1) Conduct a comprehensive analysis of the district improvement plan; professional development plan; cultural assessment; curricular and instructional program improvement process; curriculum, instruction and assessment procedures; supervision of instruction activities; accountability and monitoring system for student support; time study; and technology study.2) Develop an Instructional Renewal Plan that uses these analyses to determine:<ol style="list-style-type: none">a) Comprehensive recommendations for districtwide improvement in curriculum, instruction and assessment;b) Comprehensive recommendations for improvement in teaching and learning;c) Comprehensive recommendations for districtwide improvement of systems for data, assessment, technology and the use of time; andd) Comprehensive recommendations for districtwide improvement in culture, expectations, and the socio-emotional and academic growth of all students.
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Section 33.Appendix C Standard 2: Assessment Rubric

The superintendent preparation program shall rate the candidate's completion of the assessments listed in Appendix B for each standard element of Standard 2: Curriculum, Instruction and Assessment as "meets standard" or "does not meet standard" according to the criteria set forth in the assessment rubric contained in this Appendix C.

Standard 2: Curriculum, Instruction and Assessment		
Standard Category and Standard Elements	Meets Standard	Does Not Meet Standard
<p>Standard Element 2.1</p> <p>Advocate, nurture and sustain a district culture and instructional program conducive to student learning through collaboration, trust and a personalized learning environment with high expectations for students.</p>	<p>The candidate's observation report includes the following:</p> <ol style="list-style-type: none"> 1) at least three existing data sources of the district; 2) an overview of the district's "culture"; 3) recommendations for improving the district's collaboration and trust efforts; and 4) recommendations for improving the district's expectations and learning efforts. 	<p>The candidate's observation report fails to include one or more of the following:</p> <ol style="list-style-type: none"> 1) at least three existing data sources of the district; 2) an overview of the district's "culture"; 3) recommendations for improving the district's collaboration and trust efforts; or 4) recommendations for improving the district's expectations and learning efforts.
<p>Standard Element 2.2</p> <p>Understand and create and evaluate a comprehensive, rigorous and coherent curricular and instructional program for the district.</p>	<p>The candidate successfully provided evidence of the following:</p> <ol style="list-style-type: none"> 1) having worked with multiple district leaders and reviewing the district's curricular and instructional program in one content area; 2) a successful mapping of the program and its intended outcomes for students; 	<p>The candidate was not successful in providing evidence of one or more of the following:</p> <ol style="list-style-type: none"> 1) having worked with multiple district leaders and reviewing the district's curricular and instructional program in one content area; 2) a successful mapping of the program and its

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	<p>3) identification of what data to analyze to determine if student outcomes are being met;</p> <p>4) a continuous improvement plan for the curricular and instructional content area based on evidence from research and data available from the district.</p>	<p>intended outcomes for students;</p> <p>3) identification of what data to analyze to determine if student outcomes are being met;</p> <p>4) a continuous improvement plan for the curricular and instructional content area based on evidence from research and data available from the district.</p>
<p>Standard Element 2.3</p> <p>Understand and develop and supervise the instructional and leadership capacity across the district.</p>	<p>The candidate developed a comprehensive curriculum, instruction and assessment analysis project that integrates the major components and theories of school change and improvement and included all of the following:</p> <p>1) An analysis of the district's curriculum map/sequence utilizing data from the district's curriculum evaluation processes to determine what is working and what is not working for student success and including recommendations for change in the report of the analysis;</p> <p>2) An analysis of the district's instructional processes and formats from data of the district's staff evaluations that demonstrates adherence to the district's instructional formats,</p>	<p>The candidate failed to develop a comprehensive curriculum, instruction and assessment analysis project that integrates the major components and theories of school change and improvement and failed to include one or more of the following:</p> <p>1) An analysis of the district's curriculum map/sequence utilizing data from the district's curriculum evaluation processes to determine what is working and what is not working for student success and including recommendations for change in the report of the analysis;</p> <p>2) An analysis of the district's instructional processes and formats from data of the district's staff evaluations that</p>

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	<p>identifying which instructional formats are working and which are not working for student success, with recommendations for change;</p> <p>3) An analysis of the district's assessment data as they relate to the district's curriculum and instruction; based on the data, the report provides a determination of which curriculum areas are in need of change and which instructional formats need adjustments.</p> <p>The final report given to the candidate's mentor or superintendent provided direct references to changes to and improvements in the following areas: cultural competence; achievement of diverse students; and personalizing the learning environment with high expectations for all students.</p>	<p>demonstrates adherence to the district's instructional formats, identifying which instructional formats are working and which are not working for student success, with recommendations for change;</p> <p>3) An analysis of the district's assessment data as they relate to the district's curriculum and instruction; based on the data, the report provides a determination of which curriculum areas are in need of change and which instructional formats need adjustments.</p> <p>The final report given to the candidate's mentor or superintendent failed to provide direct references to changes to and improvements in one or more of the following areas: cultural competence; achievement of diverse students; and personalizing the learning environment with high expectations for all students.</p>
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<p>Standard Element 2.4</p> <p>Understand and promote the most effective and appropriate technologies to support teaching and learning within the district.</p>	<p>The candidate successfully completed the following "supervision of instruction" activities.</p> <ol style="list-style-type: none"> 1) Met with principals and district leaders to assess the teaching and learning issues facing the district. Based upon the findings, developed a plan of action to improve teaching and learning practices. Using evidence-based research, the candidate developed a plan that clearly stipulates the practices to be changed; how the change process would take place; who would be involved; the time that it would take; what resources (human and financial) would be necessary for the plan to take effect; and what evaluation or assessment activities would be utilized to determine if the changes would be effective. 2) Met with a building principal and analyzed the building's achievement data and mapped the alignment of the building's curriculum, instruction and assessments. Based upon the findings of data analysis and mapping, the candidate made recommendations for 	<p>The candidate was unsuccessful in completing one or more of the following "supervision of instruction" activities.</p> <ol style="list-style-type: none"> 1) Meeting with principals and district leaders to assess the teaching and learning issues facing the district. Based upon the findings, did not fully develop a plan of action to improve teaching and learning practices. The candidate was unable to develop a plan that clearly stipulated what practices were to be changed; how the change process was to take place; who was to be involved; the time that it would take; what resources (human and financial) would be necessary for the plan to take effect; and what evaluation or assessment activities would be utilized to determine if the changes would be effective. 2) Met with a building principal and failed to or did not fully analyze the building's achievement data and failed to or did not fully map the alignment of the building's curriculum,
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	<p>alignment changes using evidence-based research to support the recommendations.</p> <p>3) Utilizing the recommendations from #1 and #2 above, the candidate developed a budget (in consultation with the superintendent or chief school business official) that would allow the building principals of the district to fully and completely initiate the recommendations. Identified in the budget were the following resources: human, time, material and additional outside resources.</p>	<p>instruction and assessments. Based upon the findings of data analysis and mapping, as applicable, the candidate was neither able to make recommendations for alignment changes nor was evidence-based research used to support any of the recommendations made.</p> <p>3) Utilizing the recommendations from #1 and #2 above, as applicable, the candidate was unable to develop a budget (in consultation with the superintendent or chief school business official) that would allow the building principals of the district to fully and completely initiate any recommendations. The candidate failed to identify one or more of the following resources in the budget: human, time, material or additional outside resources.</p>
<p>Comprehensive Instructional Renewal Project</p>	<p>The candidate worked with district leadership to review and map the district's assessment and accountability system used to monitor student growth. The candidate included in the map of the district's system the</p>	<p>The candidate worked with district leadership to review and map the district's assessment and accountability system used to monitor student growth. The candidate failed to successfully include in the</p>

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	<p>following: multiple and varied assessments; the persons responsible for administering the assessments; the data collection system and persons responsible for collection and assimilation of the data; the persons responsible for using the data to improve teaching and learning and who know how that process or system works and how the assessments and data are used in the professional performance evaluations of teachers and administrators.</p>	<p>map of the district's system one or more of the following: the multiple and varied assessments; the persons responsible for administering the assessments; the data collection system and persons responsible for collection and assimilation of the data; the persons responsible for using the data to improve teaching and learning and who know how that process or system works and how the assessments and data are used in the professional performance evaluations of teachers and administrators.</p>
	<ol style="list-style-type: none"> 1) The candidate reviewed the district's professional development plan. If none was available, the candidate developed a plan that reflected what the district was doing and the needs of the district. 2) In collaboration with several district administrators, the candidate determined what data informed the development of the plan. The candidate reviewed that data (if none was available, the candidate determined and documented what data should have been 	<ol style="list-style-type: none"> 1) The candidate reviewed the district's professional development plan. If none was available, the candidate failed to develop a plan that reflected what the district is doing and the needs of the district. 2) In collaboration with several district administrators, the candidate was unable to determine what data informed the development of the plan. The candidate was unable to review that data and make an analysis. 3) The candidate reviewed the professional

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	<p>gathered) and made an analysis.</p> <p>3) Based upon the data analysis, the candidate reviewed the professional development plan again and made recommendations for improvement based on research and data.</p> <p>4) The candidate prepared the recommendations into a report that models one that could be given to the district's board of education and that would be presented to the candidate's mentor or superintendent.</p>	<p>development plan again but was unable to make recommendations for improvement based on research and data.</p> <p>4) The candidate failed to prepare recommendations into a report that models one that could be given to the district's board of education and that would be presented to the candidate's mentor or superintendent.</p>
	<p>After consulting local board policy, administrative regulations, and/or district leadership, the candidate was able to determine the district's goals for the use of instructional time. Based on the goals for the use of instructional time, the candidate conducted an instructional time study of each school in the district. The candidate reviewed the data from the audit and, based on the data and relevant research, made a report with recommendations for improvement and reported those recommendations to the superintendent or mentor.</p>	<p>After consulting local board policy, administrative regulations, and/or district leadership, the candidate was unable to determine the district's goals for the use of instructional time. The candidate conducted an instructional time study of each school in the district. The candidate reviewed the data from the audit and made a report with inadequate recommendations for improvement and reported those recommendations to the superintendent or mentor.</p>

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	<p>The candidate conducted a technology study of the district, which focused on the integration of technology into content areas. The candidate:</p> <ol style="list-style-type: none"> 1) reviewed the data from the study; 2) presented a report with recommendations for improvement to the districtwide leadership team; and 3) included research that supported the recommendations in the report. <p>The candidate successfully created a protocol to use for interviewing the following people in the same school district: the superintendent and a sample of district stakeholders (e.g., board members, principals and parents). The purpose of the protocol was to determine the district's culture of collaboration, trust, learning and expectations (for students, staff, administrators and board members).</p>	<p>The candidate attempted to conduct a technology study of the district, which focused on the integration of technology into content areas. The candidate:</p> <ol style="list-style-type: none"> 1) reviewed the limited data from the study; 2) presented a report with few recommendations for improvement to the districtwide leadership team; and 3) failed to include research that supported the recommendations in the report. <p>The candidate did not successfully create a protocol to use for interviewing the following people in the same school district: the superintendent and a sample of district stakeholders (e.g., board members, principals and parents). The protocol was unable to determine the district's culture of collaboration, trust, learning and expectations (for students, staff, administrators and board members).</p>
	<p>The candidate developed a comprehensive instructional renewal project that integrated the major components and theories of school change and improvement and the results of other assessment projects</p>	<p>The candidate failed to develop a comprehensive instructional renewal project that integrated the major components and theories of school change and improvement and the other</p>

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	<p>required in this Appendix C (which were all successfully completed). The candidate successfully completed the following:</p> <ol style="list-style-type: none"> 1) Conducted a comprehensive analysis of the following district documents or procedures: district improvement plan; professional development plan; cultural assessment; the process for improving curricular and instructional programs; curriculum, instruction and assessment analysis; supervision of instruction activities; accountability and monitoring system for student support; time study; and technology study. 2) Developed an instructional renewal plan that used the analyses from all of the above plans and projects that included the following: <ol style="list-style-type: none"> a) Comprehensive recommendations for districtwide improvement in curriculum, instruction and assessment; b) Comprehensive recommendations for improvement in teaching and learning; 	<p>assessment projects required in this Appendix C (which may not have been successfully completed). The candidate was unsuccessful in completing one or more of the following:</p> <ol style="list-style-type: none"> 1) Conducting a comprehensive analysis of the following district documents or procedures: district improvement plan; professional development plan; cultural assessment; the process for improving curricular and instructional programs; curriculum, instruction, and assessment analysis; supervision of instruction activities; accountability and monitoring system for student support; time study; and technology study. 2) Developing an instructional renewal plan that used the analyses from all of the above plans and projects that included the following: <ol style="list-style-type: none"> a) Comprehensive recommendations for districtwide improvement in curriculum, instruction and assessment;
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	<p>c) Comprehensive recommendations for districtwide improvement of systems for data, assessment, technology and the use of time; and</p> <p>d) Comprehensive recommendations for districtwide improvement in culture, expectations, and the socio-emotional and academic growth of all students.</p>	<p>b) Comprehensive recommendations for improvement in teaching and learning;</p> <p>c) Comprehensive recommendations for districtwide improvement of systems for data, assessment, technology and the use of time; and</p> <p>d) Comprehensive recommendations for districtwide improvement in culture, expectations, and the socio-emotional and academic growth of all students.</p>
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- 1) Heading of the Part: Organization, Public Information, Procedures and Rulemaking
- 2) Code Citation: 2 Ill. Adm. Code 3500
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
3500.210	Amendment
3500.310	Amendment
3500.320	Amendment
3500.330	Amendment
3500.340	Amendment
3500.350	Amendment
3500.360	Amendment
3500.370	Repealed
3500.375	Amendment
3500.380	Amendment
3500.385	Amendment
3500.386	New Section
3500.390	Amendment
- 4) Statutory Authority: Implementing the Illinois Torture Inquiry and Relief Act [775 ILCS 40/1]
- 5) Effective Date of Rule: September 19, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal published in the *Illinois Register*: April 25, 2014; 38 Ill. Reg. 8822
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version: The most significant changes are that Section 3500.210(d), dealing with record-retention periods, was deleted at the suggestion of the Secretary of State's Archives Division; Sections 3500.310(f), 3500.330 (d-e) and

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3500.340(a)(3) were added to clarify Commission procedures; Sections 350.350(b), 3500.375(a), a renumbered 3500.375(e), and 3500.385(d) were amended to clarify Commission procedures and more closely track statutory language; Sections 3500.375(e) and 3500.380(a)(5) were deleted as unnecessary. Section 3500.380 was added solely to reflect the deletion of subsection (a)(5); no other changes were made to Section 3500.380. Section 3500.330(c) was amended to reflect the Commission's new mailing address. Sections 3500.210(a), 3500.330, 3500.350(a), and 3500.350(d), have been amended to restore references to forms in another Part.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement letter was issued by JCAR in respect to this rulemaking; technical changes made by JCAR as indicated in its Second Notice Changes sheet have been made.
- 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: This rulemaking better aligns certain provisions with the enabling statute; conforms the formal procedures – which were written before the Commission started its work – to the Commission's practices, based on its experience; clarifies potential uncertainties in the Commission's approach to its cases; and streamlines procedural and practice issues going forward.
- 16) Information and questions regarding this adopted rule shall be directed to:

Illinois Torture Inquiry and Relief Commission
Attention: Rob Olmstead
100 W. Randolph St., Ste. 10-300
Chicago IL 60601

312/ 814-1094
fax: 312/814-5333

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

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TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER LXV: TORTURE INQUIRY AND RELIEF COMMISSION

PART 3500

ORGANIZATION, PUBLIC INFORMATION, PROCEDURES AND RULEMAKING

SUBPART A: ORGANIZATION

Section	
3500.10	Commission Members
3500.20	Chair of the Commission
3500.30	Terms of Members
3500.40	Compensation and Expenses
3500.50	Director
3500.60	Other Staff

SUBPART B: PUBLIC INFORMATION

Section	
3500.210	Commission Records

SUBPART C: PROCEDURES

Section	
3500.310	Meetings
3500.320	Quorum
3500.330	Claim of Torture
3500.340	Initial Screening of Claim Form
3500.350	Wavier of Convicted Person's Procedural Safeguards and Privileges
3500.360	Informal Inquiry and Summary Dismissal
3500.370	Summary Referral (Repealed)
3500.375	Formal Inquiry
3500.380	Evidentiary Proceedings Before the Commission
3500.385	Decisions
3500.386	Factors Considered in Decisions
3500.390	Notification of Crime Victim
3500.395	Commission Reports to General Assembly and Governor

SUBPART D: RULEMAKING

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Section
3500.410 Adoption of Rules

AUTHORITY: Implementing and authorized by the Illinois Torture Inquiry and Relief Commission Act [775 ILCS 40].

SOURCE: Adopted at 35 Ill. Reg. 15125, effective August 25, 2011; amended at 38 Ill. Reg. 18988, effective September 19, 2014.

SUBPART B: PUBLIC INFORMATION

Section 3500.210 Commission Records

- a) The official record in every claim filed with the Commission consists of the Claim Form (see 20 Ill. Adm. Code 2000.Appendix B) and all subsequent pleadings, notices, subpoenas, evidence received, photographs, [waiver forms](#), computer disks, transcripts, briefs, reports, memoranda, orders, findings of fact and decisions and amendments to these documents.
- b) The official record is confidential and not subject to public disclosure until after the Commission's final decision in the case, except as otherwise provided in this Part, the Freedom of Information Act [5 ILCS 140], or the Open Meetings Act [5 ILCS 120].
- c) After the Commission's final decision on the claim, the official record shall be available for public inspection upon making appropriate arrangements with the Director.
- ~~d) The Commission shall maintain the official record in its office during the full period the claim is active and for an additional period of two years from the date of the Commission's final decision. Final decisions shall be retained as part of the permanent record of the Commission.~~
- de) Inspection of any records that are available for that purpose shall be permitted only at the Commission's office. Inspection appointments shall take place only during normal business hours, which are 8:30 a.m. to 5:00 p.m. Monday through Friday, exclusive of State holidays. Persons inspecting records shall not be permitted to take briefcases, folders, or similar materials into the room where inspection takes place. A Commission employee may be present during

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inspection. Records to be copied will be identified and segregated during the course of the inspection.

- ef) When a person requests a copy of a record maintained in an electronic format, the Commission shall furnish it in the electronic format specified by the person. If it is not feasible to furnish the record in the specified electronic format, then the Commission shall furnish it in the format in which it is maintained by the Commission, or in paper format, at the option of the person making the request.
- fg) Copying Fees:
- 1) ~~The~~ Unless a fee is otherwise fixed by statute, the Commission will provide copies of records and certification of records in accordance with the maximum fee allowed under Section 6 of the Freedom of Information Act ~~schedule set forth in 20 Ill. Adm. Code 2000. Appendix F.~~
 - 2) Copies of records will be provided only after payment of any fees due. Payment must be by certified or cashier's check, or by money order, payable to "Treasurer, State of Illinois".
 - 3) ~~The Commission will provide copies of records without charge to federal, State, county and municipal agencies, Constitutional officers and members of the General Assembly, and not for profit organizations providing evidence of good standing with the Secretary of State's Office.~~
 - 4) ~~Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of records when furnished in a paper format will not apply to those records when furnished in an electronic format.~~
- g) The official record described in this Section is distinct from the administrative record that the Commission is required to file with the Circuit Court under Section 45 of the Act and 20 Ill. Adm. Code 2000.60. The administrative record is compiled for purposes of facilitating judicial review after the Commission renders a decision in its cases.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

SUBPART C: PROCEDURES

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Section 3500.310 Meetings

- a) *The Commission meets a minimum of once every 6 months and may also meet more often at the call of the Chair. The Commission meets at such time and place as designated by the Chair, in accordance with the provisions of the Open Meetings Act. Notice of the meetings is given on the Commission's website, www.Illinois.gov/ihrc, in accordance with the provisions of the Open Meetings Act. [775 ILCS 40/20(b)]*
- b) The Commission meets in an area provided by the Illinois Human Rights Commission or another State agency.
- c) At the conclusion of the business portion of each Commission meeting that is open to the public pursuant to the Open Meetings Act, the Commission shall set aside a period of time for public comment. Any person desiring to address the Commission shall be allowed up to ~~3~~three minutes for comments or questions. Only one person may speak on behalf of any organization.
- d) Because of time demands on the Commission, the total time for presentations by the public at any meeting shall be limited to 30 minutes unless a Commissioner moves for, and the Commission approves, a longer period. Any person wishing to address the Commission but unable or not allowed to do so may submit a written statement to the Commission.
- e) The victim in each case has the right to present his or her views and concerns throughout the Commission's investigation. [775 ILCS 40/40(c)] This right includes both the right to present written materials to the Commission and its staff and the right to address the Commission at a public meeting. Because of time demands on the Commission, the total time for oral presentations by each victim at each meeting shall be limited to 5 minutes. The Commission will also permit an additional 3 minutes to each family member of the victim, up to a total time limit for the victim and family members in each case of 15 minutes, unless the Chair alters these limits.
- f) At the conclusion of a formal inquiry, the next of kin of the convicted person shall be given the right to address the Commission at a public meeting prior to the Commission's decision. (The convicted person, either by letter or through counsel, shall be informed of this right.) Because of time demands on the

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Commission, the total time for an oral presentation by the next of kin of the convicted person shall be limited to three minutes, unless the Chair alters this limit.

- ge) Personal attacks, use of profane language, and social and/or ethnic slurs will not be tolerated. Speakers are strongly encouraged to refrain from rude, derogatory and abusive comments and personal attacks.
- hf) Speakers making rude, profane or slanderous remarks, or who become boisterous while addressing or while attending the meeting, may be requested to leave by the presiding Chair.
- ig) Any person may record by tape, film or other means the meetings of the Commission or its committees that are open to the public pursuant to the Open Meetings Act. However, if the recording process interferes with the overall decorum and proceeding of a meeting, the recording will be discontinued at the discretion of the presiding Chair.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.320 Quorum

A majority of the voting members constitutes a quorum. All Commission votes are by a majority vote of the appointed voting members: [775 ILCS 40/20(b)], except for votes to refer cases to the Circuit Court, which require 5 affirmative votes (see 775 ILCS 40/45(c)).

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.330 Claim of Torture

A request for a formal inquiry into a claim of torture is accomplished by filing a Claim Form (see 20 Ill. Adm. Code 2000.Appendix B):

- a) Any individual, court or agency may complete and file a Claim Form on behalf of a living person asserting a claim of torture.
- b) Any person may call or write the Commission to request that a Claim Form be mailed or faxed to that person in order to file a claim. The Commission also

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maintains a website (www.Illinois.gov/ihrc) from which a Claim Form may be printed or downloaded.

- c) A completed Claim Form may be filed by either mailing it to the Illinois Torture Inquiry and Relief Commission, [100 W. Randolph St., Ste. 10-300, 160 N. LaSalle Street, Room N506](#), Chicago IL 60601, or by faxing it to [the Commission's office\(312\)814-4598](#).
- d) [A claimant may use the Claim Form supplied by the Commission or a letter communicating substantially the same information requested in the Claim Form.](#)
- e) [A Claim Form shall be considered filed on the date it is mailed or transmitted to the Commission.](#)

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.340 Initial Screening of Claim Form

- a) Upon receipt of the Claim Form, the Director, or his or her designee, will conduct an initial screening of the Claim Form to determine whether it satisfies the following minimum criteria required for the Commission to consider a claim of torture:
 - 1) The Claim Form is properly completed; ~~and~~
 - 2) The claim meets the [definition of "claim of torture" definitions](#) contained in 20 Ill. Adm. Code 2000.10~~(d)~~; ~~and~~
 - 3) [The Claim Form is timely filed by August 10, 2014. \(See 775 ILCS 40/70.\)](#)
- b) If the Claim Form is not properly completed, the Director shall return it to the person who submitted it, indicating why the Form has not been filed and giving the opportunity to resubmit it.
- c) If the Claim Form is properly completed, the claim will be filed and assigned a claim number.

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- d) If the claim meets the definition of "claim of torture" contained in 20 Ill. Adm. Code 2000.10, the claim shall proceed to the Waiver of Convicted Person's Procedural Safeguards and Privileges under Section 3500.350. The claim shall be set for investigation, in the manner and priority to be determined by the Director, subject to Section 35(2) of the Act and Section 3500.375(c) of this Part, and any direction by the Commission.
- e) If the claim does not meet the definition of "claim of torture" contained in 20 Ill. Adm. Code 2000.10 solely because none of the police officers involved served under Jon Burge, the Director shall send a letter to the claimant informing him or her that the matter will not be given priority by the Commission, and that further action may not be taken until it is determined that the Commission has jurisdiction over claims that do not involve officers who served under Jon Burge.
- f) If the Claim~~However, if the~~ Form demonstrates that the claim does not meet the definition of "claim of torture"~~definitions~~ contained in 20 Ill. Adm. Code 2000.10~~(d)~~ for a reason other than that discussed in subsection (e) of this Section, the Director shall recommend in a written report to the Commission that the claim be denied for the reasons specified in the report.
- 1d) The Commission shall vote to accept or to reject the Director's recommendation by majority vote of the voting members ~~appointed~~present. At least 4 votes are required to accept a recommendation to deny a claim.
- 2e) If the Commission accepts the recommendation to deny the claim, the Director shall notify the convicted person, and the person filing the claim if other than the convicted person, in writing that the claim was denied and the reasons for the denial.
- ~~f) All other claims will proceed to the Waiver of Convicted Person's Procedural Safeguards and Privileges under Section 3500.350.~~

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.350 Waiver of Convicted Person's Procedural Safeguards and Privileges

- a) If the Director determines that the Claim Form satisfies the requirements of the initial screening, the Director, or his or her designee, will obtain a properly signed

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and witnessed Waiver Form (see 20 Ill. Adm. Code 2000.Appendix C) from the convicted person before proceeding further.

- b) The *convicted person* must sign a written waiver in which the *convicted person* waives his or her procedural safeguards and privileges, including but not limited to the right against self-incrimination under the United States Constitution and the Constitution of the State of Illinois, ~~only~~ only as those safeguards and privileges pertain~~it pertains~~ to the offense for which the person was convicted and with respect to which the person is claiming torture. The convicted person must also agree to cooperate fully with the Commission and agree to provide full disclosure regarding the torture inquiry. The waiver does not apply to matters unrelated to a convicted person's claim of torture. [775 ILCS 40/40(b)]~~The waiver does not apply to matters unrelated to a convicted person's claim of torture.~~
- c) *The convicted person has the right to advice of counsel before the execution of the waiver and, if a formal inquiry is initiated, throughout the duration of the formal inquiry. If counsel represents the convicted person, the convicted person's counsel must be present at the signing of the waiver. [775 ILCS 40/40]*
- d) If the convicted person is not represented by counsel, *the Commission Chair shall determine if the person is indigent and, if so, enter an order providing for the appointment of counsel for the purpose of advising on the waiver and representing the convicted person throughout the remainder of the proceedings upon the claim. [775 ILCS 40/40]* The determination of indigency shall be made by having the convicted person complete and send to the Director ~~an~~the Application and Order for Appointed Counsel Based Upon Indigency contained in 20 Ill. Adm. Code 2000.Appendix G. The Director shall furnish an Application to the convicted person upon request. The Director shall forward a properly completed Application to the Chair for purpose of making the decision regarding indigency.
- e) If the convicted person refuses to sign the Waiver Form, the Director shall recommend to the Commission that the claim of torture be dismissed. The Commission shall vote to accept or reject the Director's recommendation by majority vote of the voting members ~~appointed~~present. At least 4 votes are required to accept a recommendation to dismiss a claim.
- f) If the Director determines that the Waiver Form has been properly signed and witnessed, the claim shall proceed to Informal Inquiry under Section 3500.360.

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(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.360 Informal Inquiry and Summary Dismissal

- a) After the completed Claim Form and Waiver Form have been received, an informal inquiry shall be performed by the Director or his or her designee to determine whether additional investigation is warranted, consisting of taking all reasonable steps to interview the convicted person, interview any witnesses identified by the convicted person, and review any documents provided by the convicted person.
- b) The Director or his or her designee may issue, serve and enforce subpoenas pursuant to Section 3500.375(a)(1) and (a)(5) to compel the production of evidence as part of an informal inquiry for purposes including, but not being limited to, obtaining documents relating to claims, determining whether a formal inquiry is warranted, and obtaining victim notification information.
- ~~c~~b) If, after completion of the informal inquiry, the Director finds that there appears to be no reasonable possibility that the claim is credible, the Director shall recommend to the Commission that the claim be summarily dismissed. A written report will be prepared documenting this finding and will be presented to the Commission for its review.
- ~~d~~e) The Commission shall vote to accept or reject the Director's recommendation by majority vote of the voting members present. At least 4 members must vote to accept the recommendation for the claim to be dismissed.
- ~~e~~d) If the Commission accepts the Director's recommendation, the convicted person, and the person filing the Claim Form if other than the convicted person, shall be notified in writing that the claim has been summarily dismissed and the reasons for the dismissal.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.370 Summary Referral (Repealed)

- a) ~~If the Director's informal inquiry under Section 3500.360 demonstrates that the claim satisfies each of the four conditions listed in this subsection (a), and the~~

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~~other available evidence demonstrates that the claim of torture is credible and the case merits judicial review, the Director may recommend that the Commission forego a formal inquiry, as defined in Section 3500.375, and instead refer the case directly to the Chief Judge of the Circuit Court of Cook County for appropriate relief:~~

- ~~1) The person has consistently claimed to have been tortured;~~
 - ~~2) The claim is strikingly similar to other claims of torture contained in the Reports of the Chicago Police Department's Office of Professional Standards, and the Report of the Special State's Attorney, regarding their investigations of Jon Burge and police officers under his command;~~
 - ~~3) The officers accused are identified in other cases alleging torture; and~~
 - ~~4) The claim of torture is consistent with the Office of Professional Standards' findings of systematic and methodical torture at Area 2 under Jon Burge.~~
- ~~b) The Director's recommendation shall be presented to the Commission in a written report documenting the finding and the reasons for the finding.~~
 - ~~c) The Commission shall vote to accept or reject the Director's recommendation by majority vote of the voting members present.~~
 - ~~d) If the Commission accepts the Director's recommendation, the convicted person, and the individual filing the Claim Form if other than the convicted person, shall be notified in writing by the Director that the claim has been referred to the Chief Judge of the Circuit Court of Cook County for appropriate relief.~~
 - ~~e) Nothing in this Section shall be construed to preclude the Commission from exercising any of the powers listed in Section 3500.375(a) in making the determination to summarily refer the claim.~~

(Source: Repealed at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.375 Formal Inquiry

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- a) If the ~~claim~~Claim is not summarily dismissed ~~or summarily referred, then~~ a formal inquiry will be initiated by the Director on behalf of the Commission. In conducting the formal inquiry, under the auspices of the Director. In conducting the formal inquiry, any measure provided~~contained~~ in the Code of Civil Procedure [735 ILCS 5] and the Code of Criminal Procedure of 1963 [725 ILCS 5] may be used ~~to obtain~~to obtain information necessary to the inquiry, including but not limited to:
- 1) Issuing and serving *subpoenas* ~~(see 20 Ill. Adm. Code 2000. Appendices D and E)~~ or other process to compel the attendance of witnesses and the production of evidence;
 - 2) ~~Administering oaths~~Administering oaths;
 - 3) Issuing written interrogatories;
 - 4) Conducting oral depositions;
 - 5) Petitioning the *appropriate Circuit Court for enforcement of process or for other relief*, such as contempt; [775 ILCS 40/40(d)]
 - 6) Conducting physical and/or psychological examinations of the convicted person to ascertain evidence of torture;
 - 7) Hiring experts or other specialists as needed to assist the Commission in the inquiry; and
 - 8) Conducting on-site visits to detention centers or other locations where torture is alleged to have taken place.
- b) *All State discovery and disclosure statutes in effect at the time of the formal inquiry shall be enforceable as if the convicted person were currently being tried for the charge for which the convicted person is claiming torture.* [775 ILCS 40/40(f)]
- c) *In conducting the formal inquiries, priority will be given to those cases in which the convicted person is currently incarcerated solely for the crime to which the convicted person claims torture by Jon Burge or officers under his command, or both.* [775 ILCS 40/35(2)]

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- d) *All records of the Commission are confidential until the proceedings before the Commission are concluded and a final decision has been made by the Commission. [775 ILCS 40/45(e)]*
- e) ~~Any person who is a witness appearing voluntarily or pursuant to subpoena, shall be advised of the right against self incrimination under the United States Constitution and the Constitution of the State of Illinois. However, the witness shall also be advised that the Commission may draw an adverse inference from the refusal of the witness to answer questions.~~
- e~~f~~) If a witness is represented by counsel, the witness is entitled to have counsel ~~may be present and to consult with counsel~~ at any interview or formal testimony. Counsel may provide information in writing or make requests of the Commission. Nevertheless, counsel has no right to examine witnesses or proceedings requiring the presence of the witness, but counsel shall not be permitted to participate as if a party to litigation in the proceedings in any way.
- f~~g~~) *If, at any point during an inquiry, the convicted person refuses to comply with requests of the Commission or is otherwise deemed uncooperative by the Commission, the Commission shall discontinue the inquiry. [775 ILCS 40/40(g)]* The Director may recommend that the inquiry be terminated. The Commission shall vote to accept or reject the Director's recommendation by majority vote of the voting members ~~appointed present~~. At least 4 votes are required to accept a recommendation to terminate a claim.
- g~~h~~) Whenever any person knowingly fails or refuses to comply with a subpoena served in accordance with this Section, the Commission will petition the appropriate Circuit Court for an order enforcing the subpoena.
- h) If a formal inquiry regarding a claim of torture is granted, the Director shall use all due diligence to notify the victim in the case and explain the formal inquiry process. The Commission shall give the victim notice that the victim has the right to present his or her views and concerns throughout the Commission's investigation. [775 ILCS 40/40(c)] A victim shall have the right to present his or her views and concerns in writing throughout the Commission's investigation. A victim shall also have the right to present oral comments during the Commission's public comment period, and will, at the discretion of the Chair, ordinarily be permitted to speak before other persons make public comments. At any meeting

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at which a claim is scheduled for decision by the Commission, a victim, if present, shall be permitted to present oral comments before the Commission decides the claim. The victim shall abide by the rules applicable to comments set forth in Section 3500.310(e).

- i) At the completion of the formal inquiry, the Director shall report the results and his or her recommendation to the full Commission. The written report will summarize all the relevant evidence, include the reasons for the recommendation, and present any other matters necessary for the Commission to make an informed decision regarding the claim. Following transmission of the Director's report and recommendation, the Commission may elect to receive additional evidence in the form of an evidentiary proceeding under Section 3500.380. In all other cases, the Commission shall vote to decide the disposition of the claim as set forth in Section 3500.385.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.380 Evidentiary Proceedings Before the Commission

- a) If the Commission elects to hold an evidentiary hearing, the following procedures will apply:
 - 1) At the hearing, all relevant evidence from the formal inquiry shall be presented to the full Commission in summary form as part of the Director's report and recommendation.
 - 2) The Director shall present the additional evidence the Commission has elected to consider, unless the Commission orders otherwise.
 - 3) All testimony taken shall be under oath or affirmation.
 - 4) The appearance of a witness necessary for the taking of evidence, including the convicted person, may be compelled by serving a subpoena upon that person in accordance with the procedures set forth in 20 Ill. Adm. Code 2000.40. The subpoena also may require the production at the hearing of documents or things.
 - 5) ~~No Commission employee shall testify at an evidentiary proceeding regarding the contents of any files, documents, reports, memoranda, or~~

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~~records of the Commission, or of the results of any investigation conducted by the Commission, except upon Order of the Commission. Such an Order will be issued only if the information to be elicited from the testimony is admissible and cannot be obtained through other means.~~

- b) Any person present for the purpose of the evidentiary proceeding will not be allowed to address the Commission except as part of the scheduled proceeding.
- c) Any hearing before the full Commission shall be conducted subject to this Part and the Open Meetings Act. All proceedings of the full Commission shall be recorded by audio and transcribed as part of the record. All Commission members' votes shall be recorded in the record.
- d) After reviewing all the relevant evidence from the formal inquiry, and the additional evidence taken during an evidentiary proceeding, if any, the Commission shall vote to decide the claim as set forth in Section 3500.385.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.385 Decisions

- a) *All 8 voting members of the Commission, including alternate members if necessary~~including alternate members if necessary~~, shall participate in that~~the~~ vote. [775 ILCS 40/45(c)]*
- b) *If at least 5 or more of the 8 voting members of the Commission conclude~~decide~~ by a preponderance of the evidence that there is sufficient evidence of torture to merit~~conclude that the claim is credible and merits~~ judicial review for appropriate relief, the case shall be referred to the Chief Judge of the Circuit Court of Cook County by filing with the Clerk of the Court the opinion of the Commission with supporting findings of fact as well as the administrative record in support of such opinion~~written decision of the Commission, accompanied by findings of fact and the record in support of the written decision~~. Any written dissents from the decision by a member of the Commission shall also be filed. A copy of these materials shall be served on the State's Attorney.*
 - 1) Given the statutory standard (Section 45(b) of the Act), the Commission may find that there is significant evidence of torture that is sufficient for it

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to conclude that a claim merits judicial review without the Commission also finding that it is more likely than not that any particular fact occurred.

- 2) The Commission may, but is not required to, find that it is more likely than not that one or more particular facts occurred. If it does so, it shall so state in its decision.
- c) *If fewer than 5 of the voting members decide by a preponderance of the evidence that there is sufficient evidence of torture to conclude that the claim is credible, the Commission shall determine that the claim of torture does not merit judicial review for appropriate relief. The Commission shall document that determination in a written decision, along with supporting findings of fact, and file those documents, ~~and~~ supporting materials, and the administrative record with the Court Clerk in the circuit of original jurisdiction, with a copy to the State's Attorney and the Chief Judge. [775 ILCS 40/45(c)] Any written dissents from the decision by a member of the Commission shall also be filed. ~~[775 ILCS 40/45(e)]~~*
- d) The Director shall use all due diligence to notify immediately~~The Director shall notify~~ both the convicted person and the victim~~the victim~~ in writing of the Commission's conclusion~~of the Commission's decision~~ regarding the claim, and furnish them with a copy of the written decision. [775 ILCS 40/45] This notice shall be given as promptly as reasonably practicable and, in the case of the conclusion of a formal inquiry, absent exceptional circumstances, shall be given no later than 10 business~~within 30~~ days after the written decision is issued by the Commission.
- e) The absence, incapacity or failure to appoint one or more of the voting members shall not prevent the Commission from rendering a decision if at least 5 voting members, including alternate members, of the Commission who are present decide that there is sufficient evidence of torture to merit judicial review pursuant to subsection (b), or if at least 4 voting members, including alternate members, who are present decide that there is not sufficient evidence to merit judicial review pursuant to subsection (c). If there are insufficient votes under both provisions to render a decision, the claim shall be tabled and brought before the Commission again at a subsequent meeting.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.386 Factors Considered in Decisions

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- a) The Commission will consider all relevant factors in making its decision. These factors may include:
- 1) Whether the person has consistently claimed to have been tortured;
 - 2) Whether the claim was first made shortly after the incident in question;
 - 3) Whether the claim is corroborated by medical evidence;
 - 4) Whether the claim is corroborated by observations made by others of the physical and emotional condition of the claimant shortly after the alleged torture;
 - 5) Whether the claim is strikingly similar to other claims of torture contained in the Reports of the Chicago Police Department's Office of Professional Standards, and the Report of the Special State's Attorney, regarding their investigations of Jon Burge and police officers under his command, and/or to evidence introduced at the criminal trial of Jon Burge;
 - 6) Whether the officers accused are identified in other cases alleging torture;
 - 7) Whether the claim of torture is consistent with the Office of Professional Standards' findings of systematic and methodical torture at Area 2 under Jon Burge;
 - 8) The length of time, if any, since the accused officer had served under Jon Burge;
 - 9) Whether the strength of the evidence against the claimant, in a particular case, could bear on a possible motive for having coerced a confession.
- b) None of the factors listed in subsection (a) are dispositive, and the Commission has the right to weigh these and other factors as it sees fit in any individual case.

(Source: Added at 38 Ill. Reg. 18988, effective September 19, 2014)

Section 3500.390 Notification of Crime Victim

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- a) If a formal inquiry is initiated, the Commission, through its Director, shall use all due diligence to give written notification to the victim in the case, explaining the inquiry process and notifying the victim of the right to present the victim's views and concerns throughout the inquiry.~~*If a formal inquiry is initiated, the Director shall use all due diligence to give written notification to the victim in the case, explaining the inquiry process and notifying the victim of the right to present to the Director in writing the victim's views and concerns throughout the inquiry.*~~ [775 ILCS 40/40(c)]
- b) *The Director shall use all due diligence to notify the victim in writing at least 30 days ~~before~~~~before~~ any proceedings of the full Commission held in regard to the case involving the victim. The victim shall also be notified that the victim is permitted to attend proceedings of the full Commission otherwise closed to the public, subject to any limitations imposed by the Act and subject to Section 2(c)(14) of the Open Meetings Act. If the victim plans to attend proceedings otherwise closed to the public, the victim ~~must~~~~must~~ notify the Director in writing at least 10 days in advance of the proceedings of his or her intent to attend.* [775 ILCS 40/45(b)]
- c) Notwithstanding the requirements of subsection (b~~d~~), *the Commission may close any portion of the proceedings to the victim, if the victim is to testify and the Commission determines that the victim's testimony would be materially affected if the victim hears other testimony at the proceeding.* [775 ILCS 40/45(b)]

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)

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- 1) Heading of the Part: Policy, Hearings and Forms
- 2) Code Citation: 20 Ill. Adm. Code 2000
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2000.10	Amendment
2000.20	Amendment
2000.40	Amendment
2000.60	Amendment
2000.Appendix C	Amendment
2000.Appendix D	Repealed
2000.Appendix E	Repealed
2000.Appendix F	Repealed
- 4) Statutory Authority: Implementing the Illinois Torture Inquiry and Relief Act [775 ILCS 40/1]
- 5) Effective Date of Rule: September 19, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these rulemakings contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal published in the *Illinois Register*: April 25, 2014; 38 Ill. Reg. 8840.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The most significant changes include the restoration of the Waiver form (Appendix C), the Claim form (Appendix B), and the Application for Appointed Counsel form and the Order for Appointed Counsel Form (Appendix G). Appendices B and G were removed from this version due to their restoration. The forms were restored to better illustrate the Commission's functions and procedures. Appendix C was additionally amended to more closely track statutory language. Certain passages were amended to more closely track statutory language and to clarify definitions.

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- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement letter was issued by JCAR in respect to this rulemaking; technical changes made by JCAR as indicated in its Second Notice Changes sheet have been made.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking better aligns certain provisions with the enabling statute; conforms the formal procedures – which were written before the Commission started its work – to the Commission's practices, based on its experience; clarifies potential uncertainties in the Commission's approach to its cases; and streamlines procedural and practice issues going forward.
- 16) Information and questions regarding this adopted rule shall be directed to:

Illinois Torture Inquiry and Relief Commission
Attention: Rob Olmstead
100 W. Randolph St., Ste. 10-300
Chicago IL 60601

312/814-1094
fax: 312/814-5333

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

TORTURE INQUIRY AND RELIEF COMMISSION

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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER VIII: TORTURE INQUIRY AND RELIEF COMMISSIONPART 2000
POLICY, HEARINGS AND FORMS

Section

2000.10	Definition of Terms
2000.20	Duties and Powers of Commission
2000.30	Nature of Investigations
2000.40	Subpoenas
2000.50	Relief
2000.60	Review of Decisions
2000.APPENDIX A	Employee Confidentiality Agreement
2000.APPENDIX B	Form to File Claim of Torture
2000.APPENDIX C	TIRC Waiver Form
2000.APPENDIX D	Subpoena and Certificate of Service (Repealed)
2000.APPENDIX E	Subpoena Duces Tecum and Certificate of Service (Repealed)
2000.APPENDIX F	Fee Schedule for Duplication and Certification of Records (Repealed)
2000.APPENDIX G	Application and Order for Appointed Counsel Based Upon Indigency

AUTHORITY: Implementing and authorized by the Illinois Torture Inquiry and Relief Commission Act [775 ILCS 40].

SOURCE: Adopted at 35 Ill. Reg. 15142, effective August 25, 2011; amended at 38 Ill. Reg. 19007, effective September 19, 2014.

Section 2000.10 Definition of Terms

"Act" means the Illinois Torture Inquiry and Relief Commission Act [775 ILCS 40].

"Alternate member" means an individual appointed by the Governor to serve in the stead of a Commission member who cannot participate in a Commission vote due to scheduling conflicts, conflict of interest, disability or other disqualifications (see 2 Ill. Adm. 3500.10(c)).

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"Chair" means the chair of the Commission, who is the retired judge appointed to the Commission by the Governor.

"Claim of torture" means a claim on behalf of a living person convicted of a felony in Illinois asserting that the person was tortured into confessing to the crime for which the person was convicted, the tortured confession was used to obtain the conviction, and for which there is some credible evidence related to the allegations of torture committed by Commander Jon Burge or any officer under the supervision of Jon Burge. [775 ILCS 40/5(1)]

"Commission" or "TIRC" means the Illinois Torture Inquiry and Relief Commission. [775 ILCS 40/5(2)]

"Convicted person" means the person asserting a claim of torture under the Act. [775 ILCS 40/5(3)]

"Director" means the Director of the Commission, who is an attorney licensed to practice in Illinois. The Director assists the Commission in developing rules and standards for cases accepted for review, coordinating investigation of cases accepted for review, maintaining records for all case investigation, preparing reports outlining Commission investigations and recommendations to the trial court, and applying for and accepting on behalf of the Commission any funds that may become available from government grants, private gifts, donations, or bequests from any source. [775 ILCS 40/30]

"Related to allegations of torture committed by Commander Jon Burge or any officer under the supervision of Jon Burge" means that the claim or allegations involved are similar to allegations of torture discussed in:

the November 2, 1990 Office of Professional Standards report on allegations against Burge;

the July 19, 2006 Cook County Special Prosecutor's Report; and/or

testimony in the 2010 federal criminal trial of Jon Burge; and

that the allegations involve:

Commander Burge himself;

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one or more officers who were, at the time of the interrogation (or other incident) in question, under the supervision of Burge; and/or

one or more officers who had previously been under the supervision of Burge.

"Tortured Confession" includes any incriminating statement, vocalization or gesture alleged by police or prosecutors to have been made by a convicted person that the convicted person alleges were a result of (or, if the convicted person denies making the statements, occurred shortly after) interrogation that the convicted person claims included torture. (See 775 ILCS 40/5(1).)

"Torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for the purpose of obtaining from that person a confession to a crime. (See 775 ILCS 40/5(1).)

"Victim" means the victim of the crime of which the person claiming torture has been convicted, including, if that person is deceased, the next of kin of that person, which shall be the parent, spouse, child, or sibling of the deceased. [775 ILCS 40/5(5)]

(Source: Amended at 38 Ill. Reg. 19007, effective September 19, 2014)

Section 2000.20 Duties and Powers of Commission

- a) The Commission is an independent commission created by statute to implement an extraordinary procedure to investigate and determine factual claims related to certain allegations of torture.
- b) The Commission has the duty and power to:
 - 1) *Establish the criteria and screening process to be used to determine which cases shall be accepted for review;*
 - 2) *Conduct inquiries into claims of torture, ~~as that term is defined in Section 2000.10(d);~~*
 - 3) *Coordinate the investigation of cases accepted for review;*

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- 4) *Maintain records for all case investigations;*
 - 5) *Prepare written reports outlining Commission investigations and recommendations to the trial court at the completion of each inquiry; ~~and~~*
 - 6) *Apply for and accept any funds that may become available for the Commission's work from government grants, private gifts, donations or bequests from any source- [775 ILCS 40/35]; and*
 - 7) Create, amend and utilize such forms, discovery demands, and subpoenas as may be necessary to perform its duties and exercise its powers.
- c) In exercising its powers with respect to investigating claims, the Commission acts through its Director, subject to the general supervision of the Chair and, as appropriate, the Commission as a whole.

(Source: Amended at 38 Ill. Reg. 19007, effective September 19, 2014)

Section 2000.40 Subpoenas

- a) A subpoena ~~in the form specified in Appendix D~~ may be issued to compel the attendance of witnesses. The subpoena shall bear the current address and phone number of the Commission, a citation to the statutory section authorizing the Commission to issue subpoenas, a unique TIRC subpoena number, the TIRC case number to which the subpoena relates, the address to which the witness is to report, the time at which the witness is to report and the signature of the Director or his or her designee.
- b) A subpoena duces tecum, ~~in the form specified in Appendix E~~, may be issued to compel the production of records, correspondence or other documents. The subpoena shall bear the current address and phone number of the Commission, a citation to the statutory section authorizing the Commission to issue subpoenas, a unique TIRC subpoena number, the TIRC case number to which the subpoena relates, a description of the records sought, the date by which the records are to be returned and the signature of the Director or his or her designee.

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- c) Witness and mileage fees shall be the same as are paid witnesses in the Circuit Courts of the State of Illinois, as set forth in Section 4.3 of the Circuit Courts Act [705 ILCS 35/4.3].
- d) Service on the subpoenaed person shall be by personal service, certified mail or facsimile, or by leaving a copy at the principal office or place of business of a subpoenaed corporation or partnership. A subpoena shall be served reasonably in advance of its return date.

(Source: Amended at 38 Ill. Reg. 19007, effective September 19, 2014)

Section 2000.60 Review of Decisions

- a) *The decisions of the Commission are final and are subject to review as final decisions under the Administrative Review Law [735 ILCS 5/Art. III] pursuant to which the decision may be overturned only if the court finds that it is against the manifest weight of the evidence. [775 ILCS 40/55(a)]*
- b) To facilitate judicial review by the Court, the Director shall file an administrative record. The administrative record filed with the Court shall consist of:
 - 1) A decision stating the Commission's findings;
 - 2) Any transcripts, statements, testimony or other evidentiary material presented to all of the Commissioners when the Commissioners reviewed the case;
 - 3) A copy of an audio recording of the Commission's deliberations about the case. If, through a malfunctioning recording device or other mistake, a recording is not available, the Director shall substitute the portion of the minutes of the meeting or meetings describing the Commission's discussion and votes about the case.

(Source: Amended at 38 Ill. Reg. 19007, effective September 19, 2014)

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Section 2000.APPENDIX C TIRC Waiver Form**TIRC WAIVER FORM**

I, _____, was born on _____. I have not consumed any drugs or alcohol in the last 24 hours, other than prescription medication consisting of _____, and I am not under the influence of drugs or alcohol at the present time. I am otherwise of sound mind and body.

I have filed, or caused to be filed on my behalf a Claim of Torture with the Illinois Torture Inquiry and Relief Commission (TIRC). I am represented by counsel, _____, who is present or has stated in writing (attached to this Waiver) that she/he cannot be present. I have discussed this Waiver thoroughly with my counsel, and I am satisfied with the advice I have received. If my counsel is not present, I am comfortable proceeding in counsel's absence.

It is my understanding that the TIRC, by statute, cannot investigate my Claim if I refuse to sign this Waiver, and that is the reason I am voluntarily signing it. No promises or threats have been made to induce me to sign the Waiver, other than the fact that the TIRC will agree to investigate my Claim, in accordance with its rules and procedures. No promises have been made to me by anyone as to what the outcome of that investigation will be.

It is also my understanding that, by signing this Waiver, I am giving up my procedural safeguards and privileges, including, but not limited to, giving up my right not to incriminate myself under the United States Constitution and the Constitution of the State of Illinois, pertaining only to the offense of conviction regarding which I am claiming torture. Anything I say pertaining to that offense that might incriminate me can and will be used against me in the investigation and/or a court of law. This waiver does not apply to matters unrelated to my claim of torture.

Finally, it is my understanding that I must continue to cooperate with the TIRC throughout the investigation into my claim of torture and that, if I refuse to cooperate at any time, the TIRC may terminate the investigation. I also realize that the TIRC has no power to award any money to me for any reason.

By signing this Waiver, I acknowledge that I have read this Waiver and discussed the terms of it with my counsel, and that is my free and voluntary decision to sign it. A copy of this signed Waiver will be provided to me.

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Claimant

Date

Witness

Date

(Source: Amended at 38 Ill. Reg. 19007, effective September 19, 2014)

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Section 2000.APPENDIX D Subpoena and Certificate of Service (Repealed)



~~ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION~~

~~160 North LaSalle Street, Room N506~~

~~Chicago, Illinois 60601~~

~~312/814-4608~~

SUBPOENA

To:

Subpoena No.: 20__00_____

Case No.: _____

~~WE COMMAND YOU, pursuant to the Illinois Torture Inquiry and Relief Commission Act, to appear at the Office of the Commission, 160 N. LaSalle Street, Room N506, Chicago IL 60601 on _____, 2011, at the hour of _____ a.m. / p.m.~~

~~Personal appearance in answer to this subpoena is required. Failure to respond may result in punishment as required by law.~~

~~By Order of the Illinois Torture Inquiry and Relief Commission~~

Director

At Chicago, Illinois this ____ day of _____, 20__

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~~ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION
CERTIFICATE OF SERVICE~~

I, _____, hereby certify that, on the ____ day of _____, 2011, I served the attached subpoena on _____, the person named or the agency identified, by furnishing that person the subpoena at _____ (address).

The subpoena was served by _____ (Indicate personal service, certified mail or facsimile.)

Signature

Date

Notary Public

(Source: Repealed at 38 Ill. Reg. 19007, effective September 19, 2014)

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Section 2000.APPENDIX E Subpoena Duces Tecum and Certificate of Service (Repealed)



~~ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION~~

~~160 North LaSalle Street, Room N506~~

~~Chicago, Illinois 60601~~

~~312/814-4608~~

SUBPOENA DUCES TECUM

To:

Subpoena No.: 20__ 00 _____

Case No.: _____

~~WE COMMAND YOU, pursuant to the Illinois Torture Inquiry and Relief Commission Act, to provide the Commission Office, 160 N. LaSalle Street, Room N506, Chicago IL 60601 on or before (two weeks after signature date) with all the following books, records, electronic data and papers that are in your possession, custody or control:~~

~~Personal appearance in answer to this subpoena is not required. Information may be submitted by mail to the Commission Office at the above address. Failure to respond may result in punishment as provided by law.~~

~~By Order of the Illinois Torture Inquiry and Relief Commission~~

Director

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Dated at Chicago, Illinois this _____ day of _____, 20__

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~~ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION
CERTIFICATE OF SERVICE~~

I, _____, hereby certify that, on the ____ day of _____, 20__, I served the attached subpoena duces tecum on _____, the person named or the agency identified, by furnishing that person the subpoena duces tecum at _____

(address).

The

subpoena duces tecum was served by _____ (Indicate personal service, certified mail or facsimile.)

Signature

Date

Notary Public

(Source: Repealed at 38 Ill. Reg. 19007, effective September 19, 2014)

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**Section 2000.APPENDIX F Fee Schedule for Duplication and Certification of Records
(Repealed)**

<u>TYPE OF DUPLICATION</u>	<u>FEE (per copy)</u>
Paper copy from original, up to and including 50 copies of black and white, letter or legal sized copies	No Charge
Paper copy from original, in excess of 50 copies of black and white, letter or legal sized copies	\$.15/page
Paper copy from microfilm original	\$.15/page
Microfilm diazo from original	\$.50/diazo
VHS video copy of tape	Actual cost of the reproduction
Audio tape copy of tape	Actual cost of the reproduction
CD-ROM disk	Actual cost of the reproduction
Photograph from negative	Actual cost of the reproduction
Blueprints/oversized prints	Actual cost of the reproduction
Paper copies in color or in a size other than letter or legal	Actual cost of the reproduction
<u>CERTIFICATION FEE</u>	<u>\$1.00/record</u>

~~NOTE: Expense for delivery other than by First Class U.S. Mail must be borne by requester.~~

(Source: Repealed at 38 Ill. Reg. 19007, effective September 19, 2014)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of September 2, 2014 through September 8, 2014. The rulemakings are scheduled for review at the Committee's October 14, 2014 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>
10/19/14	<u>Department of Natural Resources</u> , Allocation of Water From Lake Michigan (17 Ill. Adm. Code 3730)	3/7/14 38 Ill. Reg. 5754	10/14/14
10/22/14	<u>Department of Public Health</u> , Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)	6/6/14 38 Ill. Reg. 11666	10/14/14
10/22/14	<u>Department of Public Health</u> , The Illinois Food, Drug and Cosmetic Act (77 Ill. Adm. Code 720)	5/23/14 38 Ill. Reg. 10815	10/14/14
10/22/14	<u>Department of Public Health</u> , Food Service Sanitation Code (77 Ill. Adm. Code 750)	5/23/14 38 Ill. Reg. 10822	10/14/14
10/22/14	<u>Department of Public Health</u> , Grade A Pasteurized Milk and Milk Products (77 Ill. Adm. Code 775)	5/23/14 38 Ill. Reg. 10853	10/14/14
10/22/14	<u>Department of Public Health</u> , Tanning Facilities Code (77 Ill. Adm. Code 795)	5/23/14 38 Ill. Reg. 10869	10/14/14

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

10/22/14	<u>Department of Public Health, Plumbing</u> Contractor Registration Code (77 Ill. Adm. Code 894)	4/25/14	10/14/14
		38 Ill. Reg. 8772	

PROCLAMATIONS

2014-357

National WWII Merrill's Marauder Day

WHEREAS, in 1943, almost 3,000 men from the jungles of Panama and Trinidad, Guadalcanal, New Guinea, New Georgia, and the United States answered President Franklin D. Roosevelt's call for a secret "dangerous and hazardous" mission, not knowing where they were going or what they would be doing; and,

WHEREAS, this unnamed provisional unit of U.S. Army volunteers, expected to have more than 85 percent casualties, landed October 31, 1943, in Bombay, India, and was officially designated January 1, 1944, as the 5307th Composite Unit Provisional, code-named "Galahad" and later nicknamed Merrill's Marauders by the press after their commander, Gen. Frank D. Merrill. They were the first American ground troops to fight the Japanese in Asia, and,

WHEREAS, with only what they could carry on their backs or pack on mules, Merrill's Marauders walked farther, almost 1,000 miles, than any other WW II fighting force, trudging behind enemy lines up the foothills of the Himalayas and into the jungles of northern Burma to capture the only all-weather airstrip on May 17, 1944, at Myitkyina, crushing Japan's control of the sky and enabling the Allies to begin flying supplies into Burma so the Ledo and Burma roads could be connected and a crucial pathway opened up into China; and,

WHEREAS, it has been 70 years since the short-lived Merrill's Marauder unit of the mostly overlooked China-Burma-India Theater of Operations was disbanded on August 10, 1944, after defeating the Japanese 18th Imperial Division, which vastly outnumbered them, in five major battles and 30 minor engagements. Jungle diseases ravaged their numbers so only about 300 of the approximate 1,300 remaining Merrill's Marauders were still fit for combat when they reached their objective, and later went on to join replacements who continued to fight in Burma as the 475th Infantry, which became part of the Mars Task Force; and,

WHEREAS, for their accomplishments in the China-Burma-India Theater of Operations, Merrill's Marauders were awarded the Presidential Unit Citation, and have the extremely rare distinction of every member of the unit receiving the Bronze Star Medal. There were six Distinguished Service Crosses, four Legions of Merit and 44 Silver Star Medals awarded. Twenty-five Merrill's Marauders have been inducted into the Army Ranger Hall of Fame. The Merrill's Marauder legacy continues to be honored today by members of the 75th Ranger Regiment who wear the Marauder patch as their crest; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August, 10, 2014, as **NATIONAL WW II MERRILL'S MARAUDER DAY** in Illinois, in order to honor and thank these aging WW II China-Burma-India veterans, who now number around 50, for their successes 70 years ago in the jungles of Burma and their contributions to our nation.

PROCLAMATIONS

Issued by the Governor August 10, 2014

Filed by the Secretary of State September 5, 2014

2014-358**Community Tolerance Day**

WHEREAS, Chabad's Community Center has been operating in Rockford since 2010 and provides a wide array of educational, humanitarian and social services; and,

WHEREAS, Chabad of Rockford believes in the importance of the individual and the significance of every good deed; and,

WHEREAS, Chabad of Rockford will be sponsoring a presentation by Mrs. Eva Schloss, the stepsister of Anne Frank, on Sunday evening, August 31, 2014; and,

WHEREAS, Mrs. Schloss, a holocaust survivor, has made it her life's mission to educate others around the world about the importance of tolerance, and to end the violence that exists today; and,

WHEREAS, Mrs. Schloss's message reminds us that life is precious and valuable, and that we must strive to be good towards others; and,

WHEREAS, Chabad of Rockford encourages communities to come together in remembrance of past struggles and the pursuit of a better future; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31, 2014, as **COMMUNITY TOLERANCE DAY** in Illinois, in recognition of today's presentation, and in support of promoting tolerance across the Land of Lincoln.

Issued by the Governor August 11, 2014

Filed by the Secretary of State September 5, 2014

2014-359**Chicago Journalists Association Day**

WHEREAS, the Chicago Journalists Association will celebrate its seventy-fifth anniversary on October 17, 2014, during a dinner at the Holiday Inn Chicago Mart Plaza; and,

WHEREAS, the spirit of the Chicago Journalists Association is rooted in the 1893 World's Columbia Exposition, when many young reporters converged to cover the event; and,

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WHEREAS, forty years later, those same reporters held a reunion in conjunction with the Chicago World's Fair; and,

WHEREAS, in 1939, Joseph C. Davis, a prominent sports writer of the era, recommended formally establishing the Chicago Press Veterans Association with a wider base of membership; and,

WHEREAS, the association's first dinner was held that same year with the help of co-founders William McKay, Warren Brown, and John Brady; and,

WHEREAS, at the turn of the century, the organization was renamed the Chicago Journalists Association in the spirit of including current and veteran reporters who seek to achieve and recognize high standards of professional achievement; and,

WHEREAS, the Chicago Journalists Association has striven to inspire its members to compose continually inspired works of journalism, just as it has encouraged talented young Chicagoans to pursue careers in journalism and communications through its scholarship program; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Friday, October 17, 2014, as **CHICAGO JOURNALISTS ASSOCIATION DAY**, in recognition of seventy-five years of dedicated journalistic excellence.

Issued by the Governor August 12, 2014

Filed by the Secretary of State September 5, 2014

2014-360
Constitution Week

WHEREAS, September 17, 2014, marks the 227th anniversary of the signing of the Constitution of the United States of America at the Constitutional Convention, providing a historic opportunity for all Americans to remember the achievements of our Founding Fathers and to reflect on the actions of Americans who for the past 227 years have defined the words of the Constitution by exercising their rights and responsibilities as citizens; and,

WHEREAS, the Constitution is fundamentally predicated on governance by "We the People," making citizens' understanding of the Constitution and its framework an essential element of the future of our country and the civic health of its populace; and,

WHEREAS, it is fitting and proper to officially recognize this remarkable document and the milestone anniversary of its creation, and the additions to it in the form of 27 amendments; and,

PROCLAMATIONS

WHEREAS, the National Constitution Center, America's first and only nonpartisan, nonprofit institution, devoted to the Constitution, located in Philadelphia across from Independence Hall where the Constitution was drafted and signed, is the home of the 227th anniversary celebration of the Constitution; and,

WHEREAS, August 26, 1818 marks the anniversary of Illinois's statehood and ratification of the Constitution; and,

WHEREAS, in recognition of the signing of the Constitution and of Americans who strive to fulfill the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106 as amended), designated September 17 as Constitution Day and by joint resolution of August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week"; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17-23, 2014 as **CONSTITUTION WEEK** in Illinois and encourage all citizens to recognize and appreciate the importance of this enduring document to our nation and reaffirm our commitment to the rights and responsibilities of citizenship organizations that bring citizens together to celebrate and reflect upon the Constitution and conduct ceremonies and programs in honor of our founding document's 227th anniversary.

Issued by the Governor August 12, 2014

Filed by the Secretary of State September 5, 2014

2014-361**Representative Mike Smith Day**

WHEREAS, born on May 23, 1966, in Canton, Illinois, to parents Dale and Betty Bertetto Smith, Representative Mike Smith developed a passion for public service at a young age and graduated from Canton High School and earned a B.A. in Political Science from Bradley University in 1988; and,

WHEREAS, prior to being elected to the Illinois House of Representatives in 1995, Representative Mike Smith worked as a Legislative Assistant in the House and served as a Citizens Advocate with the Attorney General's Office in Peoria; and,

WHEREAS, Representative Mike Smith was an honorable legislator who served 8 terms representing the 91st District, which included parts of Fulton, Peoria, and Tazewell Counties in

PROCLAMATIONS

central Illinois. During his time in the legislature, he served on several committees and was appointed Chairman of the Elementary and Secondary Education Committee for 4 years; and,

WHEREAS, Representative Mike Smith served as Chairman and Vice Chairman of the Downstate Democratic Caucus and was the founder and Co-Chairman of the Illinois Legislative Fire Services Caucus; and,

WHEREAS, Representative Mike Smith was a decorated legislator who received the Glen Walters Memorial Award, the Associated Fire Fighters Legislator of the Year Award, the Illinois Association of Rural Electric Co-ops Representative of the Year Award, the Illinois Education Association Legislative Service Award, and many others; and,

WHEREAS, outside of his elected duties, Representative Mike Smith held leadership positions with many community organizations including Graham Hospital, the 336 Highway Coalition, the Canton Area Chamber of Commerce, the American Heart Association, the Fulton-Mason Crisis Service, and St. Mary's Catholic Church; and,

WHEREAS, after leaving the Illinois House of Representatives, Representative Mike Smith was appointed to the Illinois Educational Labor Relations Board; and,

WHEREAS, Representative Mike Smith was admired by his colleagues and constituents for being knowledgeable about government and passionate about education policy. Most importantly, though, he was a humble, kind-hearted man who positively impacted everyone who knew him; and,

WHEREAS, Representative Mike Smith understood that service to others is the rent we pay to live on God's earth; and,

WHEREAS, Representative Mike Smith tragically passed away on August 9, 2014, at the age of 48; and,

WHEREAS, a visitation will be held on Wednesday, August 13, at the Oaks-Hines Funeral Home in Canton, Illinois, along with a funeral on Thursday, August 14, at the funeral home for Representative Mike Smith, who is survived by many loving family members, friends, and constituents who are grateful for his service and the numerous ways he touched their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare August 14, 2014, as **REPRESENTATIVE MIKE SMITH DAY** in Illinois, in recognition of his commitment to public service and the vast contributions he made to the people of the Land of Lincoln.

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Issued by the Governor August 12, 2014
Filed by the Secretary of State September 5, 2014

2014-362
Atrial Fibrillation Awareness Month

WHEREAS, according to the Centers for Disease Control and Prevention, atrial fibrillation is the most common type of arrhythmia (an abnormal heart rhythm); and,

WHEREAS, atrial fibrillation and other arrhythmias occur when the electrical activity of the heart is disorganized, causing an irregular heartbeat that disrupts the flow of blood through the heart; and,

WHEREAS, according to the American Heart Association & American Stroke Association, atrial fibrillation is the most common type of irregular heartbeat and occurs in roughly 2.7 million people in U.S.; and,

WHEREAS, individuals with atrial fibrillation have five times greater risk of stroke, and approximately 15% of strokes are due to atrial fibrillation; and,

WHEREAS, stroke is the leading cause of serious long-term disability and the fourth leading cause of death in the United States, with one person in the U.S. dying from stroke every four minutes, killing roughly 130,000 people nationwide and 9,500 citizens of Illinois each year; and,

WHEREAS, stroke prevalence in the U.S. is projected to increase by 24.9 percent between 2010 and 2030, and the direct medical costs for treating stroke are expected to increase by 238 percent, from \$28.3 billion in 2010 to \$95.6 billion by 2030; and,

WHEREAS, stroke prevalence in Illinois in 2011 was roughly 3.1 percent in adults overall, and 4.8 percent in African Americans, with just over 35% of those who survived obtaining outpatient rehabilitation following their release from the hospital according to the Illinois Department of Public Health's 2013 publication on the Burden of Cardiovascular Disease in Illinois; and,

WHEREAS, atrial fibrillation is a serious health issue deserving attention from state health officials; an increase in community awareness of atrial fibrillation and its complications can improve the likelihood that people with atrial fibrillation will seek the treatment they need before suffering from devastating consequences; and,

WHEREAS, public awareness efforts are necessary to inform people of both the risks posed by atrial fibrillation, such as an increased risk of stroke, and the availability of treatment options; and,

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2014 as **ATRIAL FIBRILLATION AWARENESS MONTH** in Illinois, and urge all the citizens of our state to familiarize themselves with the risk factors associated with atrial fibrillation and its close medical connection to stroke, to recognize the warning signs and symptoms of stroke, and on first sign of a stroke to dial 9-1-1 immediately so that we might begin to reduce the devastating effects of atrial fibrillation and stroke on our population.

Issued by the Governor August 13, 2014

Filed by the Secretary of State September 5, 2014

2014-363**Food Pantry Awareness Day**

WHEREAS, over 48 million residents of the United States are considered food insecure, which means that they do not always have access to nutritious food; and,

WHEREAS, in the United States, more than one out of five children live in a household with food insecurity; and,

WHEREAS, according to the United States Department of Agriculture, almost 16 million children in the United States are afflicted with food insecurity; and,

WHEREAS, food insecurity is associated with a variety of negative health outcomes including lower scores on physical and mental health exams, cardiovascular risk factors, increased risk of developing diabetes, and other chronic diseases such as hypertension; and,

WHEREAS, food insecurity in adults has been demonstrated to cause mental health issues and human behavior problems; and,

WHEREAS, children growing up in food-insecure families are vulnerable to stunted development, poor health, behavioral issues, social difficulties, and low academic achievement; and,

WHEREAS, many of our neighbors have turned to food pantries in order to obtain the nutritious food that they need to keep themselves and their families healthy; and,

WHEREAS, the goal of Food Pantry Awareness Day is to promote awareness of hunger across Illinois and our nation as well as recognize the critical role of food pantries in distributing food to those who are in need; and,

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 30, 2014, as **FOOD PANTRY AWARENESS DAY** in Illinois, and urge all businesses and residents to support their local food pantries with donations.

Issued by the Governor August 14, 2014

Filed by the Secretary of State September 5, 2014

2014-364**Illinois Flag Display Act- Firefighter Nick Whitfield Jr.**

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, first responders 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 terrifying situations; and,

WHEREAS, on August 12, 2014, one of these brave souls, Firefighter Nick Whitfield, Jr. of the Normal Fire Department, was taken from us at the age of 48; and,

WHEREAS, Firefighter Nick Whitfield, Jr. graduated from Forman High School and studied Swine Confinement Management at John Woods Community College; and,

WHEREAS, we will always remember that throughout his 20 year career as a proud member of the Normal Fire Department, Firefighter Nick Whitfield, Jr. courageously volunteered to fight fires and help others. He served for several years at the Normal Headquarters Fire Station and most recently at Station #2 with Engine #10; and,

WHEREAS, Firefighter Nick Whitfield, Jr. was an active member of the Normal Fire Department Investigation Team; and,

WHEREAS, in addition to his dedication as a fire firefighter, Firefighter Nick Whitfield, Jr. was a patriotic American who served our nation in Operation Desert Storm and retired as a Technical Sergeant after 22 ½ years of service to his country; and,

WHEREAS, Firefighter Nick Whitfield, Jr. was not only a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

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WHEREAS, although Firefighter Nick Whitfield, Jr. is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, on Tuesday, August 19, 2014, a funeral will be held at Eastview Christian Church in Normal, Illinois, for Firefighter Nick Whitfield, Jr., who is survived by many loving family members and friends who are grateful for the numerous ways he touched their lives; and,

THEREFORE, I, Pat Quinn, 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 17, 2014 until sunset on August 19, 2014, in honor and remembrance of Firefighter Nick Whitfield Jr., whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 15, 2014

Filed by the Secretary of State September 5, 2014

2014-365**Infant Need Awareness Week**

WHEREAS, every parent wants their baby to remain happy and free of any kind of infection or ailment; and,

WHEREAS, adequate nutrition, up to date immunizations and proper hygiene during infancy is essential for lifelong health and well-being; and,

WHEREAS, immunizations, nutrition, and diaper hygiene are the most important ways a parent can protect their child against serious diseases; and,

WHEREAS, diaper hygiene plays a critical role in an infant's overall health; and,

WHEREAS, diapers are generally an eligibility requirement for infants and toddlers to participate in childcare programs and quality early education programs; and,

WHEREAS, the average infant or toddler requires an average of 50 diaper changes per week; and,

WHEREAS, diapers cannot be bought with food stamps or WIC vouchers; therefore, obtaining a sufficient supply of diapers can cause economic hardship to families; and,

WHEREAS, the people of Illinois recognize that addressing diaper need can lead to economic opportunity for the state's low-income families and can lead to improved health for families and their communities; and,

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WHEREAS, national surveys report that one in three mothers experience diaper need at some time while their children are less than three years of age, and forty-eight percent of families delay changing a diaper to extend their supply; and,

WHEREAS, Illinois is proud to be home to various community organizations that recognize the importance of infant care in helping provide economic stability for families through various channels; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8-14 2014, as **INFANT NEED AWARENESS WEEK** in Illinois and encourage Illinois citizens to donate generously to diaper banks, diaper drives, and organizations that distribute diapers and other infant necessities to families in need.

Issued by the Governor August 15, 2014

Filed by the Secretary of State September 5, 2014

2014-366
Ice Bucket Challenge Day

WHEREAS, Amyotrophic Lateral Sclerosis (ALS), often referred to as "Lou Gehrig's Disease," is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord; and,

WHEREAS, approximately 5,600 people in the United States are diagnosed with ALS each year, and it is estimated that as many as 30,000 Americans may have the disease at any given time; and,

WHEREAS, ALS occurs throughout the world with no racial, ethnic, or socioeconomic boundaries; and,

WHEREAS, many of those afflicted with ALS have become passionate advocates for funding research and finding a cure for this disease; and,

WHEREAS, one such individual is Pat Quinn, 31, a native of Yonkers, New York, and graduate of Iona Prep and Iona College, who was diagnosed with ALS on March 8, 2013; and,

WHEREAS, with the encouragement of his family and friends, Pat Quinn, a man of fortitude and immense determination, launched the Ice Bucket Challenge, in which people dump buckets of icy water on their heads, then challenge other friends to do the same within 24 hours or donate \$100 to an ALS Charity; and,

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WHEREAS, in a few short weeks, the Ice Bucket Challenge has taken the nation by storm and thousands of people have participated including athletes, celebrities, and politicians; and,

WHEREAS, the people of Illinois are committed to supporting ALS awareness, taking the Ice Bucket Challenge, and helping their neighbors who have this disease; and,

WHEREAS, finding the cause and a cure for ALS will prevent the disease from robbing hundreds of thousands of Americans of their dignity and lives, which is why it is so important that the residents of our state make donations for ALS research and support Pat Quinn's call to take the Ice Bucket Challenge; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 20, 2014, as **ICE BUCKET CHALLENGE DAY** in Illinois, in support of the people of Illinois taking the challenge and remaining committed to helping those with ALS and finding a cure for this disease that has impacted so many people here and across the nation.

Issued by the Governor August 19, 2014

Filed by the Secretary of State September 5, 2014

2014-367**Illinois Council Against Handgun Violence Day**

WHEREAS, gun-related deaths nationally have been as high as three per hour; and gun violence is the number two killer of youth ages 1-19; and,

WHEREAS, the number of handguns trafficked from another state into the State of Illinois far outweighs the number of handguns trafficked from Illinois to another state; and,

WHEREAS, in 2012, more guns per capita were confiscated in Chicago, the nation's 3rd largest city, than combined confiscations in New York City and Los Angeles, the nation's 1st and 2nd largest cities; and Illinois ranks higher than New York and California in gun deaths per 100,000 people; and,

WHEREAS, the Vietnam War killed over 58,000 American soldiers through 1975 - the first year of operation for the Illinois Council Against Handgun Violence- which is less than the number of civilians killed with guns in the U.S. in an average two-year period; and,

WHEREAS, the Illinois Council Against Handgun Violence, started by four concerned mothers, has fought tirelessly for the safety and security of every Illinois resident from handgun violence

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through public education and awareness programs, legislative advocacy, and media outreach; and,

WHEREAS, the Illinois Council Against Handgun Violence will celebrate its 39th year of operations; and,

WHEREAS, Illinois owes a debt of gratitude to the Illinois Council Against Handgun Violence for its unceasing work as the oldest and largest statewide organization in the U.S. working to prevent the devastation caused by firearms; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 21, 2014, as **ILLINOIS COUNCIL AGAINST HANDGUN VIOLENCE DAY** in Illinois, in recognition of this organization's 39th anniversary and commitment to the people of Illinois.

Issued by the Governor August 20, 2014

Filed by the Secretary of State September 5, 2014

2014-368**International Central Service Week**

WHEREAS, Central Service Technicians are responsible for processing surgical instruments, supplies and equipment; and,

WHEREAS, serving in settings ranging from hospitals to ambulatory surgical centers, Central Service Technicians provide support to patient care services; and,

WHEREAS, Central Service Department tasks include decontaminating, cleaning, processing, assembling, sterilizing, storing, and distributing the medical devices and supplies needed for patient care; and,

WHEREAS, the Central Service Department of a healthcare facility is the heart of all activity surrounding instruments, supplies and equipment required for operating rooms, Endoscopy suites, ICU, birth centers and other patient care areas; and,

WHEREAS, Central Service Technicians play a most important role in patient care arenas, and are responsible for first-line processes to prevent patient infections; and,

WHEREAS, International Central Service Week recognizes the contributions Central Service Technicians make to patient safety and the opportunities and challenges facing the profession; and,

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12-18, 2014 as **INTERNATIONAL CENTRAL SERVICE WEEK** in Illinois, in recognition of the contributions Central Service Technicians make in our state.

Issued by the Governor August 20, 2014

Filed by the Secretary of State September 5, 2014

2014-369
Job Corps Week

WHEREAS, over the course of 50 years, millions of at risk youth have been forever changed by Job Corps' comprehensive residential, academic and career preparation program; and,

WHEREAS, The Paul Simon Chicago Job Corps Center in Chicago, Illinois provides a vital service to our community by serving hundreds of disadvantaged youth between 16 and 24 years of age with high school diploma and career technical education programming; and,

WHEREAS, in addition to academic and employment training, Job Corps Centers provide social skills training and other services to empower young men and women to obtain and hold a job, enroll in advanced training, attend college, or enter the Armed Forces to defend the interests of the United States around the world; and,

WHEREAS, over 90% of dropouts have received a fully accredited public high school credential. 76% of students earn an industry-recognized vocational credential and 80% of enrollees enter employment; and,

WHEREAS, recent studies demonstrate significant economic gain from funds invested in dropout recovery by increasing employment and raising individual earning and tax revenues while simultaneously reducing public expenditures associated with health care, crime, other social services; and,

WHEREAS, it is timely and appropriate that Illinois celebrates Job Corps and its accomplishment in reducing the cycle of poverty, strengthening our local communities, and improving the quality of life for thousands of people; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim, August 18-22, 2014, as **JOB CORPS WEEK**, and recognize the Paul Simon Chicago Job Corps Center and the national Job Corps program for 50 years of success and many more to come.

Issued by the Governor August 20, 2014

Filed by the Secretary of State September 5, 2014

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2014-370
Careers in Energy Week

WHEREAS, safe, reliable and affordable energy is essential to our families, communities and businesses; and,

WHEREAS, energy supplies the simple things in life – heating, cooling, cooking, and lighting; and,

WHEREAS, energy supports modern society's complex systems – providing health care, air traffic control, and running a manufacturing plant. Energy also makes possible the fun things in life – lights at a baseball field, air conditioning at the theater, and rides at the state fair; and,

WHEREAS, the large demand from the industrial sector makes Illinois among the nation's leading consumers of energy. The state's ability to maintain and expand these systems depends on the availability of a highly skilled, educated workforce; and,

WHEREAS, to promote workforce continuity and meet the challenges of our ever-changing economy, new workers are needed; and,

WHEREAS, women and minorities should be encouraged to pursue careers in energy. According to the Bureau of Labor Statistics, women and minorities are significantly underrepresented in the engineering workforce; and,

WHEREAS, through strategic partnerships, members of the Illinois Energy Workforce Consortium (IDES, Illinois Energy Association, Illinois State University, ComEd, S&C Electric Company, NPL, Office of the Governor, State of Illinois, Exelon, Generation Prairie State Energy Center, Mt. Carmel Public Utility Company, Nicor Gas, Association of Illinois Electric Cooperatives, AGL Resources, Prairie State Energy Center, Office of the Governor, Ameren Illinois, and the Chamber of Commerce) strive to promote a unified and results-oriented strategy to ensure Illinoisans find new and rewarding careers in energy so that Illinois can continue to grow and prosper; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-19, 2014, as **CAREERS IN ENERGY WEEK** in Illinois. The Illinois Energy Workforce Consortium and its partners will hold events throughout the state to highlight the need for a strong and growing energy workforce and encourage Illinoisans of all ages to consider a career in the energy industry.

PROCLAMATIONS

Issued by the Governor August 21, 2014
Filed by the Secretary of State September 5, 2014

2014-371
Kenny Rogers Day

WHEREAS, Illinois has a rich musical history, and it is important that we recognize the contributions of talented musicians who perform in our state; and,

WHEREAS, born in Texas, Kenny Rogers was the first person in his family to graduate from high school. He became passionate about music at a young age and as a teenager joined a recording group called The Scholars; and,

WHEREAS, at the age of 19, Kenny Rogers recorded "That Crazy Feeling" for a Houston label, the first of many more successful tunes; and,

WHEREAS, some of Kenny Rogers' top hits include "The Gambler," "Lady," "Lucille," "Islands In The Stream," "We've Got Tonight," "Don't Fall in Love With a Dreamer," and "Through the Years,"; and,

WHEREAS, Kenny Rogers produced the 1999 album *She Rides Wild Horses*, which peaked at # 6 on the country charts, and included the # 1 single, "Buy Me a Rose"; and,

WHEREAS, as a result of his musical contributions, Kenny Rogers has received several accolades including being awarded the Recording Industry Association of America's prestigious Diamond Award, celebrating sales of more than 10 million "Greatest Hits" albums; and,

WHEREAS, Kenny Rogers was inducted into the Country Music Hall of Fame on October 27, 2013; and,

WHEREAS, outside of his musical pursuits, Kenny Rogers has published several books on photography and opened a rotisserie-chicken fast-food restaurant; and,

WHEREAS, despite his numerous accomplishments and accolades, Kenny Rogers has demonstrated a strong commitment to helping others. He established the Kenny Rogers Children's Center in 1973, which has provided a wide array of occupational, physical, and speech therapy services to children; and,

WHEREAS, on August 24, 2014, Kenny Rogers will be performing at the Du Quoin State Fair; and,

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 24, 2014, as **KENNY ROGERS DAY** in Illinois, in recognition of today's performance, and in admiration of his legendary career.

Issued by the Governor August 21, 2014

Filed by the Secretary of State September 5, 2014

2014-372**Male Breast Cancer Awareness Week**

WHEREAS, an estimated 2,000 men in the United States are diagnosed with breast cancer each year and an estimated 450 men each year will die from the disease; and,

WHEREAS, the public commonly thinks of breast cancer as a disease affecting only women, a misconception that can delay diagnosis and treatment in men, often leading to death; and,

WHEREAS, early detection of male breast cancer is critical, as men who are diagnosed when breast cancer is in its earliest stages have an increased chance of successful treatment and, ultimately, survival; and,

WHEREAS, due in part to a lack of awareness that men can develop the disease, men are generally diagnosed with breast cancer at a later stage than women, which affects prognosis and treatment; and,

WHEREAS, in order to facilitate early diagnosis and prompt treatment of male breast cancer, public education, awareness, and understanding of the disease is necessary; and,

WHEREAS, Illinois remembers the men who have lost their lives to breast cancer, and supports those who are currently fighting this often overlooked disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the October 19 - 25, 2014 as **MALE BREAST CANCER AWARENESS WEEK** in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor August 21, 2014

Filed by the Secretary of State September 5, 2014

2014-373**Mayor John Rednour Day at the Du Quoin State Fair**

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WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one such individual was Mayor John Rednour, who served as the Mayor of Du Quoin from 1989 until 2013; and,

WHEREAS, during his tenure in office, Mayor John Rednour had many successes including convincing Amtrak to set up a stop in Du Quoin and orchestrating the construction of a railroad overpass at the Du Quoin Industrial Park; and,

WHEREAS, in addition to his achievements in government, Mayor John Rednour was also a successful businessman who would go on to own his own businesses, including Rednour Steel in Cutler, CaterVend of Du Quoin, Air Illinois airlines, R & H Steel Erectors and ultimately the Du Quoin State Bank; and,

WHEREAS, throughout his time as a public servant, Mayor John Rednour positively impacted many people, enabling them to achieve their fullest potential; and,

WHEREAS, though Mayor John Rednour passed away in December of 2013, the powerful legacy that he left behind still resonates today; and,

WHEREAS, known for his kindness, loyalty, generosity, wonderful sense of humor, and commitment to his family, Mayor John Rednour represented the best traditions of southern Illinois and the Land of Lincoln; and,

WHEREAS, Mayor John Rednour's work ethic exemplified the dedication to service the people of the State of Illinois have come to expect and deserve; and,

WHEREAS, Mayor John Rednour loved the people of southern Illinois and the Du Quoin State Fair; and,

WHEREAS, August 23, 2014, the first full-day of the Du Quoin State Fair, provides an opportune time to honor Mayor John Rednour; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 23, 2014, as **MAYOR JOHN REDNOUR DAY AT THE DU QUOIN STATE FAIR** in Illinois, in recognition of his commitment to public service, the Du Quoin State Fair, and the people of the State of Illinois.

PROCLAMATIONS

Issued by the Governor August 21, 2014
Filed by the Secretary of State September 5, 2014

2014-374**Fetal Alcohol Spectrum Disorders Awareness Day**

WHEREAS, the term "fetal alcohol spectrum disorders" (FASDs) is an umbrella term that describes the range of effects that can occur in a baby whose mother drank alcohol during pregnancy; with fetal alcohol syndrome (FAS) being the most involved condition along the spectrum; and,

WHEREAS, prenatal alcohol exposure is the leading preventable cause of birth defects and intellectual and developmental disabilities; and,

WHEREAS, the exact number of people who have FASDs is unknown, but it is estimated that about 40,000 babies are born with effects of prenatal alcohol exposure annually; and,

WHEREAS, the lifetime cost for one individual with FAS is estimated to be \$2 million, with a combined cost to the United States for FAS alone over \$4 billion annually; and,

WHEREAS, 7.6% of pregnant women (or 1 in 13) and 51.5% of non-pregnant women (or 1 in 2) report drinking alcohol in the past 30 days; and,

WHEREAS, about half of all pregnancies are unplanned, contributing to late entry into prenatal care and presenting a barrier to optimal pregnancy management, particularly during the crucial early weeks of embryonic development; and,

WHEREAS, the good health and well-being of the people of Illinois are enhanced by the support of a national effort to educate about and prevent FASDs; and,

WHEREAS, the Illinois Affiliate of the National Organization on Fetal Alcohol Syndrome (NOFAS) and the State coordinator for FAS join with Trinity Services, Inc and advocacy organizations as well as many dedicated parents, caregivers, volunteers, health care professionals, educators, and parent groups by participating in this promotion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 9, 2014 as **FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY** in Illinois, to raise awareness about Fetal Alcohol Spectrum disorders.

Issued by the Governor August 22, 2014
Filed by the Secretary of State September 5, 2014

PROCLAMATIONS

2014-375**Filipino American History Month**

WHEREAS, the earliest documented Filipino presence in the continental United States was on October 18, 1587, when the Spanish galleon the Nuestra Señora de Buena Esperanza, under the command of Captain Pedro de Unamuno, dropped anchor in Morro Bay, California, and the landing party explored the coast; and,

WHEREAS, the first settlement of Filipinos, referred to as "Manilamen," was in 1765 in southeastern Louisiana at St. Malo south of Lake Borgne in St. Bernard Parish. The "Manilamen" became the start of the many contributions Filipino Americans have made towards the advancement of the United States in several fields including the arts and culture, sciences, medicine, education, technology, and in many other areas of human endeavors; and,

WHEREAS, Filipino Americans are well known for serving in all the branches of the U.S. Armed Forces as early as the War of 1812 against the British, in the U.S. Civil War, in World War I and II, and in all the other subsequent U.S. wars up to the war in Iraq and Afghanistan; and,

WHEREAS, Filipino Americans comprise the second largest Asian American population in the United States; and,

WHEREAS, further efforts are needed to promote the study and research on Filipino American history to create a more complete and balanced United States history that reflects on the legacy and rich contributions of Filipino Americans to our great nation; and,

WHEREAS, the celebration of Filipino American History Month in October provides an opportunity to celebrate the heritage and culture of Filipino Americans and the many contributions they make to our country; and,

WHEREAS, the Filipino American National Historical Society (FANHS) Midwest Chapter, the Filipino American Historical Society of Springfield, Illinois (FilAmHisSo), and other Filipino American organizations throughout the state will celebrate Filipino American History Month in October 2014 with various events and activities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as **FILIPINO AMERICAN HISTORY MONTH** in the State of Illinois, in recognition of the contributions of Filipino Americans to our state and to our nation, and in recognition of Filipino Americans who call Illinois home.

PROCLAMATIONS

Issued by the Governor August 22, 2014
Filed by the Secretary of State September 5, 2014

2014-376
Stan Lee Weekend

WHEREAS, our nation has a rich literary history and has produced many talented writers and comics, including Stan Lee; and,

WHEREAS, born in New York City, New York, Stan Lee attended DeWitt Clinton High School in the Bronx and developed a passion for reading and writing at a young age. During his youth, he wrote obituaries for a news service and press releases for the National Tuberculosis Center; and,

WHEREAS, a patriotic American, Stan Lee entered the U.S. Army in 1942 and served stateside in the Signal Corps, writing manuals, training films, slogans, and occasionally cartooning. His military classification was "playwright," a title that very few soldiers in the U.S. Army were given; and,

WHEREAS, with the help of his uncle, Robbie Solomon, Stan Lee became an assistant at the new Timely Comics Division of Martin Goodman's Company, which would eventually become Marvel Comics in the 1960's; and,

WHEREAS, Stan Lee's first superhero co-creation was the Destroyer, in Mystic Comics # 6 (August 1941); and,

WHEREAS, Stan Lee co-created Spider-Man, the Fantastic Four, the X-Men, Hulk, Thor, Iron Man, Daredevil, Doctor Strange, and many other characters; and,

WHEREAS, as the figurehead and public face of Marvel Comics, Stan Lee has attended many comic book conventions across our nation, lectured at colleges, and participated in panel discussions; and,

WHEREAS, Stan Lee serves as an inspiration and role-model for aspiring authors and comics; and,

WHEREAS, in 2006, Marvel Comics commemorated Stan Lee's 65 years with the company by publishing a series of one-shot comics starring him interacting with many of his creations, including Spider-Man, Dr. Strange, The Thing, Silver Surfer, and Dr. Doom; and,

PROCLAMATIONS

WHEREAS, Stan Lee will be appearing at this weekend's Chicago Comic Con Convention in Rosemont, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 23-24, 2014, as **STAN LEE WEEKEND** in Illinois, in recognition of the tremendous success he has enjoyed throughout his career.

Issued by the Governor August 22, 2014

Filed by the Secretary of State September 5, 2014

2014-377**Jackie Robinson West Championship Day**

WHEREAS, throughout our nation's history, the sport of baseball has served as a forum for allowing teams to work toward a common goal and display their excellence, persistence, and teamwork; and,

WHEREAS, baseball is America's national pastime, and the State of Illinois is fortunate to be home to numerous baseball players and teams who have demonstrated an outstanding level of skill as well as sportsmanship; and,

WHEREAS, hailing from the South Side of Chicago, one of Illinois' most successful teams is the Jackie Robinson West team, which is comprised of all African-American players; and,

WHEREAS, the mission of the Jackie Robinson West team is to bring children into a structured program environment intensely supported by adult volunteers, where the values of leadership, teamwork, and self-discipline are strongly emphasized; and,

WHEREAS, the Jackie Robinson West team was founded in 1971 by Joseph H. Haley, an educator by trade, whose goal was to provide young people with wholesome, healthy recreation through participating in baseball; and,

WHEREAS, Jackie Robinson West is one of nearly 200 Urban Initiative Leagues in about 100 cities across the country; and,

WHEREAS, coached by Jason Little, Jerry Houston, and Manager Darold Butler, the Jackie Robinson West team had a remarkable 2014 season; and,

WHEREAS, the players on the 2014 Jackie Robinson West team are DJ Butler, Lawrence Noble, Jaheim Benton, Ed Howard, Cameron Bufford, Brandon Green, Darion Radcliff, Marquis Jackson, Joshua Houston, Eddie King, Prentiss Luster, Pierce Jones, and Grey Hondras; and,

PROCLAMATIONS

WHEREAS, held annually in South Williamsport, Pennsylvania, the nationally broadcast Little League World Series is contested by 16 teams: the 8 winners of the regional tournaments and 8 international champions; and,

WHEREAS, Jackie Robinson West won the U.S. Championship by defeating Nevada and finished an impressive 2nd in the world; and,

WHEREAS, this year was Jackie Robinson West's second appearance in the Little League World Series. Founder Joseph Haley brought the team to Williamsport in 1983, where it finished fifth; and,

WHEREAS, the talent, hard work, and commitment to serving as role models displayed by the Jackson Robinson West team is inspiring to the people of the Land of Lincoln; and,

WHEREAS, the longevity of the Jackie Robinson West Little League Baseball team is a tribute to all of the parents, coaches, sponsors, and fans who are committed to ensuring that young people develop the skills and work ethic necessary for becoming productive, successful adults; and,

WHEREAS, number 42 – Jackie Robinson – would have been proud of this year's team, which showed the same grit and grace Jackie showed as a player; and,

WHEREAS, in order to recognize the accomplishments of the Jackie Robinson West team, the City of Chicago will host a parade and celebration in their honor on August 27; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 27, 2014 as **JACKIE ROBINSON WEST CHAMPIONSHIP DAY** in Illinois, in recognition of the team's successful 2014 season and their impressive display of sportsmanship and athletic ability, which helped them win the U.S. nationals and finish 2nd in the world.

Issued by the Governor August 26, 2014

Filed by the Secretary of State September 5, 2014

2014-378**National Public Lands Day**

WHEREAS, America's system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, community gardens and other landmarks throughout the nation that individually and collectively represent our shared irreplaceable national resources; and,

PROCLAMATIONS

WHEREAS, public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and,

WHEREAS, public lands promote civic ideals that include shared stewardship and recognition of public ownership; and,

WHEREAS, shared stewardship requires the goodwill, cooperation and active support of citizens, communities, local and state officials, business leaders, youth and adults; and,

WHEREAS, recreational opportunities offered by public lands help families and individuals lead an active lifestyle and reduce the incidence of childhood obesity; and,

WHEREAS, land conservation efforts improve access to public lands for urban residents and work to break down the barriers that prevent Americans from actively utilizing their public lands; and,

WHEREAS, a collaboration among state and local residents, land managers and community leaders improves the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and,

WHEREAS, National Public Lands Day is the nation's largest, single-day volunteer effort for public lands and is coordinated by the National Environmental Education Foundation. State and City Park systems throughout the nation join with federal agencies such as The Bureau of Land Management, Department of Defense, Environmental Protection Agency, National Park Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and U.S. Forest Service to deliver an annually anticipated celebration for local participation on publicly held lands in this great State of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 27, 2014 as the 21st annual **NATIONAL PUBLIC LANDS DAY** in Illinois, and encourage all citizens to recognize and participate in this special observance.

Issued by the Governor August 26, 2014

Filed by the Secretary of State September 5, 2014

2014-379

Sones De Mexico Ensemble Day

WHEREAS, Illinois has a rich and diverse cultural history, and it is important that we recognize the contributions of cultural and musical institutions that are from our state; and,

PROCLAMATIONS

WHEREAS, one such institution is Sones de México Ensemble, which has brought educational programming and entertainment to countless listeners since being founded in 1994; and,

WHEREAS, Sones de México Ensemble is a non-profit organization whose mission is to promote greater appreciation of Mexican folk and traditional music and culture through innovative performance, education, and dissemination.; and,

WHEREAS, throughout its career, Sones de México Ensemble has produced 6 albums, including the twice Grammy nominated Esta Tierra Es Tuya (This Land is Your Land); and,

WHEREAS, Sones de México Ensemble specializes in Mexican 'son' including the regional styles of huapango, gustos, chilenas, son jarocho, and many more; and,

WHEREAS, the past and present member of Sones de México Ensemble are: Juan Díes, Víctor Pichardo, René Cardoza, Gonzalo Córdova, Raúl Fernández, Renato Cerón, Hermo Contreras, Lorena Iñiguez, Joel Martínez, Juan Rivera, Zaché Pichardo, Javier Saume, and Jorge Leal; and,

WHEREAS, in addition to its musical accomplishments, Sones de México Ensemble has exhibited a strong commitment to serving others by offering educational programs nationwide; and,

WHEREAS, the year 2014 represents a milestone for Sones de México Ensemble: its 20th anniversary; and,

WHEREAS, 20 years of success is a testament to the commitment of Sones de México Ensemble's members, staff, Board of Directors, and passionate fans; and,

WHEREAS, on September 3rd at Millenium Park, Sones de México Ensemble will celebrate 20 years of existence with a performance that will feature not only its current members but also a reunion of its former members as well as over 50 of Chicago's finest musicians and dancers whom they have collaborated with over the years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 3, 2014, as **SONES DE MÉXICO ENSEMBLE DAY** in Illinois, in recognition of its musical success and 20th anniversary.

Issued by the Governor August 26, 2014

Filed by the Secretary of State September 5, 2014

PROCLAMATIONS

2014-380**Acupuncture and Oriental Medicine Day**

WHEREAS, acupuncture and Oriental medicine have a long and rich history as components of a comprehensive traditional medical system that has been used for thousands of years to diagnose and treat illness, prevent disease and improve well-being; and,

WHEREAS, practitioners of acupuncture and Oriental medicine are dedicated to the highest standards of professionalism and maintain these standards through education, credentialing and a personal commitment; and,

WHEREAS, millions of Americans seek the services of acupuncturists and Oriental medicine practitioners each year; and,

WHEREAS, it is vital that those in need of medical services understand the full realm of available modalities and seek competent and professional care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 24, 2014 as **ACUPUNCTURE AND ORIENTAL MEDICINE DAY** in Illinois, and encourage all citizens to learn more about the potential benefits of acupuncture and Oriental medicine.

Issued by the Governor August 27, 2014

Filed by the Secretary of State September 5, 2014

2014-381**Manuel Giron Book Fair Day**

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Latinos make every day; and,

WHEREAS, it is critically important that we recognize organizations and events that are beneficial to the Latino community in Illinois; and,

WHEREAS, the Manuel Girón Book Fair is the largest Spanish-language book gathering in the Midwest, with approximately 30,000 people expected for the dozens of readings, book signings, and other events; and,

WHEREAS, the original idea for the fair came from Mark Zimmerman, then a professor at the University of Illinois at Chicago, Juan Manuel Girón (the bookstore owner) and the painter José González. It started slowly, right on Girón Books' modest Pilsen storefront; and,

PROCLAMATIONS

WHEREAS, the Manuel Girón Book Fair has a wide selection of books at discounted prices and encourages everyone in attendance to read voraciously; and,

WHEREAS, in past years, the Manuel Girón Book Fair has been visited by celebrities such as Don Francisco, Jorge Ramos, Maria Antonieta Collins, Eugenio Derbes, Jorge Falco, and Cesar Lozano; and,

WHEREAS, this year the Manuel Girón Book Fair will be hosted on August 29, 2014; and,

WHEREAS, the success and longevity of the Manuel Girón Book Fair is a testament to the hard work and commitment of its supporters; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Saturday, August 29, 2014, as **MANUEL GIRÓN BOOK FAIR DAY** in Illinois, in recognition of its contributions to the community.

Issued by the Governor August 27, 2014

Filed by the Secretary of State September 5, 2014

2014-382**Food Network in Concert Day**

WHEREAS, to celebrate the important work of musicians and chefs, Food Network Magazine will host the first-ever Food Network in Concert at Ravinia, which will celebrate, promote and honor the culinary and musical creativity in Chicago and around the country; and,

WHEREAS, Food Network Magazine is a joint venture of Food Network, the television network distributed to more than 100 million U.S. households, and Hearst Magazines; and,

WHEREAS, Food Network Magazine is the best-selling epicurean title on newsstands, appealing to food lovers of all ages and culinary abilities, offering accessible recipes and tips, and unprecedented access to America's favorite culinary stars; and,

WHEREAS, Food Network Magazine showcases great food, new restaurants and a behind-the-scenes look at some of the network's most popular shows in each publication; and,

WHEREAS, on September 20, 2014, Chicagoland's own chefs, plus visiting talent from neighboring cities, will join Food Network stars and musicians, such as the Grammy Award-Winning artist John Mayer and Phillip Phillips in a first ever Food Network in Concert at Ravinia; and,

PROCLAMATIONS

WHEREAS, Food Network in Concert Day is about celebrating and shining a spotlight on the universal languages of food and music and their essential roles in bringing people together; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 20, 2014, as **FOOD NETWORK IN CONCERT DAY** in Illinois, and encourage all citizens to join in this special celebration.

Issued by the Governor August 28, 2014

Filed by the Secretary of State September 5, 2014

2014-383**Lifeline Awareness Week**

WHEREAS, in our modern, interconnected world, telephones provide a lifeline to emergency help and a vital link to government services, community resources, friends, and family; and,

WHEREAS, not everyone can afford the cost of a home telephone; and,

WHEREAS, approximately 4.2 percent of Illinois households still do not have telephone service in their homes; and,

WHEREAS, the Federal Communications Commission (FCC) and the Illinois Commerce Commission have joined with UTAC in a collaborative effort to make telephone service more affordable for the nation's low-income consumers by providing a discount on the connection fee and monthly charges for local telephone service; and,

WHEREAS, the Lifeline Assistance (Lifeline) programs offer tremendous benefits for eligible consumers in America and make basic telephone service more affordable; and,

WHEREAS, the Lifeline program provides a \$9.25 discount in the monthly bill for eligible low-income customers; and,

WHEREAS, consumers should not be without local phone service because they cannot afford it, and therefore the promotion of Lifeline is imperative to ensure that all Illinois consumers have access to affordable basic local telephone service; and,

WHEREAS, the FCC, the National Association of Regulatory Utility Commissioners (NARUC), the National Association of State Utility Consumer Advocates (NASUCA), other state and federal agencies, cities, counties, social service organizations and telecommunications companies are committed to increasing awareness of the Lifeline program, encouraging eligible citizens to sign up for the programs; and,

PROCLAMATIONS

WHEREAS, the FCC, NARUC, and NASUCA have worked to ensure greater protection against fraud and abuse in the program, while encouraging eligible households to consider the benefits of the Lifeline program; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim the week of September 8-14, 2014, as **LIFELINE AWARENESS WEEK** in Illinois, and urge citizens who may be eligible for the Lifeline program to contact local telephone companies to see about establishing telecommunication service with a new telephone.

Issued by the Governor August 28, 2014

Filed by the Secretary of State September 5, 2014

2014-384**Mayor Jane Byrne Day**

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running, and one remarkable public servant is Jane Byrne, who served as the Mayor of Chicago from 1979 to 1983; and,

WHEREAS, Mayor Jane Byrne, born in Chicago 80 years ago, a graduate of Chicago's St. Scholastica High School and Barat College in Lake Forest, Illinois, was tragically widowed at age 25 when her husband, William Byrne – a U.S. Marine aviator – died in a plane crash, leaving her to raise their baby daughter, Kathy, as a single-parent; and,

WHEREAS, Mayor Jane Byrne was inspired by U.S. Senator John F. Kennedy to seek a career in public service, pursued graduate studies at the University of Illinois "Circle Campus," and was an early champion for consumers, serving as Chicago's Commissioner of Sales, Weights, and Measures; and,

WHEREAS, in one of the greatest upsets in Chicago history, Mayor Jane Byrne shattered a huge glass ceiling by becoming the first and only female mayor of Chicago - still the largest city in the United States to be led by a woman – and served as Mayor from April 16, 1979 to April 29, 1983; and,

WHEREAS, a true trailblazer, Mayor Jane Byrne brought unprecedented transparency to the Chicago budget process, was Chicago's first Mayor to march in the Gay Pride Parade, and was the nation's first big-city mayor to successfully enact a ban on handguns; and,

PROCLAMATIONS

WHEREAS, Mayor Jane Byrne and her husband Jay McMullen moved into a 4th floor apartment in Cabrini-Green Homes, a sprawling public housing project. Their three-week stay in 1981 prompted elevator repairs, construction of a police station and baseball diamonds, and a national discussion about urban blight; and,

WHEREAS, Mayor Byrne's vision led to the development of Navy Pier and the Museum Campus, and to the straightening of Lake Shore Drive's notorious "S-Curve". Mayor Byrne launched Taste of Chicago, which gave rise to Chicago's world-class Jazz, Blues, and Gospel Fests; and,

WHEREAS, the interchange of Interstates 90, 94 and 290 - commonly known as the "Circle Interchange" or "Spaghetti Bowl" - is among the nation's busiest roadways, with more than 300,000 vehicles traveling through it daily, and is now undergoing a four-year renovation by the Illinois Department of Transportation; and,

WHEREAS, on August 29, 2014, the "Circle Interchange" will officially be dedicated as the "Jane Byrne Interchange" at an unveiling event that will take place at the UIC Pavilion; and,

WHEREAS, it is important that the people of our state always remember and commend Mayor Jane Byrne for her dedication to serving others and contributions as a public servant; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 29, 2014 as **MAYOR JANE BYRNE DAY** in Illinois, in recognition of today's ceremony and her legendary career in public service that positively impacted the lives of many of people in Chicago and across the Land of Lincoln.

Issued by the Governor August 28, 2014

Filed by the Secretary of State September 5, 2014

2014-385**Marco Antonio Regil Day**

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Latinos make every day; and,

WHEREAS, it is critically important that we recognize individuals such as Marco Antonio Regil who have positively impacted Latino culture; and,

WHEREAS, born in Tijuana, Mexico, Marco Antonio Regil is a famous television personality and game show host who currently hosts the Spanish-language version of Family Feud, 100 Latinos Dijeron, which can be seen on MundoFox on weekdays at 7 pm/6c; and,

PROCLAMATIONS

WHEREAS, Marco Antonio Regil previously hosted Spanish-language versions of Minute to Win it, The Price is Right, Dancing with the Stars, and Are You Smarter Than a 5th Grader; and,

WHEREAS, Marco Antonio Regil opened a new Spanish-language channel in the United States, MundoFOX, with its debut program, Minuto Para Ganar, on August 13, 2012; and,

WHEREAS, in a poll conducted by Readers Digest in 2011, Marco Antonio Regil was named "Mexico's Most Trusted TV Personality"; and,

WHEREAS, Marco Antonio Regil has appeared in advertisements for several companies including McDonald's, H-E-B, Telmex, and PepsiCo; and,

WHEREAS, despite being tremendously successful, Marco Antonio Regil has remained dedicated to serving others and making the world a better place. He is an avid supporter of PETA and Children International, an organization that helps poor children become healthy and educated; and,

WHEREAS, for over 15 years, Marco Antonio Regil hosted the Mexican Telethon, which raises over 40 million dollars annually for handicapped children and cancer research; and,

WHEREAS, on September 14, 2014, Marco Antonio Regil will serve as grand marshal during the 26th Street 45th Annual Mexican Independence Day Parade; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Saturday, September 14, 2014, as **MARCO ANTONIO REGIL DAY** in Illinois, in recognition of his visit to our state and accomplishments on television.

Issued by the Governor August 29, 2014

Filed by the Secretary of State September 5, 2014

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

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