

ILLINOIS STATE BOARD OF EDUCATION
100 N. First Street
Springfield, Illinois

June 18-19, 2008

NOTE: Staff presentations and detailed Board discussion typically take place during Committee meetings one month prior to State Board action in the plenary session.

Wednesday, June 18, 2008

- 10:00 a.m. Work-Study Session: Standards Review**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 7
- 12:30 p.m. Finance & Audit Committee of the Whole**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 7
- *2:15 p.m. Education Policy Planning Committee of the Whole**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 7
- *3:45 p.m. Ad Hoc Rules Committee of the Whole**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 7

* The meeting will begin at the conclusion of the previous session.

Thursday, June 19, 2008

- 8:30 a.m. Board Operations Committee of the Whole**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 9
- *9:00 a.m. Governmental Relations Committee of the Whole**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 9
- *9:45 a.m. ISBE Plenary Session**
Board Room, 4th Floor
1-866-297-6391 (*listen only*); Confirmation # 2 1 9 5 0 7 9 9

* The meeting will begin at the conclusion of the previous session.

All State Board of Education meetings listed on this agenda will be accessible to persons with disabilities. Persons planning to attend who need special accommodations should contact the Board office no later than the date prior to the meeting. Contact the Superintendent's office at the State Board of Education, Phone: 217-782-2221; TTY/TDD: 17-782-1900; Fax: 217-785-3972.

NOTE: Chairman Ruiz may call to order the Board's plenary session early for the sole purpose of hearing a motion to go into closed session. In such case, the plenary session will reconvene for action items at the announced. Chairman Ruiz may also call for a break in the plenary session at which time the Board will go into closed session.

ILLINOIS STATE BOARD OF EDUCATION
Board Room, 4th Floor
100 North First Street, Springfield, Illinois

Thursday, June 19, 2008
9:45 a.m.

(This meeting will begin immediately following the previous session.)
(Timeframes are estimated for planning purposes.)

Public Conference Call Number: 1-866-297-6391 (listen only); Confirmation #: 2 1 9 5 0 7 9 9

The Plenary Session will also be audio broadcast via the Internet.

NOTE: Staff presentations and detailed Board discussion typically take place during Committee meetings one month prior to State Board action in the plenary session.

- A. **Roll Call/Pledge of Allegiance**
1. Consideration of and Possible Actions on Any Requests for Participation in Meeting by Other Means
- B. **Resolutions & Recognition** 9:45 – 10:05 a.m.
1. Student Advisory Council Report
2. Mark Thomas Schmidt, 2008 Poetry Out Loud State Champion (**Plenary p. 4**)
- C. **Public Participation** 10:05 – 10:35 a.m.
- D. **Superintendent's Report**
*** Consent Agenda**
All action consideration items listed with an asterisk (*) are considered to be routine and will be enacted in one motion and vote. Any board member who wishes separate discussion on any item listed on the consent agenda may remove that item from the consent agenda, in which event, the item will be considered in its normal sequence.
- Action Considerations** consent agenda items: 10:35 – 10:45 a.m.
- *1. Approval of Minutes: May 22, 2008 (**Plenary pp. 5-14**)
 - *2. Rules for Initial Review
 - a. Part 35 (New Principal Mentoring) (**Rules Committee Packet pp. 5-16**)
 - *3. Rules for Adoption
 - a. Part 25 (Certification) (**Rules Committee Packet pp. 17-110**)
 - b. Part 180 (Health/Life Safety Code for Public Schools) (**Rules Committee Packet pp. 111-116**)
 - c. Part 235 (Early Childhood Education Block Grant) (**Rules Committee Packet pp. 117-124**)
 - d. Part 401 (Special Education Facilities Under Sec. 14-702) (**Rules Committee Packet pp. 125-146**)
 - e. Part 305 (School Food Service) (**Rules Committee Packet pp. 147**)
 - *4. Contracts & Grants Over \$1 Million
 - a. Early Childhood Block Grants (**Finance & Audit Packet pp. 4-5**)
 - b. Early Childhood Evaluation Contract with Erikson Institute- Year 2 (**Finance & Audit Packet pp. 6-7**)
 - c. Social/Emotional Training & Consultation Contract Renewal with Erikson Institute (**FAC Packet pp. 8-9**)
 - d. Renewal of IMSA Intergovernmental Agreement for Illinois Virtual High School (**FAC Packet p. 10**)
 - e. Renewal of Principal Mentoring Contract with Illinois Principals Association (**FAC Packet pp. 11-2**)
 - f. Writing Component for Illinois Standards Achievement Test (ISAT) (**see insert behind FAC p. 12**)
 - *5. Accept FY 07 Financial and Compliance Audit (**Finance & Audit Packet pp. 13-22**)
 - *6. Teacher Certification Board Accreditation and Program Approval Recommendations (**Plenary pp. 15-18**)
 - *7. Teacher Certification Board Appointments (**Plenary Packet pp. 19-26**)
 - *8. Department of Juvenile Justice Board of Education Appointments (**Plenary Packet pp. 27-42**)
 - *9. Approval of Comments to NCLB Proposed Title I Rules (**Education Policy Packet pp. 74-84**)
 - *10. Approval of Draft Strategic Plan Update (**Board Operations Policy Packet pp. 10**)
 - *11. NASBE Dues Approval (**Board Operations Policy Packet pp. 7-9**)
 - *12. Cahokia School District #187 Financial Plan (**Finance & Audit Packet pp. 23-24**)

End of consent agenda

13. Legislative Grants and other Special Initiatives (**Finance & Audit Packet pp.**) 10:45 – 11:00 a.m.
14. Update List of SES Providers (**Education Policy Packet pp. 70-73**) 11:00 – 11:05 a.m.
15. American Diploma Project (*as needed*) (**Education Policy Packet pp. 32-34**) 11:05 – 11:10 a.m.
16. Appropriation Transfer Authority (*as needed*) (**Finance & Audit Packet pp. 35-36**) 11:10 a.m. – 11:15 a.m.
17. Calumet Park School District #132 (*as needed*) (**Education Policy Packet pp. 35-69**) 11:15 – 11:20 a.m.
18. Closed Session Minutes (*as needed; following closed session*)

E. New Business 11:20-a.m. – 11:30 a.m.

- F. Announcements and Reports** 11:30 a.m. – 12:20 p.m.
1. IBHE Liaison Report (*Dr. Proshanta Nandi*) 11:30 – 11:40 a.m.
 2. Superintendent's Announcements 11:40 – 11:50 a.m.
 3. Chairman's Report 11:50 a.m. – 12:00 p.m.
 4. Committee Reports 12:00 – 12:10 p.m.
 5. Member Reports 12:10 – 12:20 p.m.

- G. Information Items**
1. ISBE Fiscal & Administrative Monthly Reports (**Plenary pp. 43-61**)

H. Adjourn

NOTE: Chairman Ruiz may call to order the Board's plenary session early for the sole purpose of hearing a motion to go into closed session. In such case, the plenary session will reconvene at the time announced. Chairman Ruiz may also call for a break in the plenary session at which time the Board will go into closed session.

**Illinois State Board of Education Meeting
June 19, 2008
Illinois State Board of Education
100 North First Street
Springfield, Illinois**

<p>ROLL CALL/PLEDGE OF ALLEGIANCE</p>	<p>Mr. Jesse Ruiz, Chairman, called the meeting to order at 10:00 a.m. Chairman Ruiz asked Ms. Jean Ladage, Assistant to the Board, to call the roll. A quorum was present. Dr. Christopher Koch, State Superintendent of Education, was also in attendance. Chairman Ruiz appointed Dr. Andrea Brown to serve as Secretary Pro Tem in the absence of Dr. Hall.</p> <p>The Board members, Dr. Koch and anyone who wished to join them faced the American flag and recited the Pledge of Allegiance.</p> <p>Chairman Ruiz announced that the Board meeting was being audio-cast live over the Internet.</p> <p><u>Members Present:</u> Mr. Jesse Ruiz, Chairman Dr. Christopher Ward, Vice Chairman Dr. Andrea Brown Mr. Dean Clark Dr. David Fields Ms. Brenda Holmes Ms. Joyce Karon Ms. Lanita Koster</p> <p><u>Members Absent:</u> Dr. Vinni Hall, Secretary</p>
<p>RESOLUTIONS & RECOGNITION</p> <p>Lanita Koster – Oath of Office</p> <p>Student Advisory Council Report</p>	<p>Chairman Ruiz administered the Oath of Office to new board member, Ms. Lanita Koster. Ms. Carol Groves, Notary Public, witnessed the administering of the oath. Ms. Koster was awarded a state seal lapel pin as a member and colleague of the State Board of Education. Ms. Koster will fill the vacancy brought about by the resignation of Mr. Ed Geppert, and will be serve on the Finance & Audit Committee and the Education Policy Planning Committee.</p> <p>Mr. Clark moved that the State Board of Education adopt the resolution recognizing Mark Thomas Schmidt, a senior at Wheaton Warrenville South High School. He is a school, regional and state champion, as well as a national finalist for the National Poetry Out Loud finals in Washington, D.C.</p> <p>Ms. Koster seconded the motion and it passed with a unanimous voice vote.</p> <p>Chairman Ruiz presented the following graduating Student Advisory Council members with Certificates of Appreciation: Micah Berman, Nicholas Knuffman, and Emma LePere. These seniors each shared their plans for the future. Seniors who were absent, but will receive certificates include: Lian States, Nicholas Diaz, Ran Ma, Shaleka Johnson, Dirk Dedecker, and Sarah Freebairn.</p> <p>Other members of the Student Advisory Council (SAC) introduced themselves to the Board and presented a PowerPoint on career development programs. SAC member Emma LePere opened the presentation stating that through researching the topic they soon discovered that Illinois' students could use more guidance when it comes</p>

to career development. The SAC distributed a thirteen-question survey to the students whose schools would allow the survey. A total of 1,437 students from ten schools were surveyed. Questions on the survey that the SAC felt were most important included:

Question #7

How much time over the last few months have you spent discussing career or job options with one or both parents/counselor?

- Less than an hour
- About one hour
- One to three hours
- More than three hours
- Not at all

Results: Results were evenly distributed across all answer choices not at all to more than 3 hours.

Question #9

How important do you think college prep courses are in preparing students to get a good job?

- Very important
- Somewhat important
- Only a little important
- Not important at all

Results: Majority of responses indicated “Very Important” indicating that students in Illinois do realize the importance of college prep courses in getting a good job.

Question #10

Which do you feel your school better prepares you for?

- College
- After College Career
- Immediate workforce
- No Help at all

Results: Majority of responses indicated ‘College.’ Students in Illinois realize the importance of college prep courses in getting a good job.

Chairman Ruiz asked how the students defined college prep courses. Gabriele Kendrick responded by saying math, science and reading, as well as, honors classes and advanced placement classes.

Emma LePere stated that they also attempted to contact other states and of the states reviewed, the students found three to have what they felt were outstanding career development programs: Delaware, South Carolina and Connecticut.

Delaware

Delaware offers career classes in which majors can be discussed for specific careers, such as business, electronics, agriculture and manufacturing. Students receive credits for taking these classes and communities are involved by providing opportunities for job shadowing.

Connecticut

Connecticut has a goal to build bridges between the school and the world of work by starting a three-part program. The program consists of rigorous

	<p>coursework and skill development in the classroom. They also have work-based learning which includes work experience and training outside of the classroom. In addition, they offer connecting activities which combines the two skills in order to get the complete picture. Through these experiences the students choose a career pathway such as marketing, education, medical careers and technology. Students invest a 180-300 hours a year and the number of hours invested determines amount of credits they receive.</p> <p>South Carolina New legislation in South Carolina has created a Guidance and Framework Committee that oversees career education and is modeled after the High Schools that Work framework. Each freshman student is required to meet with a career counselor to choose a career major. The state provides additional funding to keep the student-to-counselor ratio at 300 to 1; or better.</p> <p>Since 2007, all high schools in the state are required to offer at least three out of sixteen clusters. By 2011, all high schools in the state will be required to offer all 16 clusters.</p> <p>Computer software throughout the state helps manage the career clusters and tracks student progress. The state provides guidance for standards, equipment and implementation and suggests that the local boards form local advisory committees of local professionals to refine and modify the curriculum as necessary.</p> <p>The new legislation also protects students from being steered into pathways that do not fit their interest. The program is research-based, fulfills their Learning Standards and prepares students for life.</p> <p>Summary The Student Advisory Council members proposed that Illinois take the following steps to make career development in our schools a success:</p> <ul style="list-style-type: none"> • Expose students to different career options, • Model an Illinois program after Delaware's program, • Career programs should be required for grades 10 and 11, as this is the right time to explore interests, • Programs should encourage job shadowing and community involvement. <p>Ms. Holmes thanked the SAC for their presentation and commented on what a good report they had presented. It was very thorough and informative with very specific summary recommendations. Brenda noted what a great help to the Board this information would be as they move forward on the career development issue. Ms. Holmes also asked if the students would be willing to provide the results from the thirteen-question survey. Emma LePere stated that she would be happy to provide the survey and responses to the Board.</p>
PUBLIC PARTICIPATION	<p>Mr. Robert Leininger, former State Superintendent of Education (1989-1994) was present at the board meeting and took the opportunity to thank agency staff and board members who provided support and encouragement to him during his health difficulties in 2007. Mr. Leininger went on to share his fondest memories of his 18 years at the State Board</p>

authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Rules for Adoption

Part 180 (Health Life Safety Code for Public Schools)

The State Board of Education hereby adopts the proposed rulemaking for Health/Life Safety Code for Public Schools (23 Illinois Administrative Code 180). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Rules for Adoption

Part 235 (Early Childhood Education Block Grant)

The State Board of Education hereby adopts the proposed rulemaking for Early Childhood Block Grant (23 Illinois Administrative Code 235). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Contracts and Grants over \$1 Million

Early Childhood Block Grants

The State Board of Education hereby gives the State Superintendent approval to award Early Childhood Block Grant Institute for a stands exceeding \$1 million to qualifying entities.

Early Childhood Evaluation Contract with Erikson Institute-Year 2

The contract with the Erikson Institute for a state wide system of the Early Childhood Block Grant shall be renewed for one additional year. The cost of the FY 09 renewal shall not exceed \$1, 119,963; the total contract maximum shall not exceed \$1, 359,715.

Social/Emotional Training & Consultation Contract Renewal with Erikson Institute

Erikson Institute shall be awarded a contract amendment extending the current term through June 30, 2009 for a maximum amount during FY 09 of \$1,120,022 to fund the second year of the Early Childhood Social/Emotional Training and Consultation Network.

Renewal of IMSA Intergovernmental Agreement for Illinois Virtual High School

The State Board hereby authorizes the State Superintendent to issue Illinois Mathematics and Science Academy contract renewal approval out of state Technology for Success funds in an amount not exceed \$1, 450,000.00 and further, to enter into this contract renewal in accordance with applicable laws.

Renewal of Principal Mentoring Contract with Illinois Principals Association

The Illinois State Board of Education hereby approves the renewal of the

contract in the amount of \$1, 804,248 for managing of the Illinois New Principal Mentoring Program to the Illinois New Principals Association. The contract will be extended for a one year period beginning July 1, 2008 until June 30, 2009.

Writing Component for Illinois Standards Achievement Test (ISAT)

The State Board hereby authorizes the State Superintendent to issue a Request for Sealed Proposals and award a contract for ISAT writing development, including all services necessary thereto. The initial term of the contract awarded through the RFSP may extend through June 30, 2009, with the option for renewal by ISBE for five additional one-year periods. Total for all services not to exceed \$16,746,000.00 through June 30, 2014.

Accept FY07 Financial and Compliance Audit

The State Board of Education hereby accepts the Auditor General's Illinois State Board of Education Financial Audit and Compliance Examination for the Year Ended June 30, 2007.

Teacher Certification Board Accreditation and Program Approval Recommendations

Motion #1: Kendall College

The State Board of Education hereby assigns the status of "continuing accreditation" to Kendall College. This action is in accordance with Section 25.125 (j) (1) of the State Board's administrative rules and authorizes the institution to conduct its programs and recommend candidates for certification by entitlement until the time of the institution's next scheduled review.

Further, the State Board "continuing approval" to the following professional education preparation program for Kendall College as it meets the applicable Illinois content area standards:

- Early Childhood

This action is in accordance with Section 25.127 (j) (1) (A) of the State Board's administrative rules on review of individual programs.

Motion #2: Rockford College

The State Board of Education hereby assigns the status of "continuing accreditation" to Rockford College. This action is in accordance with Section 25.125 (j) (1) of the State Board's administrative rules and authorizes the institution to conduct its programs and recommend candidates for certification by entitlement until the time of the institution's next scheduled review.

Teacher Certification Board Appointments

The State Board of Education hereby approves the following recommended appointments to the Illinois State Teacher Certification Board:

Illinois Association of Colleges for Teacher Education (IACTE)

Doug Bower (First Term)
Cynthia Shanahan (First Term)
Sr. Colleen McNicholas (Second Term)

Illinois Principals Association

Allen Ellington (Second Term)

	<p><u>Chicago Public Schools</u> Ascencion Juarez (First Term)</p> <p><u>Illinois Education Association (IEA)</u> Vickie Mahrt (First Term)</p> <p><u>Illinois Federation of Teachers (IFT)</u> Linda Pellegrini (First Term)</p> <p><u>Department of Juvenile Justice Board of Education Appointments</u> The State Board of Education hereby approves the following recommended appointments to the Board of Education for Department of Juvenile Justice School District:</p> <p>Dr. Brian M. Ali, St. Anne, IL Mr. Thomas A. Hott, Litchfield, IL Dr. Theresa E. Saunders, St. Louis, MO Dr. Paul Swanstrom, Crete, IL</p> <p><u>Approval of Comments to NCLB Proposed Title I Rules</u> The State Board of Education authorizes the State Superintendent or his designee to submit the attached comments on the proposed Title I regulations to the United States Department of Education.</p> <p><u>Approval of Draft Strategic Plan Update</u> The State Board of Education approves the Draft Strategic Plan Report. After discussion in the Board Operations Committee meeting, the Board will direct staff to make any additional revisions prior to the deadline for submittal.</p> <p><u>NASBE Dues Approval</u> The State Board of Education authorizes renewal of NASBE membership for 2009, including the middle-range professional development account for use by Illinois members.</p> <p>END OF THE CONSENT AGENDA</p>
<p>D.3.d. Part 401 (Nonpublic Special Education Facilities Under Sec. 14-702)</p>	<p>Mr. Clark moved that the State Board of Education hereby adopts the proposed rulemaking for Nonpublic Special Education Facilities Under Sec.14-7.02 of the School Code (23 Illinois Administrative Code 401). Further, the Board authorizes the State Superintendent of Education to:</p> <ul style="list-style-type: none"> • Make technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules; and • Repeal the emergency amendments to this Part, if necessary to permit the filing of this ordinary proposed rulemaking. <p>Ms. Karon seconded the motion and it passed with a voice vote. Ms. Holmes voted “no.”</p>
<p>D.3.e. Part 305 (School Food Service)</p>	<p>Dr. Ward moved that the State Board of Education hereby adopts the State Superintendent proposed rulemaking for School Food Service (23 Illinois Administrative Code 305). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.</p>

	<p>Mr. Clark stated that the agency staff has done a tremendous job putting together the proposed rules, but that he would be voting “present” rather than abstaining from the vote. Ms. Karon, Ms. Holmes and Dr. Fields also voted “present”. There was not a majority vote at this time so there was no action taken.</p> <p>Ms. Holmes suggested that Superintendent Koch and staff be allowed to provide advisory recommendations to assist schools in lieu of another mandate.</p> <p>Dr. Ward commented that childhood obesity is a number one medical concern and will only grow greater as children become adults if we do not make changes now.</p> <p>Dr. Fields stated that he believes that with the agency’s guidance, each school’s wellness policies will create the same results as these rules.</p> <p>General Counsel Darren Reisberg commented that JCAR has the expectation, based on our last set of rules, that the State Board would be returning with revisions. If the decision stands as it does today that we not go forward on the nutrition rules we may be able to just go back and remove the language that says we will come back after the Task Force and review the rules. Once this language would come out there would be no expectation to come before JCAR again with further rulemaking.</p>
<p>D.12 Cahokia School District #187 Financial Plan</p>	<p>Deb Vespa introduced Superintendent Jana Bechtold of Cahokia Community School District #187 who reviewed the districts’ financial plan with the Board.</p> <p>Mr. Clark moved that the State Board of Education hereby approves the financial plan submitted by Cahokia Community Unit School District 187. Dr. Fields seconded the motion and it passed with a unanimous voice vote.</p>
<p>D.13.Legislative Grants and Other Special Initiatives</p>	<p>Mr. Clark moved that with the exception of Project #2 and Project #23 on the numbered list dated June 19, 2008; the Superintendent recommends approval of the legislative grants and special initiatives based on the review of the attached document which demonstrates the benefits that these groups can offer to their respective communities. The Superintendent also recommends, due to the late issuance of these grants, that the grants be given an extended end date to June 30, 2009.</p> <p>Further the Superintendent will carefully review the forthcoming recommendations of the After School Task Force so that agency staff can improve both the determination of who receives these grants and the accountability for those that do. (See addendum for list dated June 19, 2008.)</p> <p>Ms. Holmes seconded the motion. Dr. Fields indicated that he will be voting “no”. Dr. Ward commented that although he will vote “yes,” he wished to note that in the future he would like more information, more data and more time to ensure that the funding is being used effectively.</p> <p>Ms. Karon stated that she would like to know the true purpose of these special initiatives. She commented that in the future, money might be better earmarked for schools that are in immediate need, such as those affected by flooding and tornados and may not have funds available to</p>


	<p>meet their needs.</p> <p>Linda Mitchell responded that we do have emergency assistance funding to help school districts with these kinds of disaster issues.</p> <p>Chairman Ruiz called the question. The motion passed with a majority roll call vote.</p> <p>Dr. Brown commented that she would like to see a formalized solution to this process. Chairman Ruiz agreed with Dr. Brown and added that until the Board has a better way of approving these requests, it is his hope that the schools' proper needs are met with these initiatives. (The revised handout is available on our website.)</p>
D.14 Update List of SES Providers	<p>Dr. Fields moved that the State Board of Education, in an effort to promote maximum participation of Supplemental Educational Service providers and maintain an updated list of approved providers, moves that the applicants indicated on Attachment 1 be approved for addition to the Illinois Approved List of Supplemental Educational Services Providers and further that the State Board of Education , with respect to future approvals of Supplemental Educational Service providers, hereby delegates its approval authority to the State Superintendent.</p> <p>Dr. Brown seconded the motion and it passed with a unanimous voice vote.</p>
D. 15 American Diploma Project	<p style="text-align: center;"><u>American Diploma Project</u></p> <p>Dr. Fields moved that the State Board of Education hereby authorizes the State Superintendent to take the necessary steps for Illinois to join the American Diploma Project.</p> <p>Dr. Ward seconded the motion and it passed with a unanimous voice vote.</p>
D. 16 Appropriation Transfer Authority	<p style="text-align: center;"><u>Appropriation Transfer Authority</u></p> <p>Mr. Clark moved that the State Board of Education authorizes the transfer of \$2,363,000 from the Regular/Vocational Transportation line item to the Special Education–Personnel line item. The State Board of Education also authorizes the transfer of \$2,318,000 from the Regular/Vocational Transportation line item to the Special Education–Transportation line item.</p> <p>Ms. Karon seconded the motion and it passed with a unanimous roll call vote.</p> <p>Ms. Holmes commented that she wanted local school districts know that we can do this and we do it when necessary.</p>
D. 17 Calumet Park School District #132	<p>Superintend Koch recommended that the Board take no action with regard to the Agreement, thus ensuring its continuation for one additional year.</p> <p>The Superintendent indicated that the Agency will work with the Voluntary Oversight Board and the district to define the district's goals for 2008-09 school year, and establish a means to better define and reduce the role of the Administrator during this school year assuming the district shows progress towards achieving the defined goals.</p>
ANNOUNCEMENTS AND REPORTS	<p>Chairman Ruiz noted that Dr. Proshanta Nandi who joins the Board meetings as a representative from the Illinois Board of Higher Education (IBHE) was not present at the meeting, so he asked Ms. Karon, ISBE</p>

	<ul style="list-style-type: none"> • Gina Hopper and Gary Greene reviewed the List of SES Providers. • Joyce Zurkowski reviewed the proposed Illinois Alternate Assessment Cut-Scores. • Melina Wright presented revised draft comments for the proposed regulations under Title I of the No Child Left Behind Act. • Discussed the August 2008 Education Policy and Planning committee meeting agenda. <p>Governmental Relations Committee Meeting of the Whole Ms. Holmes reported that the Governmental Relations Meeting of the Whole discussed the following topics:</p> <ul style="list-style-type: none"> • Nicole Wills provided the committee with a status update on education-related legislation that will be sent to the Governor. <p>Finance and Audit Committee of the Whole Mr. Clark reported that the Finance and Audit Committee of the Whole discussed the following topics:</p> <ul style="list-style-type: none"> • The committee reviewed several Contracts and Grants over \$1 Million. • Received public participation from Dave Comerford and Laura Aerne of the Illinois Federation of Teachers on Cahokia District #187 Certification. • Lisa LaBonta reviewed with the committee the FY07 Financial and Compliance Audit. • Deb Vespa reviewed the Cahokia School District #187 Financial Plan. • Linda Mitchell and Ronny Wickenhauser updated the committee on the State Board of Education Budget. • Linda Mithchell and Ronny Wickenhauser reviewed the Legislative Grants and Other Special Initiatives. • Discussed the June 2008 Finance and Audit Committee Meeting agenda. <p>Board Operations Committee of the Whole Dr. Ward reported that the Board Operations Committee of the Whole discussed the following topics:</p> <ul style="list-style-type: none"> • Approved the minutes of the May 2008 Board Operations Committee Meeting. • The committee reviewed nominations for resolutions of recognition. • The committee approved the renewal of the NASBE membership for the coming year. • Superintendent Koch updated the committee on the progress of the Strategic Plan. • Board Members were given the opportunity to share their professional development experiences. • The committee discussed the agenda for the August 2008 Board Operations Committee of the Whole.
<p>Members' Reports</p>	<p>Mr. Clark stated that he attended the NASBE Conference on Governmental Affairs.</p> <p>Dr. Brown attended a Public Agenda Meeting sponsored by the Illinois</p>

	<p>Board of Higher Education and several retirement gatherings.</p> <p>Superintendent Koch stated that he attended the State FFA Convention was presented with an Honorary Degree Award. Honorary Degrees were also presented to Susie Morrison and Chairman Ruiz.</p> <p>Dr. Ward stated that he attend the NASBE Board of Directors Meeting. Dr. Hall and Mr. Clark were also in attendance for their respective committees.</p> <p>Ms. Karon reminded the members that she attended the Illinois Board of Higher Education meeting.</p> <p>Dr. Fields stated that he and Dr. Hall attended the Center for Disease Control Conference concerning health issues of young people across the country. Dr. Fields will be sharing information on the CDC meeting with Board members.</p>
Information Items	<p>Chairman Ruiz asked that the Board read the Monthly Fiscal and Administrative Monthly Reports printed in the meeting materials. There were no inquires this month regarding the reports.</p>
Chairman's Announcement Prior to Closed Session	<p>Prior to entertaining a motion for closed session, Chairman Ruiz announced following lunch and closed session, the Board will reconvening only to potentially take action on the closed session minutes and then to adjourn the meeting. The phone line will be disconnected following action on the next motion.</p>
Closed Session	<p>Dr. Brown moved that the Board enter into closed session under the exceptions set forth in the Open Meetings Act of the State of Illinois as follows:</p> <p>Section c 1 for the purpose of considering the appointment, employment, compensation, performance or dismissal of an employee;</p> <p>Section c11 for the purpose of considering pending or probable litigation against or affecting the Board.</p> <p>Section c 21 for the purpose of discussing minutes of meetings lawfully closed under the Open Meeting Act.</p> <p>Dr. Brown further moved that the Board might invite anyone they wish to have included in this closed session.</p> <p>Ms. Karon seconded the motion and it passed with a unanimous roll call vote.</p> <p>The open meeting recessed at 12:20 p.m. The open meeting reconvened at 1:30 p.m. following closed session.</p>
Closed Session Minutes	<p>Dr. Fields moved that whereas, pursuant to Section 2.06(d) of the Open Meetings Act, the State Board of Education has reviewed the minutes of its closed sessions from February 2008 through May, 2008; and</p> <p>Pursuant to Section 2.06(c) of the Open Meetings Act allowing for the destruction of the verbatim recordings of closed sessions (no less than</p>

	<p>18 months after the completion of the meeting recorded);</p> <p>The State Board of Education hereby certifies that the need for confidentiality still exists for the closed session minutes for the time period reviewed. Further, the State Board of Education approves the destruction of all closed session verbatim recordings prior to December 19, 2006.</p> <p>Mr. Clark seconded the motion and it passed with a unanimous voice vote.</p>
<p>Motion for Adjournment</p>	<p>Dr. Fields moved that the meeting be adjourned. Ms. Koster seconded the motion and it passed with unanimous voice vote. The meeting adjourned at 1:32 p.m.</p>

Respectfully Submitted,



 Dr. Vinni Hall
 Board Secretary



 Mr. Jesse Ruiz
 Chairman

Board Operations Committee of the Whole

**Thursday, June 19, 2008
8:30 a.m.**

**Board Room, 4th Floor
Public Conference Call Number: 1-866-297-6391 (listen only)
Confirmation #: 2 1 9 5 0 7 9 9**

AGENDA (timeframes are estimated for planning purposes)

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation 8:30 – 8:35 a.m.
4. Minutes of the May Board Operations Committee Meeting (**pp. 2-3**)
- *5. Review Nominations for Resolutions of Recognition (**pp. 4-6**)
 - a. Mark Thomas Schmidt, 2008 Poetry Out Loud State Champion
- *6. NASBE Dues (Chris Ward) 8:35 – 8:40 a.m. (**pp. 7-9**)
- *7. Strategic Plan Update (Chris Koch) 8:40 – 8:50 a.m. (**pp. 10**)
8. Board Reflection 8:50 – 9:00 a.m. (**pp. 11**)
9. Committee Agenda Planning/Additional Items
10. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and Board action may be taken in the plenary session.

BOARD OPERATIONS COMMITTEE OF THE WHOLE
June 19, 2008
Springfield, Illinois

Members Physically Present

Chris Ward, Committee Chair
David Fields, Committee Member
Joyce Karon, Committee Member
Jesse Ruiz, Committee Member
Andrea Brown, Board Member
Dean Clark, Board Member
Brenda Holmes, Board Member
Lanita Koster, Board Member

Members Absent

Vinni Hall, Committee Member

Staff Present

Jean Ladage
Marsha Moffett
Christopher A. Koch
Darren Reisberg

1. **ROLL CALL:** Dr. Chris Ward called the meeting to order at 8:30 a.m. and asked members to introduce themselves for purposes of roll call. (See above.)
2. **BOARD MEMBER PARTICIPATION BY OTHER MEANS:** There was no participation by Board members through any other means for this committee meeting.
3. **PUBLIC PARTICIPATION:** There was no request for public participation.
4. **COMMITTEE MINUTES:** Mr. Clark moved that the minutes of the Board Operations Committee for the April 2008 committee meeting be approved. Dr. Fields seconded the motion and it passed on a unanimous voice vote.
5. **REVIEW NEW NOMINATIONS FOR RESOLUTIONS OF RECOGNITION:** Dr. Fields moved that the resolution for Mark Thomas Schmidt be recommended for approval during plenary session. Mr. Clark seconded the motion and it passed unanimously.
6. **NASBE DUES:** Dr. Ward indicated that he will be abstaining from the vote on this motion because he serves on the NASBE Board. Members indicated that having the opportunity to serve on NASBE study groups and participate in meetings, there is a benefit of garnering experience and knowledge from other boards. It provides an opportunity to see what is happening in other states and the challenges being faced. Ms. Karon added that the side benefit is that there is an organized effort to bring together the General Counsels of the state boards of education.

Ms. Holmes encouraged members to highlight what Illinois is doing well at our national organization meetings. Ms. Karon encouraged members to participate in the study groups as well as the national conference.

Mr. Ruiz recommended that NASBE dues be recommended at the \$7500 professional development level for FY09.
7. **STRATEGIC PLAN:** Dr. Koch briefly reviewed the Draft Strategic Plan for submission to the General Assembly by July 1. Superintendent Koch commented that this report is much like last year's report in that he wanted to be sure the main objectives of the plan were discussed in the progress report, as well as an accounting of how the money was spent over the last year.
8. **BOARD REFLECTION:** Dr. Ward commented that he, Vinni and Dean attended the NASBE committees in Alexandria, VA. Dr. Ward indicated the Board of Directors discussed policy issues that were brought forward from two states for potential

consideration at the annual meeting. October will be the 50th anniversary of NASBE. The directors also reviewed NASBE finances and discussed possible topics for the 2009 study groups.

Mr. Clark indicated that the Government Affairs committee discussed the proposed Title I NCLB regulations. The committee also received an excellent presentation from the Obama campaign education staffer.

Dr. Ward indicated that Dr. Hall was the spokesperson for the Career Tech Study Group and did an excellent job of reporting in that capacity.

Dr. Fields added that Dr. Hall and he both attended the CDC-NASBE Conference on improving health and reducing sexual risk for youth as well as unexpected pregnancies. He indicated that it revealed an epidemic that needs to be addressed. The panel included youth participation which emphasized the need to address this epidemic.

9. **ADDITIONAL ITEMS AND AGENDA PLANNING:** Dr. Ward asked members to review their July calendars for possible dates for a special meeting if needed. It was determined that July 17 would be held for any potential items which might need immediate action. August 7 is also reserved as needed.

Chairman Ruiz suggested a refresher ethics course as a reminder for current members and because we have a new member.

Dr. Brown suggested an invitation to outside groups again, such as Advance Illinois as well as other groups to find out what others are doing. Ms. Holmes suggested Advance Illinois, the former "Burnham" Group, which is now called the Dialogue Group, and possibly the executive directors from the Small Lobby Group. Ms. Holmes indicated that she could accommodate that discussion in the September Governmental Relations meeting to be held in September.

- 10 **ADJOURN:** Mr. Clark moved that the Board Operations Meeting of the Whole be adjourned. Ms. Karon seconded the motion and it passed with a unanimous voice vote. The committee meeting adjourned at 9:05 a.m.

Education Policy Planning Committee of the Whole

Wednesday, June 18, 2008

2:15 p.m.

(This meeting will begin immediately following the previous session.)

Board Room, 4th Floor

Public Conference Call Number: 1-866-297-6391 (*listen only*);

Confirmation #: 2 1 9 5 0 7 9 7

AGENDA (*timeframes are estimated for planning purposes*)

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation 2:15 – 2:30 p.m.
4. Minutes of the May Education Policy Planning Committee Meeting (**pp. 2-4**)
5. Illinois Career Development Task Force Report 2:30 – 2:45 (**pp. 5-32**)
(*Susie Morrison, Mark Williams*)
- *6. Discussion of American Diploma Project and ACHIEVE 2:45 – 3:00 p.m. (**pp. 33-34**)
(*Chris Koch, Susie Morrison*)
- *7. Calumet Park School District #132 Update 3:00 – 3:15 p.m. (**pp. 35-69**)
(*Chris Koch, Darren Reisberg, John Perkins*)
- *8. Discussion: Update List of SES Providers (*Gina Hopper, Gary Greene*) 3:15 – 3:20 p.m. (**pp. 70-73**)
- *9. Proposed NCLB Title I Regulations: Discussion of Board Commentary 3:20 – 3:35 p.m. (**pp. 74-84**)
(*Chris Koch, Melina Wright*)
10. Committee Agenda Planning/Additional Items
11. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and Board action may be taken in the plenary session.

**EDUCATION POLICY PLANNING COMMITTEE OF THE WHOLE
MINUTES**

Wednesday, June 18, 2008

1:40 P.M.

Board Room, 4th Floor
Springfield, Illinois

Committee Members Physically Present

Dr. David Fields, Chair
Dr. Andrea Brown
Joyce Karon
Lanita Koster

Other Board Members Physically Present

Jesse Ruiz
Dean Clark
Brenda Holmes
Dr. Chris Ward

Committee Members Absent

Dr. Vinni Hall

ISBE Staff

Dr. Christopher Koch
Dr. Linda Tomlinson
Susie Morrison
Mark Williams
Darren Reisberg
Linda Mitchell
Gina Hopper

The Education Policy Planning Committee meeting convened at 1:40 PM

1. **ROLL CALL:** Dr. David Fields requested a roll call. See above.
2. **BOARD MEMBER PARTICIPATION BY OTHER MEANS:** There was no participation from Board members by any other means.
3. **PUBLIC PARTICIPATION:** There was no public participation.
4. **MINUTES OF THE MAY 2008 EPPC MEETING:** Dr. Christopher Ward moved to approve the minutes from the May 2008 Education Policy Planning Committee meeting. Mr. Dean Clark seconded the motion and it passed unanimously.
5. **ILLINOIS CAREER DEVELOPMENT TASK FORCE REPORT -** Susie Morrison and Mark Williams provided information on the Illinois Career Development Task Force Report. Ms. Morrison noted that many of the recommendations in the report have been implemented and that awareness of the issues is important so that each and every one of our students is prepared for a successful career.

Mr. Williams spoke regarding the task force recommendations. The report was presented in December to the Illinois Workforce Investment Board. Mr. Williams stated that the report originated from the Governor's Critical School Shortage Initiative. The task force was charged with identifying Illinois' greatest work force needs and how to create a system to fulfill those needs. The top three needs identified were healthcare/nursing, high-tech manufacturing and transportation distribution and logistics. The task force observed that there is no comprehensive system for introducing Illinois' young people to careers nor is there a way to ensure that Illinois' workers are equipped with the necessary skills to make a career transition inside or outside of a work sector. Mr. Williams asked for reactions to the report.

Susie Morrison thanked Mark Williams for his leadership and guidance throughout the phases of the report's recommendations.

The Education Policy Planning Committee accepted the report and Dr. Fields thanked Mr. Williams and the other task force members for their work.

6. **DISCUSSION OF AMERICAN DIPLOMA PROJECT AND ACHIEVE:** Dr. Fields asked for additional questions and indicated that the agenda item was going to plenary on Thursday for approval. Ms. Karon moved to recommend the item be forwarded for approval in plenary session. Mr. Clark seconded the motion. Following a brief discussion regarding the inclusion of science, it was determined that science was to be included. The motion was approved with a voice vote.
7. **CALUMET PARK SCHOOL DISTRICT 132 UPDATE:** A District 132 update was provided by Dr. Chris Koch, Mr. Darren Reisberg and Mr. John Perkins. Mr. Reisberg spoke regarding the intergovernmental agreement that was entered into in 2006. The initial term of the agreement ends on June 30th, 2008. If the State Board feels the district is in compliance and that it is in the best interest of the students, they can take action to terminate the agreement now. Otherwise (with no action by the State Board to terminate), the agreement will automatically renew for at least another year.

Superintendent Koch and staff believe that the district has made progress as a result of this partnership. The members of the local board have pursued professional development and have hired a competent business manager. They have cleared the majority of their special education compliance issues. However, Dr. Koch commented that it is his recommendation that the State Board not take action at this time, allowing the agreement to continue for another year, as state oversight was a significant factor contributing to the district's gains over the past two years.

Mr. Gary Leider, ISBE Administrator for Calumet Park S.D. 132, spoke regarding substantial gains the district has made over the past year, but commented that there are still major hurdles to clear. They have worked with the oversight board and the local board to identify what goals should be achieved within the next year. Two of the hurdles still to clear are facilities issues and personnel management. The biggest gain has been in board training and non-compliance issues.

Linda Mitchell added that the facilities concerns present a financial challenge to the district going forward. The district has exhausted their long term debt and recently entered into additional debt. Last fall, Calumet Elementary experienced flooding which resulted in problems that still need to be addressed and will have financial ramifications. The district has entered into a performance contract to address building repairs at Burr Oak. The hiring of a strong business manager has proven most effective. The business manager works as an effective business partner to the superintendent. Together they have addressed many previous audit concerns. However, there are still concerns regarding the process for procurement which could have financial ramifications.

Mr. Reisberg commented that while we are not recommending contract termination now, the oversight board and district representatives should develop benchmarks that can be included in the intergovernmental agreement by way of an amendment. The amendment could allow for transitioning the administrator progressively out of the district over the course of the year as long as the district was meeting the agreed-upon benchmarks.

Superintendent Koch commented that this takeover of a struggling district was an important endeavor of the Board and the Agency. Cost estimates were prepared to indicate what costs the state incurred. He added that significant staff time is not reflected in the cost estimates. It would be useful for the Board to reflect on this process for a potential duplication at some point. We have learned what does and does not work. Putting two

boards in play (local board and oversight board) at the same time can be burdensome. Both Dr. Koch and Dr. Fields thanked the staff for their involvement.

Joyce Karon added that significant board training was done. She feels that developing this for any ongoing process is essential.

Dr. Fields restated that the recommendation is that the State Board take no action with regard to this agreement, thus ensuring the continuation for at least an additional year at Calumet Park. Dr. Ward moved that the State Board take no action on this agenda item during plenary session on Thursday. Ms. Koster seconded the motion. It was approved with a unanimous voice vote.

8. SES Provider List Update – Dr. Gary Greene and Ms. Gina Hopper reported.

Dr. Brown asked for clarification regarding the timeline as two sets of test scores came out so close together, causing people to be confused of when they were moving into sanctions and when they were not.

Dr. Connie Wise responded that most elementary and middle schools have their AYP status now. Dr. Greene added that districts are notified over the summer as to the status of their schools. The districts then should contact providers who are already on the approved ISBE list. There are currently approximately 38 approved providers for every district in the state. Dr. Brown commented that some small districts may have limited availability.

Dr. Fields stated that very small districts may have a more difficult time finding providers than Chicago suburban districts simply because of the numbers.

Ms. Koster asked if there is data reflecting the impact that these providers have had on students. Dr. Greene responded that we have received a draft of the effectiveness report which covers the 2005/2006 school year. Superintendent Koch commented that the findings of the SES Evaluation will be presented to the Board at the September Board meeting.

Mr. Ruiz asked how many programs are online. Dr. Greene responded that approximately ten are online and indicated that the companies are domestic but some of the tutors may be in India. There was significant discussion approximately 18 months ago regarding criminal background checks for the tutors of a particular provider. Mr. Ruiz asked if there were monitors or audits to make sure the providers are compliant. Dr. Greene stated that this particular provider posted transcripts online so that parents could monitor conversations.

Dr. Koch suggested that a more efficient process of approving providers might be for the Board to direct the Superintendent to review and approve the providers.

Joyce Karon moved to carry the motion forward with a revision to authorize the Superintendent to review and approve providers. Dean Clark seconded the motion. There were no objections.

9. Proposed Comments Regarding NCLB Title I Regulations - Superintendent Koch initiated the dialogue stating that these proposed comments were discussed at the May board meeting. Comments were solicited from stakeholders and adjustments were made accordingly. Dr. Koch turned the floor over to Melina Wright to discuss the changes from what the Board reviewed last month.

Melina Wright stated the draft is similar to what the Board initially reviewed, with a few minor modifications. The comments are due to the Department of Education on Monday, June 23.

Ms. Holmes questioned the possibility or probability that the proposed regulations might not go in effect until after January 20th? Ms. Wright stated that the Department of Education's intent is that they would like to have the final regulations issued by November 2nd which corresponds to the election. They must respond to every comment they receive. The final release is dependent upon how many comments are received and the extent of those comments.

Mr. Clark commented that a new administration would not likely undo changes in a timely fashion. It is also likely that we will have these issues for some time.

Dr. Brown stated that she has spoken with Todd Seelbach of the U.S. Department of Education office in Chicago about Illinois' Differentiated Accountability proposal and he indicated that Illinois' proposal is very strong. Dr. Brown complimented staff on a very thorough proposal.

Ms. Wright indicated that the United States Department of Education (Department) issued these proposed regulations and the Department believes these regulations must be in place to further the objectives of NCLB. The comment period provides the public an opportunity to share their views and then the Department will issue the final regulations.

Mr. Reisberg commented that there is no JCAR equivalent in the federal legislature that would put a block in the way.

Dr. Fields suggested that the comments be approved. All were in favor. There was no opposition.

- 10. Committee Agenda Planning** - Superintendent Koch asked the committee to review the Gates MOU with the Governor's Office. The expiration of the current agreement is June 30, 2008. It will be time to look at the provisions and language and there is a need to itemize directional goals for the future.

Dr. Field added that we need to stay on track with the Charter School issue.

Dr. Brown advised that discussion should take place regarding the NCLB determination of persistently dangerous schools.

Superintendent Koch stated that today's work study went well. If there are other topics for which that forum is best suited, we can plan accordingly. Dr. Fields stated that he felt it worked exceptionally well.

Ms. Holmes indicated she would like to see policy-type issues continue to be discussed in this manner.

Ms. Karon moved to adjourn the meeting and Dr. Ward seconded the motion. The meeting adjourned at 2:39 P.M.

Governmental Relations Committee of the Whole

Thursday, June 19, 2008

9:00 a.m.

(This meeting will begin immediately following the previous session.)

Board Room, 4th Floor

Public Conference Call Number: 1-866-297-6391 *(listen only)*

Confirmation #: 2 1 9 5 0 7 9 9

AGENDA *(timeframes are estimated for planning purposes)*

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation 9:00 – 9:15 a.m.
4. Minutes of the May Governmental Relations Committee Meeting **(pp. 2-4)**
5. Legislative Update *(Nicole Wills)* 9:15 – 9:45 a.m. **(pp. 7-90)**
6. Committee Agenda Planning/Additional Items
7. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and Board action may be taken in the plenary session.

GOVERNMENTAL RELATIONS COMMITTEE OF THE WHOLE

Thursday, June 19, 2008
Springfield, Illinois

Committee Members Present

Brenda Holmes, Chair
Jesse Ruiz,
Chris Ward
David Fields
Joyce Karon
Lanita Koster
Andrea Brown
Dean Clark

Staff Present

Chris Koch
Linda Tomlinson
Jean Ladage
Nicole Wills
Darren Reisberg
Connie Wise
Susie Morrison
Beth Hanselman
Marsha Moffett

Committee Members Absent

Vinni Hall

1. ROLL CALL

See above.

2. PUBLIC PARTICIPATION

None

3. MINUTES OF JUNE COMMITTEE MEETING

Board member Dean Clark made a motion to approve the May Committee minutes and the motion was seconded by Jesse Ruiz. The minutes were approved with a unanimous voice vote.

4. LEGISLATIVE UPDATE

- Three ISBE initiatives passed both Chambers out of the eight introduced by the Agency:
 - SB 2482 – This was our initiative to clean-up obsolete & duplicative provisions in the School Code and impacts various parts of the agency. Sponsors of the legislation also added two other elements on to the bill that were not ISBE initiatives. The first addition amends the Missing Children Records Act by providing that for every child enrolled in a particular school, preschool, or day care or other child care facility, shall notify the person enrolling the child in school, in writing, that he or she must provide a certified copy of the child's birth certificate. The school or other entity is required to promptly make a copy of the certified copy of the child's birth certificate for its records and return the original certified copy to the person providing it. Additionally, the bill makes changes with respect to the Illinois Mathematics and Science Academy, by providing that the Academy may develop additional campuses throughout the State and that any additional campus does not need to serve as a residential institution (instead of providing that the Academy shall be a residential institution that may consist of more than one campus).
 - SB 2487 - ISBE bill that cleans up provisions concerning school district reorganizations.
 - SB2042 - ISBE court placement legislation. HB 1141 also contains language that is contingent upon SB 2042 becoming law.
- Other legislation passed by the General Assembly:
 - HB 4252 provides that if an employee of a school district has made a report to DCFS involving the conduct of a current or former employee of the school district and a request is made by another school district for job performance or qualifications of the current or former employee, the general superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that an employee of

the school district has made a report involving the conduct of the applicant the Department.

- HB 4522 reduces the number of General State Aid payments from 24 to 22, which ensures that all GSA payments will be vouchered in the same fiscal year.
 - HB 5717 deals with an issue raised by SB 937 (Public Act 95-422) from last year. ISBE supported this legislation that provides that children who received a health examination within one year prior to entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination in order to comply with the provisions of PA 95-422 when he or she attends school for the 2008-2009 school year, unless the child is attending school for the first time.
 - HJR 36 requires the Board of Higher Education to establish a task force to study issues related to dual credit. The task force must report its findings to the General Assembly on or before December 1, 2009.
 - HR 1117 requires DCFS, DHS and ISBE to coordinate on a Cross-Agency Coordinating Task Force on Developmental Disabilities to study a uniform age to age-out of special services.
- Chairwoman Holmes asked about the status of all of the bills making changes to the Charter School Law. All bills that were introduced have stalled during the process; however, Representative Jerry Mitchell has introduced a resolution to create a task force on charter schools, though the resolution did not pass before the end of session.
 - Chairwoman Holmes also asked about legislation that would make changes to the P-20 Council. The legislation adds additional members to the Council and sets specific timelines for when meetings take place but does not change the specific duties of the Council. However, the legislation has not yet passed the General Assembly.

5. ADJOURNMENT

Chris Ward made a motion to adjourn the committee and it was second by Jesse Ruiz. The motion passed unanimously.

Finance & Audit Committee of the Whole

Wednesday, June 18, 2008

12:30 p.m.

Board Room, 4th Floor

Public Conference Call Number: 1-866-297-6391 (listen only)

Confirmation #: 2 1 9 5 0 7 9 7

AGENDA (timeframes are estimated for planning purposes)

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation 12:30 – 12:45 p.m.
4. Minutes of the May Finance & Audit Committee Meeting (pp. 2-3)
- *5. Committee Consent Agenda
 - a. Contracts & Grants Over \$1 Million 12:45 – 12:50 p.m.
 - 1) Early Childhood Block Grants (pp. 4-5)
 - 2) Early Childhood Evaluation Contract with Erikson Institute- Year 2 (pp. 6-7)
 - 3) Social/Emotional Training and Consultation Contract Renewal with Erikson Institute (pp. 8-0)
 - 4) Renewal of IMSA Intergovernmental Agreement for Illinois Virtual High School (p. 10)
 - 5) Renewal of Principal Mentoring Contract with Illinois Principals Association (pp. 11-12)
 - 6) Writing Component for Illinois Standards Achievement Test (ISAT) (see insert behind p. 12)
- *6. FY07 Financial and Compliance Audit (Lisa LaBonte) 12:50 – 1:05 p.m. (pp. 13-22)
- *7. Cahokia School District #187 Financial Plan (Deb Vespa) 1:05 – 1:20 p.m. (pp. 23-34)
8. Appropriations Transfers (Linda Mitchell, Ronny Wickenhauser) 1:20 – 1:30 p.m.. (pp. 35-36)
9. State Board of Education Budget Update 1:30 – 1:45 p.m. (pp. 37-42)
(Linda Mitchell, Ronny Wickenhauser)
10. Legislative Grants and Other Special Initiatives 1:45 – 2:00 p.m. (will begin on p. 43)
(Linda Mitchell, Ronny Wickenhauser)
11. Committee Agenda Planning/Additional Items
12. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and Board action may be taken in the plenary session.

FINANCE & AUDIT COMMITTEE OF THE WHOLE

Wednesday, June 18, 2008
Springfield Illinois

Members Present

Dean Clark, Committee Chairman
Andrea Brown, Committee Member
David Fields, Board Member
Chris Ward, Board Member
Brenda Holmes, Committee Member
Joyce Karon, Board Member
Lanita Koster, Committee Member
Jesse Ruiz, Board Member

Senior Staff Present

Chris Koch
Linda Riley Mitchell
Jean Ladage
Darren Reisberg
Lisa LaBonte
Don Evans
Linda Tomlinson

Staff Present

Ronny Wickenhauser
Deb Vespa
Marsha Moffitt

Members Absent

Vinni Hall, Board Member

1. **ROLL CALL**

All present except Vinni Hall.

2. **BOARD MEMBER PARTICIPATION BY OTHER MEANS**

None

3. **PUBLIC PARTICIPATION**

Dave Comerford and Laura Aerne, Illinois Federation of Teachers from Cahokia

- Spoke about Cahokia's financial improvement and that the Board should consider taking them off of certification.
- Handouts were submitted to committee members.

4. **MINUTES OF THE MAY FINANCE & AUDIT COMMITTEE MEETING**

Motion passed to approve the minutes.

5. **COMMITTEE CONSENT AGENDA**

a. Contracts & Grants over \$1 Million

1. Early Childhood Block Grants
The Committee recommended moving this item forward to plenary session.
2. Early Childhood Evaluation Contract with Erikson Institute – Year 2
The Committee recommended moving this item forward to plenary session.
3. Social/Emotional Training and Consultation Contract Renewal with Erikson Institute
The Committee recommended moving this item forward to plenary session.

Dr. Brown asked if this contract was about all they do for pre-K or does it cover other areas. Ms. Henderson explained that it is for birth-to-3 programs and the pre-K and pre-school programs. Dr. Brown asked if ISBE has any other contracts with Erikson for this. Ms. Henderson clarified that another other contract ISBE has with Erikson is for system evaluation. Dr. Brown asked if ISBE had anything comparable for kindergarten on up. Ms. Henderson responded that they do not have anything out of their division related to this kind of consultation or training.

Ms. Hanselman stated that ISBE had the social/emotional support grants to school districts.

4. Renewal of IMSA Intergovernmental Agreement for Illinois Virtual High School
The Committee recommended moving this item forward to plenary session.

Ms. Karon asked for an update later on the courses being taught, number of kids and the geographic regions that are represented.

5. Renewal of Principal Mentoring Contract with Illinois Principals Association
The Committee recommended moving this item forward to plenary session.
6. Writing Component for Illinois Standards Achievement Test
The Committee recommended moving this item forward to plenary session.

6. FY07 FINANCIAL AND COMPLIANCE AUDIT

Lisa LaBonte stated that there were only two findings. One was on mandates and one was on Internal Audit. There were no financial findings. Ms. LaBonte stated that SB 2482 cleaned up legislation and thus reduced the findings. There are still a couple of findings related to the Auditor General's stance that ISBE should request funding for all mandated grant programs in our annual budget process. One of the findings is that we do not nominate anyone to the Summer School for the Arts Board of Trustees. This Board has not existed since 2001, but the mandate is still in the statutes.

Ms. LaBonte stated that Internal Audit is going to work on doing more audits but they do not have the staff right now. There are only two people in the division. She is hoping to hire someone to fulfill the requirements.

Ms. Holmes congratulated Ms. LaBonte on the outcome of the audit. She was glad that so many of the findings were taken care of. Ms. Holmes asked if a follow up had been done following the Safety Survey Reports. Ms. LaBonte stated that she did not do any follow up. Ms. Holmes stated that she does not agree with the way the agency failed to consider certain mandates when establishing the annual budget. Ms. Holmes asked that the evidence could be presented next time that we have taken a look at all mandates. Ms. LaBonte stated that last year there were over 100 mandates.

7. CAHOKIA SCHOOL DISTRICT #187 FINANCIAL PLAN

Deb Vespa stated that ISBE met with the IFT members on June 3, 2008 and discussed all of the concerns that they had regarding the Cahokia plan. Ms. Vespa stated that she views the plan submitted by the district to be optimistic. There are significant changes in what was brought before the Board in February and this plan. Some of the changes were in the EAV projections and the General State Aid assumptions. ISBE built into the GSA assumptions a foundation level increase of \$125 each year. Historically, GSA had been increasing about \$190, so the district revised their projections and increased GSA for the last two years to \$200.

Ms. Vespa stated that the district changed the start time at the high school and put 6th grade by itself to try to increase the attendance rate. The district is also looking at the transportation routes to hopefully to transport more students.

Ms. Vespa added that salaries were increasing by about 6 percent in the past. The proposal now states 5.25 percent for 2009 and 2010 and nothing built in for 2011.

Ms. Vespa stated that the Board has already certified the district as in financial difficulty. The district is therefore obligated to develop a financial plan and that is what is being presented to the Board today.

After reviewing a school district's plan, Agency staff can bring recommendations to amend that plan if the district is showing improvement. She stated that staff can also bring plans to show that the district is not improving. If they are not improving, then the Board can take

further action against the district, including placing the district under a financial oversight panel. Linda Mitchell stated that since the time that the Board voted to certify the district as in financial difficulty, the local school board has taken some action that improves their overall financial position. There is some possibility of the district exceeding the plan that they have submitted. The plan becomes a tool to allow the Agency to review and measure the district's performance.

Laura Aerne from IFT stated that she has the new figures from the circuit clerk's office and it shows that the TIF amount from previous years has been reduced and that the mayor's office has pulled the properties out, its on the new tax bills and those bills are going out and that money will be coming in, in the next few months as they start to collect their taxes for the county. Dr. Fields asked if the IFT consider the existence of the plan to be a negative for the district. Ms. Aerne said that the union did believe the plan to be a negative for the district.

Mr. Clark said the certification has taken place and now the Board has two options: to approve the plan as presented or not to approve it. Mr. Clark said that the Board needs to monitor the plan over the next few months and, if the improvements are happening, then we need to revise the plan as appropriate. .

Linda Mitchell repeated the current status. Members of the Board in March elected to certify the district as in financial difficulty; ISBE gave the district 45 days to submit a plan. The Board in turn has a responsibility to approve that plan so that the district can move forward. Ms. Mitchell stated that things will happen as we proceed against this plan, they will either meet these attendance estimates or not. They will either get the money that they anticipate from the EAV increase or not. Ms. Mitchell stated that our Board can approve the financial plan given the expectation that the Board will revisit the plan in a few months and examine the district's performance. Ms. Vespa said if the Board does not approve the plan, then staff would have to take recommendations back to them saying why it was denied. Superintendent Koch asked if there was a time period. Ms. Vespa said the district has 45 days to bring their plan to the Board.

Laura Aerne stated that the IFT was hoping to have the certification reversed because the IFT believe that the district has shown non-deficit spending and therefore no longer meets the requirements of being certified as in financial difficulty. Ms. Mitchell stated that, if that were the case, the Board would have to revoke every certification ISBE does, because the purpose of the certification is to encourage the local school board to devise a plan to remedy the deficit. Ms. Vespa wanted to clarify the criteria for certification is negative funding balances, not deficit spending.

Dave Comerford wanted to add that the IFT's concern over the three year plan is that the certification is going to be used by the district to justify other actions that don't involve the Board, but do involve local matters. He stated that he did not want the ISBE Board to be brought into the middle of those local matters. He stated that he wanted the Board to help keep close watch. Dr. Brown asked what Mr. Comerford was referring to. Mr. Comerford stated that the last year of the three-year plan would be 2011, which will be a contract negotiation year and right now there is no amount listed in a salary increase—and that, he believes, is not unintentional.

Mr. Clark stated that this is going before the full Board tomorrow and the Committee needs to take action on the recommendation to approve the plan as presented. Motion was approved and all were in favor of moving this recommendation to plenary.

8. APPROPRIATIONS TRANSFERS

Linda Mitchell stated that, with the 2008 Budget Implementation (BIMP) bill, ISBE was given new authority to make transfers between the mandated categorical line items. She said that staff is requesting that the Board allow a transfer between a couple of the line items so that

we no longer need to prorate mandated categoricals. We have the funds available to do this; we have the authority via the BIMP. Ms. Holmes recommended that the motion in the packet be forwarded to the plenary session for approval. Motion was approved and all were in favor.

9. STATE BOARD OF EDUCATION BUDGET UPDATE

Ronny Wickenhauser stated that on May 31st the General Assembly passed the budget. He has given the information to the Board. As of today neither the budget nor the BIMP has been sent to the Governor. The General Assembly has 30 days to get the bill to him. Mr. Wickenhauser noted that the budget had an increase in ISBE's general funds administration to maintain staffing level but to not add any new staff. GSA goes up to \$225 under this plan. Mandated categoricals are funded at 100%. There is no increase in Special Ed personnel reimbursement rate. Some of the Board's requests were not funded such as online data bases. Others were funded, but at lesser amounts. For example, "response to intervention" was funded at \$2 million as opposed to the \$3.9 million the Board recommended. Ms. Mitchell stated that Grow Your Own would be another one that came in less than the Board's recommendation. Mr. Wickenhauser stated that educator misconduct was also not funded at the level of the Board's recommendation. The funding for the 24 school districts that were entitled in 2002 was included in the State Board of Education's budget at a \$148 million. ISBE, however, does not handle capital funding. So, if this is the budget that the Governor signs and those projects remain intact, Mr. Wickenhauser said that the Agency will have to work out an agreement with the Capital Development Board (CDB) for these projects. Ms. Holmes asked if that particular line for school construction remains in the budget, how soon could the school districts get their money. Mr. Wickenhauser stated that the BIMP does not have to be signed, just the budget. He said it could be quickly, but could not give a timeline. Ms. Holmes asked if he thought by the fall. He said yes.

10. LEGISLATIVE GRANTS AND OTHER SPECIAL INITIATIVES

Mr. Clark said that there should be an asterisk next to number 10 on the agenda indicating that this will be discussed in committee and go to the Board for plenary session action tomorrow.

Mr. Wickenhauser stated that at the Board's request, staff contacted all of the grantees we had on the list from April and May. He indicated that paperwork was sent to each, requiring them to submit applications. Applications were received from every grantee.

Chris Koch said that he would like to point out that the list does not reflect every legislative project we have been asked to fund. There are other requests about which the Board heard testimony at its May meeting, which is not on the list. There are others the Agency believed were not appropriately placed in this Agency and still others that did not meet the timelines required. Dr. Koch stated that there was some selectivity in what he and his staff brought to the Board for approval and consideration at this time. Mr. Wickenhauser said that there were approximately 50 projects received at this Agency well after the Board requested us to engage in this process. There was simply not time to ask for the information requested. For example, we received two or three requests two days ago. Ms. Mitchell said that there were others that did not match what this Agency does and we encouraged them to identify another agency for such projects.

Motion was approved to the committee recommendation. All but Dr. Fields were in favor.

11. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS

12. ADJOURN

Ad Hoc Rules Committee of the Whole

**Wednesday, June 18, 2008
3:45 p.m.**

(This meeting will begin immediately following the previous session.)

**Board Room, 4th Floor
Public Conference Call Number: 1-866-297-6391 (listen only)
Confirmation #: 2 1 9 5 0 7 9 7**

AGENDA *(timeframes are estimated for planning purposes)*

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation 3:45 – 4:00 p.m.
4. Minutes of the May Ad Hoc Rules Committee Meeting **(pp. 2-4)**
- *5. Rules for Initial Review
 - a. Part 35 (New Principal Mentoring) 4:00 – 4:05 p.m. **(pp. 5-16)**
- *6. Rules for Adoption
 - a. Part 25 (Certification) 4:05 – 4:10 p.m. **(pp.17-110)**
 - b. Part 180 (Health/Life Safety Code for Public Schools) 4:10 – 4:15 p.m. **(pp. 111-116)**
 - c. Part 235 (Early Childhood Education Block Grant) 4:15 – 4:20 p.m. **(pp. 117-124)**
 - d. Part 401 (Special Education Facilities Under Sec. 14-702) 4:20 – 4:35 p.m. **(pp. 125-146)**
 - e. Part 305 (School Food Service) 4:35 – 4:50 p.m. **(pp. 147-178)**
7. Committee Agenda Planning/Additional Items
8. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.

Ad Hoc Rules Committee of the Whole

Wednesday, June 18, 2008

3:45 p.m.

State Board of Education Office
100 North First Street
Springfield, Illinois

Committee Members Present

Jesse Ruiz
Andrea Brown
Dean Clark
David Fields

Brenda Holmes
Joyce Karon
Lanita Koster
Chris Ward

Absent

Vinni Hall

Others

Chris Koch
Darren Reisberg
Linda Jamali
Patrick Murphy
Chris Schmitt
Mark Haller
Mark Williams
Sally Vogl

Chairman Ruiz called the meeting to order at 3:15 p.m. He announced that Dr. Hall was absent and that no members would be participating by other means.

3. APPROVAL OF MINUTES

Brenda Holmes moved approval of the minutes of the Committee's meeting of May 22, 2008. Joyce Karon seconded the motion and it was adopted unanimously. The minutes were approved as presented.

4. PUBLIC PARTICIPATION

Rod Estvan, representing Access Living, a Chicago center for independent living, spoke in support of the amendments to Part 401, Special Education Facilities Under Section 14-7.02 of the School Code. He noted that the amendments currently affected only one facility, the Judge Rotenberg Center (JRC), located in Massachusetts. He understood that the Board members had received a large volume of comments from proponents of the JRC on topics including the need to preserve options for serving severely disabled students, and particularly the use of the "GED" (graduated electronic decelerator) to manage various students' behavior.

Mr. Estvan pointed out that, unlike Massachusetts, Illinois had moved to non-aversive behavioral interventions years ago and had developed a handbook on the subject as called for in Section 14-8.02 of the School Code. He indicated that on this basis it was not clear how the Illinois Purchased Care Review Board had approved a rate for the JRC and that this should not have occurred. He explained that the JRC aggressively promotes its use of aversive interventions such as the GED and also supports a form of food deprivation, in direct contradiction to the policies of three national organizations (the Arc, the American Association on Intellectual and Developmental Disabilities, and TASH), which represent the major family and professional groups dedicated to individuals with cognitive disabilities. He stated that Access Living viewed the use of painful aversive techniques as a fundamental violation of human rights as established by the United Nations Convention on the Rights of Persons with Disabilities.

Mr. Estvan went on to note that New York state authorities had conducted an extensive investigation of the JRC and that the resulting 2006 report identified major problems with the use of electrical shock and "enormously disturbing" details. He provided copies of that June 2006 report for Board

members. Although the JRC had responded to that report, in part by referring to Massachusetts reviews that JRC believed refuted the New York findings, Mr. Estvan did not concur. He also provided the Massachusetts report for Board members, stating that it included extremely significant issues in its findings.

Mr. Estvan explained that it is not the Massachusetts Department of Education, but rather the Department of Mental Retardation, that regulates the use of aversive techniques (due to a ruling that was issued by the judge for whom the JRC is named). For this reason, Mr. Estvan considered it only natural that the education agency's report had made no finding on the use of aversive interventions. Further, he asked the Board to bear in mind that the primary mission of any facility to which a student is sent is to educate the student, and it was his view that the JRC does not provide essential learning opportunities to enable students to meet state standards. He quoted from specific findings in the report of the Massachusetts Department of Education identifying shortcomings in this regard.

Mr. Estvan stated that the principal concern of his organization was for students' access to the general curriculum and that the Massachusetts report revealed major issues at the JRC in this area that he considered as disturbing as the use of aversive techniques. He also pointed to the absence of any effective transition process, in that nothing was included in many students' IEPs and that only a small percentage of the students in the affected age range were found to have had relevant assessments. He stated Access Living's belief that the JRC's program would not have been approved if there had been funding available to allow board members or staff to visit the facility first. In conclusion, Mr. Estvan made reference to a statement prepared by Chicago special education attorney Matthew Cohen, which he also provided for the Board members.

Susie Woods, Chairperson of the Illinois State Advisory Council on the Education of Students with Disabilities (ISAC), reiterated ISAC's support for the changes being made to Part 401, and particularly for the prohibition on the use of behavioral intervention strategies that would jeopardize students' health or safety or would rely upon pain as an intentional means of control. Ms. Woods expressed ISAC's agreement that a program using such techniques should be disapproved immediately and that all providers should have policies in place prohibiting their use. She asked the Board to consider whether most taxpayers realized that public funds were being used to support facilities where such treatment occurred and whether they would agree. She stressed ISAC's vehement opposition to any treatment that inflicts pain on students when there are many proven positive behavioral interventions from which to choose. She concluded her remarks by asking the Board to adopt the rules on behalf of students and families who have no voice with which to speak out on issues such as this. She distributed additional supportive testimony provided to her by Tony Paulauski, Executive Director of The Arc of Illinois.

Chairman Ruiz noted that there were a number of representatives of the JRC present and that their testimony would be heard as the Board considered Part 401 specifically. He indicated that the order of agenda items would be adjusted so that Part 401 would come first to avoid delaying those individuals.

The next speaker was Jennifer Hansen, an attorney with a Northbrook law firm, Whitted, Cleary + Takiff, that was representing parents of children with severe disabilities who would be affected by the amendments. Ms. Hansen pointed out that the students who attend the Judge Rotenberg Center make up a very small segment of the overall population of students with disabilities and that these children exhibit the most extreme and severe disabilities on the spectrum. She provided several examples of very aggressive or self-injurious behavior occurring among these students and went on to explain that other facilities typically would not accept, or would expel, students with such severe behavioral problems. She stated that, on average, the students at the JRC had been rejected by four other residential facilities but that for some students this had occurred with as many as 20 other residential placements.

Ms. Hansen outlined the role of each student's IEP Team in determining the appropriate placement and noted that the membership of an IEP Team includes the parents, teacher, and district but does

not include the State Board of Education. In her view, through the present amendments the State Board was inappropriately inserting itself into the IEP process. She went on to note that her firm had been contacted by a number of parents who were interested in placing their children at the JRC. She indicated that the parents needed the JRC to be available, because their children had nowhere else to go other than to jail or mental institutions, where they would either be heavily medicated and essentially live in a vegetative state or continue their aggressive or self-injurious behavior. There would be no hope of their receiving a free appropriate public education under those circumstances.

Ms. Hansen acknowledged that the methods used at the Judge Rotenberg Center were controversial. She added that there were many controversial methods associated with the provision of special education and asked rhetorically at what point “we stop sliding down the slippery slope”, by which she meant regulating from the state level matters under the purview of the IEP Team for each child. She asked Board members to keep in mind that even some unattractive methods might be the best ones or the last resort for certain children and requested them not to adopt the proposed amendments.

Janet Stover of the Illinois Association of Rehabilitation Facilities spoke on behalf of Mr. Art Dykstra of Trinity Services in Joliet and submitted written testimony from him as well. She expressed Trinity Services’ support for the proposed revisions to Part 401. She stated that Trinity Services had had extensive involvement in discussions and litigation about the use of contingent electric shock therapy, having merged with another agency that had been employing this method with respect to an adult with autism. The Trinity board of directors and management team believed there were preferable alternatives to this aversive approach and had recently prevailed via court action declaring electric shock for adults not to be legal in Illinois.

Ms. Stover acknowledged that the issues surrounding the use of this methodology are complicated but stressed Mr. Dykstra’s position that its use compromises a humane, therapeutic approach to treatment and education of individuals with challenging behavior. She indicated that the person in question had been the only adult being shocked in Illinois and that he had been treated in this way for a number of years. On behalf of Mr. Dykstra, she reported that there had been significant improvements in his behavior since the discontinuation of the shock therapy. While “total victory” could not be claimed, progress was apparent, and all those involved in his care and treatment believed him to be happier now than while shock treatments were being implemented.

In conclusion, Ms. Stover reiterated the strong stance against aversive techniques taken by the American Association on Intellectual and Developmental Disabilities, of which Mr. Dykstra is a fellow, and his strong support for the proposed amendments.

Loretta Durbin, also representing Trinity Services and Art Dykstra, summarized Trinity’s experience with the treatment of the individual Ms. Stover had described and Mr. Dykstra’s sense of the young man’s progress since shock treatment had been terminated. She encouraged the Board to proceed with the rulemaking and ensure that shock treatment would not be part of the therapy used in schools.

5. RULES FOR ADOPTION

PART 401 (Special Education Facilities Under Section 14-7.02 of the School Code)

Chairman Ruiz turned the floor over to Superintendent Koch and General Counsel Darren Reisberg and asked the representatives of the Judge Rotenberg Center to join the discussion.

Mr. Reisberg thanked all those who had come to provide testimony and help the Board in making its decision. He then recapitulated the sequence of events that had occurred in connection with this rulemaking, beginning with the Board’s adoption of the emergency amendments in March. He noted that emergency rulemaking does not require a public comment period and takes effect immediately after its adoption. He reminded the Board that the emergency amendments had been accompanied by regular amendments to the same effect, with respect to which the Board had authorized the

solicitation of public comment. Comments had been received, and the rules were now being presented to the Board for adoption after consideration of the issues raised by the commenters.

Mr. Reisberg also noted that the Joint Committee on Administrative Rules (JCAR) had taken action at its meeting the previous day to suspend the emergency amendments, based on the sense that no emergency had existed since no action had been taken by the agency to remove any provider from the approved list. Mr. Reisberg affirmed that no disapproval had occurred and explained that the student involved had been in the midst of a transition to another residential facility. Revocation of the JRC's approval while the student was still there would have meant the student would have had no place to go, and agency staff had therefore determined that the disapproval would be held in abeyance. As a result of JCAR's action, the emergency amendments were no longer in effect, but that situation would not affect the staff's recommendation for Board action on the regular rulemaking during the present meeting. Staff continued to believe the rule should be adopted as proposed and that the prohibition on certain methods was appropriate. He then asked Assistant Superintendent Beth Hanselman to discuss the rationale for that position.

Ms. Hanselman began by re-emphasizing that the present discussion would not address the appropriateness of certain aversive techniques for Illinois students, because a public policy decision prohibiting their use had already been in place for some time. Instead, the question at hand was whether public funds would be used to support a program where such techniques were used, even considering the fact that the Illinois student's IEP would preclude his being subjected to them. She also pointed out that Illinois programs would not be approved if they used aversive forms of treatment, making it logical to question why such a program in another state should continue to be approved for Illinois students.

Ms. Hanselman recommended that the Board adopt the rule as originally proposed and indicated that her position was based on the public comment received, the research, and conversations with various experts and her peers in other states.

Mr. Reisberg acknowledged that some might question the concern for placement of Illinois students in programs where aversive interventions were used, given that those students would not experience those forms of treatment. However, he pointed out that Illinois students would still potentially be in the presence of students who were having such interventions applied to them, whether in school or in the residential setting, so there were multiple reasons for recommending that the rule be adopted. He then turned the discussion over to the representatives of the Judge Rotenberg Center.

Stephen Gorman, a Chicago attorney representing the JRC, noted that the proposed rule was aimed at one facility in the entire United States. He wished to respond to some of the earlier comments with regard to protections offered through the legal system and stated that none of the aversive techniques are employed on any student in the absence of a whole series of events, including a review by a Massachusetts probate court. In response to Ms. Hanselman's mention of taxpayers' point of view, Mr. Gorman respectfully suggested that almost no taxpayer in Illinois would have any conception of the severity of the disabilities that the JRC deals with on a daily basis. He characterized the facility as "the last stop of the bus" and indicated that students are served there rather than being rejected or expelled. Further, he noted that it takes at least a year before any sort of aversive techniques are used with a student. With that he turned the discussion over to Mr. Ralph Antonelli of the JRC to explain the Center's program and the important reasons why its approval should be maintained.

Mr. Antonelli, Director of Quality Control and Training, spoke first to the impression that there is heavy reliance on the use of aversive techniques at the JRC. He stated this to be very far from the truth. He noted that the Center accepts nearly everyone, including both children and adults, and noted that Board members had been provided with a videotape that illustrated the level and intensity of the dangerous behavior exhibited by those served. He noted that most of the individuals admitted to JRC were school children referred by districts and parents who had tried all the other options. As he put it, "those who disagree with the need for aversives reject and expel students and then call us." He

indicated that most students arrive with such high levels of psychotropic medication in their systems that they cannot participate in education. Rather, they are in such a stupor that they are unable even to recognize their own parents. Mr. Antonelli went on to state that the JRC works intensively with each student for approximately a year before use of the GED is considered. He stated that skin shock therapy was currently being used with 41 percent of the students, which might sound high but should be related to the fact that the Center continued to serve students with very serious behavioral problems rather than sending them away.

Other information presented by Mr. Antonelli included the fact that, of the 200 individuals in the program, just six were on medication. He described the use of aversive procedures as very safe and without negative side effects, acknowledging that they are very controversial. He contrasted the brief pain caused by skin shock with the pain and injury caused by students' self-injurious behavior. He stated that, while he respected others' opinions, he believed many opponents of aversive interventions had never dealt with individuals with such severe behavioral problems. From his point of view, the extremely small segment of the population that needs services such as those of the JRC are "at death's door", in that positive behavioral interventions have been tried but have failed. He described some of the results of self-injury and proposed that the use of aversive procedures, if necessary, provides a window of opportunity to stop the damaging behavior and replace it with more appropriate alternatives.

Mr. Antonelli noted that aversive therapies were not being used with the one Illinois student who was then at the JRC and questioned why any governing agency would wish to deny access to needed treatment to other individuals. He stated that an assumption is made when each student enters the program that his or her behavior can be managed using only positive approaches and characterized aversive therapies as options that are available if needed and if authorized by the parents or the public agencies having custody of students.

Mr. Antonelli noted that the Board members had received the JRC's response to the report of the New York State Department of Education and merely wished to point out the JRC's continued approval and on-going admission of students referred by that agency. He reiterated the JRC's success in serving students without the use of aversive means and questioned why ISBE would deny students the opportunity to participate in that successful program just because other therapies were available to other students when sanctioned by the court.

Mr. Antonelli also discussed the notion that a student who is not receiving skin shock therapy might be damaged by witnessing its application to another student. In his view, the one not being treated would have an equal or greater chance of harming the other student through his or her uncontrolled behavior. By contrast, the two-second electric stimulation stops the behavior and teaches the student that there is a consequence for his or her unacceptable action. Further, he described the "fading" process by which use of the GED is stopped when students no longer need it. He also reviewed all the safeguards that are in place and the procedural steps that must be completed before approval is given for use of the device. All staff members, parents, and judges involved in the decision-making experience an application and know what it feels like.

Mr. Antonelli then noted that he had a GED with him and asked the Board members whether they would like for him to show them the device and give himself an application. The answer was "no".

Chris Ward asked about the side effects to use of this device, to which Mr. Antonelli replied that there were none. Dr. Ward followed up by inquiring as to whether there had ever been a death as a result of this procedure, and again Mr. Antonelli indicated that there had never been a death as a result of any of the JRC's procedures. Dr. Ward asked whether there was a witness when the device was used. Mr. Antonelli described the round-the-clock audio-visual monitoring that occurs at the JRC and in students' residences, as well as three required procedural components. First, a staff member must witness behavior on the part of a student for which use of the GED is prescribed. Second, he or she must verify with another staff member that the behavior did occur and that it warrants application of skin shock. Third, a high-level supervisor must be present and authorize the application.

Dr. Ward asked what the average length of stay was, and Mr. Antonelli responded that, for school-age individuals, the average is 23 months, regardless of the use or non-use of aversive therapies. He noted that students typically do not enter JRC until they have tried and been rejected by an average of four other programs and are 13-14 years old. All those admitted in the last year had come directly from psychiatric hospitals where they had been for a year or more. Mr. Antonelli informed the Board that he had been employed at the Judge Rotenberg Center for 16 years and had never experienced the rejection or expulsion of a student because of behavior. He reiterated that the JRC is an educational facility and that the use of aversive therapies is only a very small portion of the program offered.

According to Mr. Antonelli, the Illinois student who was then at the JRC was a case in point, in that his parents had become concerned for the dangerous levels of medication being used in his previous placement and he had then been discharged. Thanks to the JRC, the young man's behavior had been stabilized and he was ready to move on. Without the JRC, he would be in a psychiatric hospital. He described the JRC as a non-profit organization whose goal was to help individuals whom no other program would accept to make this kind of progress.

Dean Clark asked whether there was any fail-safe mechanism that would ensure that the administration of skin shock would, in fact, last no more than two seconds. Chairman Ruiz asked what the level of electric current would be. Mr. Antonelli indicated that the device would deliver 15 milliamps for two seconds, and that it was intended to be uncomfortable or even somewhat painful. He stated that he had received hundreds of applications and demonstrated how the device works. He went on to state that, if the wrong student receives an application, both the staff members responsible are automatically dismissed. He confirmed for Mr. Clark that only the students for whom it is approved wear the device, and he described the individual identifiers that are used to ensure that the correct students receive applications. He indicated that the average time elapsing between the inappropriate behavior and the application is less than one minute.

With reference to the previously stated average stay of 23 months, Mr. Clark asked how many student residents become adult residents. The figure given was approximately five percent. Mr. Clark also reviewed the earlier statement that nearly a year passes before use of skin shock therapy is considered for a student, and Mr. Antonelli explained that eliminating over-medication permits much more effective functional behavioral analysis so that progress can often be made without aversive interventions. He stated that other programs do not provide the level of rewards for positive behavior that the JRC offers.

Mr. Clark asked whether an average figure could be placed on the frequency with which students receive applications of the GED. The average was stated to be less than once per week, and Mr. Antonelli contrasted this with the life-threatening behaviors that would otherwise prevail and the other alternatives for managing behavior, such as physical restraint.

Mr. Clark asked whether students for whom the GED is approved are generally in close proximity to other students so that the buzzer might be a negative stimulus. Mr. Antonelli indicated that the students are not segregated in the classroom but are separated in the residences because of the need for a high-level supervisor in connection with each GED. He stated there had never been any indication that any child had had a negative reaction because of hearing a beep from one of the devices. He considered this a "non-issue" because the other students would be concentrating on their schoolwork.

Mr. Antonelli then connected the GED to his colleague Mr. McCabe who, he stated, "never" receives applications of skin shock. This individual indicated that it was fairly painful at the electrode site but did not affect other parts of his body and that he felt nothing afterward. Mr. Antonelli contrasted this transitory effect to the persistence of psychotropic medications in a person's system. He stressed again, however, that use of the GED is a relatively small part of the JRC's program and that it would

be illogical to deny the other benefits of the program to students simply because the GED was in used with students who need it.

Mr. Clark asked Mr. Antonelli what the effects might be if the JRC could not administer skin shock therapy at all. For example, he wished to know whether the Center would expect to achieve a relatively high level of success with the students or whether some would have to be expelled. Mr. Antonelli responded that students would not be expelled and explained that not all parents agree when the GED is recommended for their children. In other instances the therapy is used with the parents' concurrence but stopped when they determine they are no longer willing to have it administered. The Center continues to work with those students. Mr. Antonelli also noted that some of the students for whom the GED is approved have progressed to the point where it is no longer needed and described the frequency of reporting to the responsible court and the oversight that occurs on behalf of the court by a specially appointed monitor.

In light of Mr. Clark's last question, Chairman Ruiz pointed out that the Board's action on the pending rules would have no effect on the ability of the JRC to continue with skin shock therapy for students from states other than Illinois. Mr. Clark and the other Board members indicated they understood this distinction.

Lanita Koster wished to clarify that the pain of the GED application was sufficient to extinguish the negative behavior on the part of a student. Mr. Antonelli alluded to a question that frequently arises in this connection: Why is this the case when the pain that occurs naturally as a result of self-injurious behavior does not serve as a deterrent? He indicated that the answer is unknown even by the finest behavioral psychologists in the nation. He speculated it might be because the student is not controlling the pain that comes from the electrical stimulation.

Brenda Holmes asked whether representatives of the JRC had contacted the State Superintendent or ISBE's Legal Department before contacting the members of the Joint Committee on Administrative Rules. John McCabe, the lobbyist for the JRC, responded that the law firm representing the Center in Massachusetts had contacted one of the assistant legal advisors regarding why the Center was no longer on the list of approved facilities. It was at that time that the JRC had become aware of the emergency and proposed rulemaking and the comment period. That was the only background information he had.

Ms. Holmes asked State Superintendent Koch, in light of his background, what he would do for children such as those under discussion. Dr. Koch clarified that he had worked in a psychiatric hospital for four years with children very much like those who had been described during the meeting. Stating that not every placement is good for every student, he indicated that there are many factors that may play into "desperation" on the part of parents who are searching for places where their child can be served.

Dr. Koch wished to correct the overly generalized way in which psychiatric hospitals had been portrayed in the discussion, explaining that the secure facility where he had worked had been very effective in treating suicidal, homicidal, and self-mutilating students. Some had been able to make a transition from inpatient status with 24-hour-a-day surveillance to a day school, and all had received a free, appropriate public education in the psychiatric hospital. There had also been integration with students from outside the hospital, and he believed it important not to generalize about such facilities as places where students "are walking around like zombies" in deplorable conditions. He emphasized that, in fact, many checks and balances are in place to ensure appropriate treatment, including checks of the medication levels in students' blood.

Dr. Koch pointed out that, in Illinois, isolated time out and physical restraint are regulated and that previous state boards had received comments on the related rules. He acknowledged that these interventions may affect other students who observe them, just as the sound emitted by the GED might have a conditioning effect on nearby students. In summary, he believed there were other options for the appropriate and effective management of these very difficult behavioral problems. He

stated that he stood behind his recommendation to the Board (to adopt the proposed rule as presented).

Chairman Ruiz noted that the vote on the proposed rulemaking was scheduled for the next day's plenary session, and it was agreed that the rule would be removed from the consent agenda to permit individual votes by the Board members as they saw fit. Mr. Antonelli thanked the Board for providing the time for the discussion and left copies of a presentation for them to review.

PART 25 (Certification)

Darren Reisberg indicated that Division Administrators Linda Jamali, Patrick Murphy, and Mark Williams were present and available to discuss any questions Board members might have in connection with this set of amendments. He reminded the Board that the rules had been presented for initial review in March and that some comments had been submitted, particularly with regard to the new renewal requirements for the provisional vocational certificate. Brenda Holmes asked what positions were encompassed by the school service personnel certificate, and Rules Coordinator Sally Vogl identified school psychologists, school social workers, school counselors, school nurses, and the speech-language pathologists who elect to hold this certificate as opposed to a teaching certificate. There were no further questions.

PART 180 (Health/Life Safety Code for Public Schools)

Mr. Reisberg mentioned that this amendment had also been originally presented in March and that no public comment had been received. There were no questions related to this rule.

PART 235 (Early Childhood Block Grant)

This was another amendment initially reviewed in March and on which there had been no public comment; Board members had no questions regarding it.

PART 305 (School Food Service)

Mr. Reisberg stated that a number of the Nutrition Programs staff were available for questions about this set of amendments, which had come to the Board for initial review in March as a result of a provision in the current rule indicating that ISBE would review the rules after issuance of the Wellness Task Force's report in January of 2007. He indicated that public comment had been received on the proposed amendments and opened the floor to Board members' questions.

Brenda Holmes stated that she understood the need to be careful about the foods students consume in school but indicated that significant issues remained for her with the content of the rules, even taking into account the work of the Task Force. She recalled the concerns that had been voiced during the hearing on the original set of amendments several years previously, as well as the amount of work that had been required on the part of districts to develop local wellness policies in response to federal requirements. She expressed doubt as to the need to move forward with the rulemaking and proposed instead waiting to assess the results of local efforts. It was acknowledged that many school administrators had no real problems with the content of the rules as currently pending but also that comprehensive, community-based efforts addressing what students do outside school time were even more important than any restrictions that might be imposed from the state level.

It was agreed that this item would be removed from the consent agenda for the plenary session. Dean Clark briefly reiterated his position that this matter would more appropriately be left to local decision-making, and Andrea Brown expressed concern for equity across the state in terms of good nutrition for students in schools. It was clarified with input from staff member Mark Haller that school districts are not required to send their local wellness policies to ISBE for review.

Chris Koch indicated that, in formulating his recommendation for adoption of the rules, the primary issue that had remained for him had been the differentiation between the grade spans. As noted previously, he and Assistant Superintendent Linda Tomlinson had been in contact with representatives of the administrators' and school boards' associations, whose chief remaining concern had been for the need of lunchroom personnel to distinguish between 5th- and 6th-graders.

The Superintendent believed that aspect had been adequately taken into account in the present draft and offered to have the staff provide some specific examples of how the rule would work.

Brenda Holmes asked Mr. Haller whether the entire set of amendments as presented would be helpful to school districts. His response was that it would be, by virtue of having requirements consistent throughout each building. In his view, the amendments would make the rules easier to understand than the current version without being more restrictive.

David Fields recalled a period of time when students were not allowed to make selections among food items and were, instead, served by lunchroom staff, which resulted in their throwing away large quantities of food they had not wanted. Once students were permitted to select their own food, the amount of waste had decreased noticeably. He expressed the hope that the Board's eventual decision would take into account the fact that students will make decisions. Mark Haller explained that the situation to which Dr. Fields had referred was related to the federal reimbursable meal, which now would be offered but previously had been served, whereas the current rulemaking would affect food items outside of the reimbursable meal. The rules would alter the options from which students could choose.

Ms. Holmes asked staff to verify that students could still bring their lunch and bring anything they wanted from home. Mr. Haller concurred, stating that the rules would not affect foods brought from home or given away. Darren Reisberg summarized the process by which the content of the proposed rules had been developed, including a number of hearings that had occurred prior to initiating the rulemaking. The early involvement of many of the affected parties might explain the relative lack of critical comments at this juncture, due to general comfort with the content. In addition, the rules' overall congruence with the recommendations of the Task Force was undoubtedly also a factor.

6. RULES FOR INITIAL REVIEW

PART 35 (Mentoring Program for New Principals)

Mr. Reisberg indicated that the changes being proposed in this set of amendments were very straightforward and generally minor, with the exception of adding a definition of "first-year principal". Division Administrator Patrick Murphy was present to answer questions, but there were none.

7. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS

Andrea Brown asked when to expect adoption of the sets of rules for which the public comment period ended in June, and that action was set for the September meeting.

8. ADJOURNMENT

Brenda Holmes moved for adjournment. David Fields seconded the motion, and the meeting was adjourned at 4:55 p.m.

**Work-Study Session: Standards Review
Wednesday, June 18, 2008
10:00 a.m.**

**Board Room, 4th Floor
Public Conference Call Number: 1-866-297-6391 (listen only)
Confirmation #: 2 1 9 5 0 7 9 7**

AGENDA

1. Roll Call
2. Board Member Participation by Other Means
- *3. American Diploma Project and Standards Review
4. Adjourn

* Items listed with an asterisk (*) will be discussed and Board action may be taken in the plenary session.

**ILLINOIS STATE BOARD OF EDUCATION
WORK STUDY: STANDARDS REVIEW
June 18, 2008
Springfield, Illinois**

Members Physically Present

Chris Ward, Committee Chair
David Fields, Committee Member
Joyce Karon, Committee Member
Jesse Ruiz, Committee Member
Andrea Brown, Board Member
Dean Clark, Board Member
Brenda Holmes, Board Member
Lanita Koster, Board Member

Staff Present

Christopher A. Koch
Susie Morrison
Connie Wise
Darren Reisberg
Linda Tomlinson
Beth Hanselman
Linda Mitchell
Matt Vanover
Don Evans

Members Absent

Vinni Hall, Committee Member

Superintendent Koch and Ms. Morrison reviewed the American Diploma Project (ADP) with the members of the State Board of Education. Should the Board choose to join ADP Illinois would be the 33rd state in the network. There is no cost to join ADP as it is primarily funded by the Bill and Melinda Gates Foundation.

The organization supports states and their work to improve outcomes for students. The program is customized to each state's needs. ADP provides an opportunity to exchange and interchange with the 33 other member states through an annual institute at which Illinois would send a team of policy staff and potentially board member(s).

In order for Illinois to become a member of ADP they need a commitment from the State Board of Education, the Illinois Board of Higher Education (IBHE), the Governor's Office, and our business entity which would be the Business Roundtable. Superintendent Koch and Ms. Morrison also recommend including the Illinois Community College Board (ICCB) as they are a very important partner with ISBE. All parties have been contacted regarding their involvement. Jennifer Vranek and Christine Tell of ADP have been assigned to guide us through the process.

Timing is an important issue as the annual institute is in September and commitments from IBHE, the Governor's Office, ICCB, and the Business Roundtable need to be confirmed. Jeff Mayes has indicated that the Business Roundtable is interested and would also look to support this financially. Preliminary discussions with ICCB and IBHE have shown that they believe this is a good direction in which to go.

Dr. Koch and Ms. Morrison turned the discussion toward Achieve. Achieve is "fee for service" part of ADP. The Board and staff would determine what assistance is desired from a list of services offered. The fee for the entire basic support plan is \$188,000 which includes team support, analysis of the College and Career Ready Standards, and onsite technical assistance. Achieve suggests that ISBE begin with Math and English Standards and later include Science. Through discussion the Board agreed that Science would need to be presented with Math and English, rather than later. If the Board approves participation, Illinois would be involved in the next cohort with Florida and California. Illinois would convene a team of 12 to 15 people composed of higher education, K-12 education, and other stakeholder groups.

There are three institutes throughout the year beginning in October. Achieve suggests that by Spring Illinois will have a draft of college and career readiness benchmarks and can then begin the analysis of K-8 Standards. Typically states take 18 - 24 months to complete the process. For a fee, Achieve will conduct an item analysis of our assessment system and assist with the alignment of assessments to standards.

Ms. Holmes asked if there would be any issues or problems with the money and the budget. Superintendent Koch responded that ISBE will need some contribution and interest from our business community as well as Great Lakes. Ms. Morrison commented that Great Lakes has earmarked funds to assist ISBE with financing. Superintendent Koch added that ISBE will piece together funding with no problem.

The Work Study session adjourned at 9:15 a.m.