

NOTE TO THE READER

Although the Final Transition Rules are displayed as amendments to the State Board's existing rules for Certification (Part 25) and Special Education (Part 226), they have not been integrated into the Illinois Administrative Code. They could not be promulgated using the rulemaking process because of their relationship to the suspended peremptory rules that were in Part 28 (Standards for Certification in Special Education). That is, all these documents serve to implement the new structure of certification in special education that has been ordered by the federal judge in the *Corey H.* litigation.

The Final Transition Rules are formatted as they would be if rulemaking could be accomplished, but they will be maintained as separate documents because they cannot be placed into the Illinois Administrative Code.

FINAL TRANSITION RULES
effective July 1, 2001

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 226
SPECIAL EDUCATION

SUBPART A: GENERAL

Section

226.10 Purpose
226.50 Requirements for a Free Appropriate Public Education
(FAPE)
226.60 Charter Schools
226.75 Definitions

SUBPART B: IDENTIFICATION OF ELIGIBLE CHILDREN

Section

226.100 Child Find Responsibility
226.110 Referral
226.120 Identification of Needed Assessments
226.130 Evaluation Requirements
226.140 Mode(s) of Communication and Cultural Identification
226.150 Case Study to be Nondiscriminatory
226.160 Determination of Eligibility
226.170 Criteria for Determining the Existence of a Specific
Learning Disability
226.180 Independent Educational Evaluation
226.190 Reevaluation

SUBPART C: THE INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Section

226.200 General Requirements
226.210 IEP Team
226.220 Factors in Development of the IEP
226.230 Content of the IEP
226.240 Determination of Placement
226.250 Child Aged Three Through Five
226.260 Child Reaching Age Three

FINAL TRANSITION RULES
effective July 1, 2001

SUBPART D: PLACEMENT

Section	
226.300	Continuum of Placement Options
226.310	Related Services
226.320	Service to Students Living in Residential Care Facilities
226.330	Placement by School District in State-Operated or Nonpublic Special Education Facilities
226.340	Nonpublic Placements by Parents
226.350	Service to Children in Private Schools

SUBPART E: DISCIPLINE

Section	
226.400	Disciplinary Actions
226.410	Manifestation Determination Review
226.420	Appeals
226.430	Protection for Children Not Yet Eligible for Special Education
226.440	Referral to and Action by Law Enforcement and Judicial Authorities

SUBPART F: PROCEDURAL SAFEGUARDS

Section	
226.500	Language of Notifications
226.510	Notification of Parents' Rights
226.520	Notification of District's Proposal
226.530	Parents' Participation
226.540	Consent
226.550	Surrogate Parents
226.560	Mediation
226.570	Complaints

SUBPART G: DUE PROCESS

Section	
226.600	Calculation of Timelines
226.605	Request for Hearing; Basis
226.610	Information to Parents Concerning Right to Hearing
226.615	Procedure for Request
226.620	Denial of Hearing Request
226.625	Rights of the Parties Related to Hearings

FINAL TRANSITION RULES
effective July 1, 2001

- 226.630 Qualifications, Training, and Service of Impartial Due Process Hearing Officers
- 226.635 Appointment of Impartial Due Process Hearing Officer
- 226.640 Scheduling the Hearing and Pre-Hearing Conference
- 226.645 Conducting the Pre-Hearing Conference
- 226.650 Child's Status During Due Process Hearing
- 226.655 Expedited Due Process Hearing
- 226.660 Powers and Duties of Hearing Officer
- 226.665 Record of Proceedings
- 226.670 Decision of Hearing Officer; Clarification
- 226.675 Monitoring and Enforcement of Decisions; Notice of Ineligibility for Funding
- 226.680 Reporting of Decisions
- 226.690 Transfer of Parental Rights

SUBPART H: ADMINISTRATIVE REQUIREMENTS

- Section
- 226.700 General
- 226.710 Policies and Procedures
- 226.720 Facilities and Classes
- 226.730 Case Load/Class Size
- 226.740 Records; Confidentiality
- 226.750 Additional Services
- 226.760 Evaluation of Special Education
- 226.770 Fiscal Provisions

SUBPART I: PERSONNEL

- 226.800 Personnel Required to be Qualified
- 226.810 Special Education Teaching Approval
- 226.820 Authorization for Assignment
- 226.830 List of Independent Evaluators
- 266.840 Qualifications of Evaluators

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

SOURCE: Adopted August 12, 1976; rules repealed and new emergency rules adopted at 2 Ill. Reg. 37, p. 29, effective September 1, 1978, for a maximum of 150 days; rules repealed and new rules adopted at 3 Ill. Reg. 5, p. 932, effective February 1, 1979; emergency amendment at 4 Ill. Reg. 38, p. 328, effective September 15, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 8021, effective July 22, 1981; amended at 6 Ill.

FINAL TRANSITION RULES
effective July 1, 2001

Reg. 558, effective December 23, 1981; emergency amendment at 7 Ill. Reg. 6511, effective May 6, 1983, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 8949, effective July 15, 1983, for a maximum of 150 days; codified at 8 Ill. Reg. 6669; amended at 8 Ill. Reg. 7617, effective May 17, 1984; emergency amendment at 10 Ill. Reg. 3292, effective January 27, 1986, for a maximum of 150 days; emergency expired June 24, 1986; amended at 10 Ill. Reg. 18743, effective October 22, 1986; amended at 10 Ill. Reg. 19411, effective October 31, 1986; amended at 13 Ill. Reg. 15388, effective September 14, 1989; emergency amendment at 14 Ill. Reg. 11364, effective June 26, 1990, for a maximum of 150 days; emergency expired November 23, 1990; amended at 15 Ill. Reg. 40, effective December 24, 1990; amended at 16 Ill. Reg. 12868, effective August 10, 1992; emergency amendment at 17 Ill. Reg. 13622, effective August 3, 1993, for a maximum of 150 days; emergency expired December 31, 1993; amended at 18 Ill. Reg. 1930, effective January 24, 1994; amended at 18 Ill. Reg. 4685, effective March 11, 1994; amended at 18 Ill. Reg. 16318, effective October 25, 1994; amended at 19 Ill. Reg. 7207, effective May 10, 1995; amended at 20 Ill. Reg. 10908, effective August 5, 1996; amended at 21 Ill. Reg. 7655, effective July 1, 1997; Part repealed, new Part adopted at 24 Ill. Reg. 13884, effective August 25, 2000.

NOTE: Capitalization denotes statutory language.

SUBPART I: PERSONNEL

Section 226.800 Personnel Required to be Qualified

a) General

- 1) Each school district, or the cooperative entity of which it is a member, shall employ sufficient professional and noncertified personnel to deliver and supervise the full continuum of special education and related services needed by the eligible students who reside in the district. The number and types of personnel employed shall be based on students' need rather than administrative convenience.
- 2) Each district or cooperative entity shall periodically submit to the State Board of

FINAL TRANSITION RULES
effective July 1, 2001

Education, on forms supplied by the State Board, the roster of the individuals who will be or are providing special education or related services. The State Board may request any additional documentation needed in order to verify that each such individual holds the qualifications that are required for his or her assignment(s).

- 3) Reimbursement for personnel expenditures shall be made by the State Board only with respect to individuals who are qualified pursuant to this Section or pursuant to Section 226.810 or 226.820 of this Part, or pursuant to 23 Ill. Adm. Code 25.48 (Short-Term Emergency Certification in Special Education) when applicable.
- 4) Each district or cooperative entity shall develop and implement a comprehensive personnel development program for all personnel involved with the education of children with disabilities.

b) Professional Instructional Personnel

Each individual employed in a professional instructional capacity shall ~~hold either~~:

- 1) hold a valid special preschool-age 21 certificate and the qualifications required for the teaching area pursuant to 23 Ill. Adm. Code 25.40 and 25.43; or
- 2) hold another valid teaching certificate and approval issued by the State Board of Education specific to the area of responsibility (see Section 226.810 of this Part); or
- 3) be employed pursuant to an authorization for assignment issued to the employing entity under Section 226.820 of this Part; or
- 4) hold short-term emergency certification issued pursuant to 23 Ill. Adm. Code 25.48 (beginning January 1, 2002).

FINAL TRANSITION RULES
effective July 1, 2001

- c) An individual assigned as a vocational coordinator shall:
- 1) have two years' teaching experience;
 - 2) hold either a special certificate or a high school certificate;
 - 3) have completed at least 16 semester hours of college coursework, which shall at least include each of the areas identified in subsections (c)(3)(A) through (D) and may include one or more of the areas identified in subsections (c)(3)(E) through (I) of this Section:
 - A) Survey of the exceptional child;
 - B) Characteristics of the mentally retarded student;
 - C) Characteristics of the socially and/or emotionally maladjusted student;
 - D) Vocational programming for students with disabilities;
 - E) Characteristics of other exceptionalities;
 - F) Methods course in special education;
 - G) Guidance and counseling;
 - H) Educational and psychological diagnosis;
 - I) Vocational and technical education; and
 - 4) submit evidence of meeting the requirements of this subsection (c) under cover of an application form supplied by the State Board of Education.
- d) An individual assigned as a teacher coordinator shall:
- 1) hold either a special preschool-age 21 certificate endorsed for the disability area of

FINAL TRANSITION RULES
effective July 1, 2001

assignment or a high school certificate with special education approval in the applicable disability area issued pursuant to Section 226.810 of this Part;

- 2) have completed a course in vocational programming for students with disabilities;
 - 3) have at least one year's work experience outside the field of education or have completed at least one course in either guidance and counseling or vocational and technical education; and
 - 4) submit evidence of meeting the requirements of this subsection (d) under cover of an application form supplied by the State Board of Education.
- e) An individual assigned as a business manager's assistant shall hold an administrative certificate endorsed for chief school business official pursuant to 23 Ill. Adm. Code 25.344.
- f) Qualified Bilingual Specialists

Professional staff otherwise qualified pursuant to this Section shall be considered "qualified bilingual specialists" if they submit the required application and meet the applicable requirements set forth in this subsection (f).

- 1) A holder of a special preschool-age 21 certificate endorsed in the area of responsibility pursuant to 23 Ill. Adm. Code 25.40 or 25.43 shall successfully complete a language examination in the non-English language of instruction and shall have completed coursework covering:
 - A) Psychological/educational assessment of students with disabilities who have limited English proficiency;
 - B) Theoretical foundations of bilingual education and English as a second language,

FINAL TRANSITION RULES
effective July 1, 2001

including the study of first and second language acquisition; and

- C) Methods and materials for teaching students of limited English proficiency or students with disabilities who have limited English proficiency.
- 2) A holder of an early childhood, elementary, or high school certificate who also holds special education approval in the area of responsibility (see Section 226.810 of this Part) shall successfully complete a language examination in the non-English language of instruction and shall have completed the coursework listed in subsections (f)(1)(A), (B), and (C) of this Section.
- 3) A holder of an early childhood, elementary, or high school certificate who also holds approval to teach bilingual education or English as a second language shall have completed coursework covering:
- A) Methods for teaching in the special education area of assignment;
 - B) Psychological/educational assessment of students with disabilities who have limited English proficiency, or psychological diagnosis for children with all types of disabilities; and
 - C) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.
- 4) A holder of a transitional bilingual certificate issued pursuant to 23 Ill. Adm. Code 25.90 and endorsed for the language of assignment shall have completed two years of successful teaching experience and have completed coursework covering:

FINAL TRANSITION RULES
effective July 1, 2001

- A) Survey of children with all types of disabilities;
 - B) Assessment of the bilingual student, or psychological/educational assessment of the student with disabilities who has limited English proficiency;
 - C) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition;
 - D) Methods for teaching in the special education area of assignment; and
 - E) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.
- 5) A holder of a school service personnel certificate endorsed for guidance, school social work, ~~or~~ school psychology, or speech-language pathology shall successfully complete an examination in the non-English language and shall have completed coursework in assessment of the bilingual student or psychological/educational assessment of the student with disabilities who has limited English proficiency.
- g) Directors and Assistant Directors of Special Education
- 1) Each director or assistant director of special education shall hold a valid administrative certificate issued pursuant to 23 Ill. Adm. Code 25.315 and a master's degree, including 30 semester hours of coursework distributed among all the following areas:
 - A) Survey of exceptional children;

FINAL TRANSITION RULES
effective July 1, 2001

- B) Special methods courses (3 areas of exceptionalty);
 - C) Educational and psychological diagnosis and remedial techniques;
 - D) Guidance and counseling; and
 - E) Supervision of programs for exceptional children.
- 2) Each individual who will function as a director or assistant director of special education shall submit an application for special education administrative approval on a form supplied by the State Board of Education.
 - 3) Each school district, or the cooperative entity of which it is a member, shall employ a full-time director of special education and shall submit to the State Board of Education a letter identifying the individual as the director of special education, along with the minutes of the board(s) of education approving the individual's employment in that capacity. If the individual is qualified as required, the State Board shall confirm that the individual is the State-approved director of special education for the district or cooperative entity.
 - 4) The individual employed pursuant to subsection (g)(3) of this Section shall be the chief administrative officer of the special education programs and services of the district or cooperative entity.
- h) Supervisors
 - 1) Each district or cooperative entity shall employ sufficient supervisory personnel to provide consultation to and coordination of special education services.

FINAL TRANSITION RULES
effective July 1, 2001

- 2) Each individual performing a supervisory function shall hold a master's degree, including at least 15 semester hours of coursework distributed among all the following areas:
 - A) Survey of exceptional children;
 - B) Characteristics course(s) in the area(s) to be supervised;
 - C) Methods course(s) in the areas(s) to be supervised;
 - D) Educational and psychological diagnosis and remedial techniques; and
 - E) Supervision of programs for exceptional children.

- 3) Each individual performing a supervisory function shall also hold either:
 - A) a valid special preschool-age 21 certificate in the area to be supervised, endorsed for supervision pursuant to 23 Ill. Adm. Code 25.322, with two years' teaching experience in that area; or
 - B) a valid school service personnel certificate, two years' experience in the area to be supervised, and a valid administrative certificate; or
 - C) a valid administrative certificate and either a valid special preschool-age 21 certificate endorsed for the area to be supervised or special education approval in that area.

- i) Chief Administrator of Special School

The chief administrator of a special school shall hold an administrative certificate with a general

FINAL TRANSITION RULES
effective July 1, 2001

administrative endorsement issued pursuant to 23 Ill. Adm. Code 25.344 and either:

- 1) ~~the qualifications required under 23 Ill. Adm. Code 25.43 in at least one disability area served by the school~~ an endorsement or approval that is specific to at least one of the disabilities prevalent in the students served by the school, if the school serves students who are deaf or hard of hearing, blind or visually impaired, or speech- and language-impaired; or
- 2) an endorsement as Learning Behavior Specialist I that is either unlimited or specific to one of the disabilities prevalent in the students served by the school (see 23 Ill. Adm. Code 25.46); or
- 3) approval issued by the State Board of Education pursuant to Section 226.810 of this Part for at least one disability area served by the school approval as an LBS I issued by the State Board of Education pursuant to Section 226.810 of this Part that is either unlimited or specific to one of the disabilities prevalent in the students served by the school.

j) Other Professional Personnel

Each individual employed in a professional capacity not specified in subsections (a) through (i) of this Section shall, as appropriate to his or her assignment, hold:

- 1) the school service personnel certificate endorsed as appropriate to the area of responsibility (see 23 Ill. Adm. Code 25, Subpart D); or
- 2) a valid license or permission to practice, if the individual's profession is governed by such a requirement and either no educational credential in the same or a related field is issued by the State Board of Education (e.g., for a physical therapist) or the School Code permits the

FINAL TRANSITION RULES
effective July 1, 2001

individual to perform the function(s) assigned;
or

- 3) a credential, regardless of title, issued by a professional association or organization in the relevant field, when no educational credential in the same or a related field is issued by the State Board of Education and no license or permission to practice is required by the State (e.g., for a music therapist or a daily living skills specialist).

k) Noncertified Personnel

- 1) Each noncertified professional individual employed in a special education class, program, or service, and each individual providing assistance at a work site, shall function under the general direction of a professional staff member.
- 2) Each program assistant/aide, as well as each nonemployee providing any service in the context of special education, shall function under the direct supervision of a professional staff member.
- 3) Each district shall provide training experiences appropriate to the nature of their responsibilities to the individuals discussed in subsections (k)(1) and (2) of this Section. Such training shall be in lieu of the requirements for noncertified personnel set forth in 23 Ill. Adm. Code 1, Subpart G.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 226.810 Special Education Teaching Approval

Special education approval may be issued by the State Board of Education to an individual who does not hold a special preschool-age 21 certificate or who lacks some of the

FINAL TRANSITION RULES
effective July 1, 2001

qualifications for one of the endorsements enumerated in 23 Ill. Adm. Code 25.43.

- a) Beginning July 1, 2001, special ~~Special~~ education teaching approval will be issued for individuals to serve as Learning Behavior Specialist I and may be limited to one or more of in the following areas, as applicable (see 23 Ill. Adm. Code 25.47):
- 1) ~~Educable mentally handicapped~~ Learning disabilities;
 - 2) ~~Learning disabilities~~ Social/emotional disorders;
 - 3) ~~Social/emotional disorders~~ Mental retardation; and
 - 4) ~~Trainable mentally handicapped; and~~ Physically handicapped.
 - 5) ~~Physically handicapped.~~
- b) An individual who holds an early childhood, special, elementary, or high school, or transitional bilingual certificate shall receive approval to teach in a special education area listed in subsection (a) of this Section if he or she has successfully completed at least one college-level course in coursework addressing each of the following areas:
- 1) Survey of exceptional children;
 - 2) Characteristics of special education students in the specific area of approval sought;
 - 3) Methods of teaching in the area of special education approval sought; and
 - 4) Psychological diagnosis for children with all types of disabilities.
- c) Except as provided in subsection (f) of this Section, an individual who wishes to receive special education teaching approval shall submit an application for a

FINAL TRANSITION RULES
effective July 1, 2001

special certificate on a form supplied by the State Board of Education and shall comply with such other application procedures as the State Board may require.

- 1) If the individual qualifies for a special certificate, the State Board shall issue one and endorse it as warranted.
 - 2) If the individual does not qualify for a special certificate, the State Board shall evaluate the application for special education approval and either issue such approval or notify the applicant of any deficiencies.
- d) ~~The State Board shall issue early childhood special education approval to an individual who holds either an early childhood certificate or a special certificate in one of the areas of specialization enumerated at 23 Ill. Adm. Code 25.43, provided that the individual makes application for such approval on a form supplied by the State Board demonstrating that he or she has successfully completed coursework in all the following areas:~~
- ~~1) Survey of exceptional children;~~
 - ~~2) The development of language in young children;~~
 - ~~3) Early childhood assessment; and~~
 - ~~4) Early childhood or elementary school curriculum and organization.~~
- e) Special education approval issued prior to January 1, 2002, shall not be limited with regard to time or district of employment but shall be valid only for the special education area(s) indicated and the grade level(s) to which the individual's certificate applies. Any approval issued on or after January 1, 2002, shall be valid for three years, after which time the holder shall no longer be assigned to a special education teaching position unless he or she has received an unlimited LBS I endorsement pursuant to 23

FINAL TRANSITION RULES
effective July 1, 2001

Ill. Adm. Code 25.47 (Special Provisions for the LBS I Approval).

- e) As of July 1, 2001, each teaching approval listed in subsection (a) of this Section shall automatically be reissued for service as an LBS I. An individual's pre-existing approvals shall result in receipt of either a limited or an unlimited LBS I approval (see 23 Ill. Adm. Code 25.47).
- f) Beginning January 1, 2002, the State Board shall issue early childhood special education approval to an individual who holds either an early childhood certificate or a special preschool-age 21 certificate with an LBS I endorsement, provided that the individual makes application for such approval on a form supplied by the State Board demonstrating that he or she has successfully completed coursework in all the following areas:
- 1) Methods - Developmentally and individually appropriate methods for fostering the social, emotional, cognitive, communication, adaptive, and motor development and learning of young children with special needs in various settings such as the home, the school, and the community.
 - 2) Assessment - Strategies, procedures, and formal and informal instruments for assessing young children's social, emotional, cognitive, communication, and motor skills; family concerns, priorities, and resources; and school, home, and community learning environments; and methods for conducting formative and summative individual and program evaluation.
 - 3) Language Development - Typical and atypical language development in young children; specific language disabilities; the relationship between communication delays and other areas of early learning and development; and alternative communication systems for young children with disabilities.

FINAL TRANSITION RULES
effective July 1, 2001

- 4) Family and Community Relationships - Strategies in developing positive and supportive relationships with families of young children with special needs, including the legal and philosophical basis for family participation; family-centered services; and strategies for working with socially, culturally, and linguistically diverse families. Strategies and models for promoting effective consultation and collaboration with other professionals and agencies within the community.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 226.820 Authorization for Assignment

In the circumstances described in this Section, neither the qualifications required by Section 226.800 of this Part nor special education approval under Section 226.810 of this Part shall be required. When authorized pursuant to this Section, reimbursement shall be available for staff providing special education and related services.

- a) No Fully Qualified Individual Available
- 1) When a district or cooperative entity, regional superintendent of schools, or nonpublic special education facility approved pursuant to 23 Ill. Adm. Code 401 demonstrates to the State Board of Education that it is unable to secure the services of an individual who holds the required credentials for a particular assignment, the State Board may authorize the assignment of another individual if the director of special education submits a written request through the regional superintendent of schools, on a form provided by the State Board, that:
- A) describes the position or assignment involved or the services to be provided and identifies the required certificate or approval;

FINAL TRANSITION RULES
effective July 1, 2001

- B) describes the population to be served, including the number of students in each disability category represented;
 - C) describes the type and frequency of supervision and technical assistance to be provided to the individual, including the name(s) and title(s) of the supervisor and any other individual(s) who will provide technical assistance;
 - D) describes the unique training, education, experience, or other qualifications that will assist the individual in fulfilling the requirements of the position;
 - E) describes the district's or cooperative entity's efforts to locate a fully qualified individual to fill the position, including contacts with universities, regional superintendents, and the State Board of Education; and
 - F) indicates that the individual to be assigned is working toward attainment of the required certificate, endorsement, or approval for the position.
- 2) The State Board's authorization to assign such an individual shall be specific to the affected position and to the district or cooperative entity requesting the authorization and shall be limited to two years in duration.
- 3) As of January 1, 2002, no further authorizations to assign individuals to special education teaching positions shall be issued pursuant to this Section. The provisions of 23 Ill. Adm. Code 25.48 (Short-Term Emergency Certification in Special Education) shall apply instead. An individual for whom an authorization was issued prior to January 1, 2002, shall be allowed to serve in the current assignment until that authorization expires.

FINAL TRANSITION RULES
effective July 1, 2001

b) Interns

The State Board may also authorize the assignment of interns in school psychology, school social work, school nursing, and speech/language pathology who will work under the supervision of fully qualified professionals, subject to the requirements of this subsection (b).

- 1) For each intern in school psychology, school social work, or school nursing, the director of special education shall submit, on forms supplied by the State Board:
 - A) verification provided by an educational institution that the candidate is participating in a formal internship under its auspices; and
 - B) a request for authorization to assign the individual to an intern's position.
- 2) For each intern in speech/language pathology, the director of special education shall submit evidence that the individual holds a valid teaching certificate and has a bachelor's degree in communication disorders. The individual shall also either have completed graduate-level coursework in communication disorders or be enrolled in a program providing such coursework. The director of special education shall provide evidence that the intern will be supervised by an individual who holds a special preschool-age 21 certificate endorsed for speech and language impaired or speech-language pathology pursuant to 23 Ill. Adm. Code 25.43 or 25.45, as applicable.

c) No Specific Credential Required

- 1) When a school district or cooperative entity needs to fill a position for which no specific certificate, endorsement, or other credential is required, the district or cooperative entity

FINAL TRANSITION RULES
effective July 1, 2001

shall seek authorization from the State Board of Education to assign the individual who has been selected.

- 2) The director of special education shall submit a written request through the regional superintendent of schools, on a form provided by the State Board, that:
 - A) describes the position or the service to be provided, why it is needed, and for how long it is expected to be needed; and
 - B) describes the training, education, experience, or other qualifications held by the individual selected that will be relevant to the unique needs of the students to be served (e.g., experience in teaching students with similar disabilities, experience in providing the specific service(s) involved).
- 3) The State Board's authorization to assign such an individual shall be limited to the period for which the service is stated to be needed and shall be specific to the affected position and to the requesting entity.

d) Other Positions Attributed to Special Education

A district or cooperative entity may be reimbursed for the services of other individuals who hold regular education credentials but serve special education students, e.g., a teacher who provides adaptive physical education.

- 1) In order to claim reimbursement for the services of such individuals, the director of special education shall submit:
 - A) A description of the individual's duties and an indication of the certificate required for those duties;

FINAL TRANSITION RULES
effective July 1, 2001

- B) Information about the special education pupils to be served and the percentage of the individual's time that will be spent serving these students; and
 - C) A description of the individual's related education and experience.
- 2) The State Board's authorization of reimbursement for such individuals shall be specific to the requesting entity but shall not be limited in duration.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 226.840 Qualifications of Evaluators

The following list identifies the credentials required to administer certain types of evaluations. Where no requirements are established, an evaluation may be performed by an individual who is qualified to administer it according to the technical specifications of the publisher.

<u>TYPE</u>	<u>REQUIRED QUALIFICATIONS</u>
Academic Performance	Teaching certificate/approval appropriate for the age or disability of the child, or School Service Personnel Certificate endorsed for school psychology or guidance. (See Article 21 of the School Code [105 ILCS 5/Art.21] and the State Board's rules at 23 Ill. Adm. Code 1 and 23 Ill. Adm. Code 25.)
Adapted Physical Education	Special Certificate endorsed for physical education with approval in adapted physical education (23 Ill. Adm. Code 25.40 and 25.43).
Assistive Technology	To the extent that a test is used in performing this assessment,

FINAL TRANSITION RULES
effective July 1, 2001

qualification for administering the test according to the instructions provided by the test's publisher.

Audiological	License to practice as an Audiologist issued by the Department of Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110].
Clinical Psychological	License issued pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15].
Cultural Background Assessment	School Service Personnel Certificate endorsed for school psychology, school social work, or school counseling.
Hearing Screening	License to practice as an Audiologist issued by the Department of Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110], Special Certificate endorsed for speech and language impairment (23 Ill. Adm. Code 25.45), or certificate of training issued by the Department of Public Health (77 Ill. Adm. Code 675).
Learning Processes Evaluation	School Service Personnel Certificate endorsed for school psychology or Special <u>Preschool-Age 21 Certificate endorsed for learning disabilities Learning Behavior Specialist I.</u>
Medical Review	School Service Personnel Certificate endorsed for school nursing (23 Ill. Adm. Code 25.240), or license to practice medicine in all of its branches.
Neurological Evaluation	Licensure/registration issued by the Department of Professional Regulation

FINAL TRANSITION RULES
effective July 1, 2001

pursuant to the Medical Practice Act of 1987 [225 ILCS 60].

Occupational Therapy Evaluation Certificate/Registration issued by the Department of Professional Regulation pursuant to the Illinois Occupational Therapy Practice Act [225 ILCS 75].

Orientation/Mobility Certification for orientation/mobility instruction and evaluation (Certification for Orientation and Mobility, Orientation and Mobility Division, Association for Education and Rehabilitation of the Blind and Visually Impaired, 4600 Duke Street, #430, P.O. Box 22397, Alexandria, Virginia 22304; 1984; no later amendments or editions are included).

Physical Therapy Evaluation Certificate/registration issued by the Department of Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].

Psychiatric Evaluation Licensure/registration issued by the Department of Professional Regulation pursuant to the Medical Practice Act of 1987.

School Psychological School Service Personnel Certificate endorsed for school psychology.

Social Developmental Study (Adaptive Behavior, Cultural Background, Family History) School Service Personnel Certificate endorsed for social work, guidance, or school psychology (23 Ill. Adm. Code 25.210, 25.220, or 25.230).

Speech and Language Assessment Special Preschool-Age 21 Certificate endorsed for speech and language impairment or speech-language pathology (23 Ill. Adm. Code 25.45), or School Service Personnel Certificate endorsed

FINAL TRANSITION RULES
effective July 1, 2001

for speech-language pathology (23 Ill.
Adm. Code 25.250).

Vision Screening

Certificate of training issued by the
Department of Public Health (77 Ill.
Adm. Code 675).

(Source: Amended at 25 Ill. Reg. _____, effective
_____)