

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

PART 228
TRANSITIONAL BILINGUAL EDUCATION

Section

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AUTHORITY: Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code [105 ILCS 5/Art. 14C and 2-3.39(1)].

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Section 228.10 Definitions

“Bilingual Education Teacher” means a teacher who:

holds a valid Illinois certificate with an endorsement or approval in bilingual education or an endorsement in ENL with a language-specific designation for bilingual education (see 23 Ill. Adm. Code 25.Appendix E and 23 Ill. Adm. Code 1.780 and 1.781); or

holds a Transitional Bilingual Certificate endorsed for teaching in a language other than English and issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25.90; or

holds a Visiting International Teacher Certificate and meets the requirements of 23 Ill. Adm. Code 25.92(i).

“English as a Second Language” or “ESL” or “English as a New Language” or “ENL” means specialized instruction designed to assist students whose home language is other than English in attaining English language proficiency. ESL or ENL instruction includes skills development in listening, speaking, reading, and writing. (ESL and ENL are not to be confused with English language arts as taught to students whose home language is English.)

“English Language Proficiency Assessment” means the ACCESS for ELLs® (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).

“Home Language” means that language normally used in the home by the student and/or by the student’s parents or legal guardians.

“Prescribed Screening Instrument” means the WIDA ACCESS Placement Test (W-APT)TM (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).

“Standard School Program” means the educational program offered by the local school district to the majority of its students (“general education”).

“Students of Limited English Proficiency” means students, whether born in the United States or born elsewhere, whose native language background is a language

other than English and whose difficulties in speaking, reading, writing, or understanding English may be sufficient to deny them:

the ability to meet the State's proficient level of achievement on State assessments;

the ability to successfully achieve in classrooms where the language of instruction is English; or

the opportunity to participate fully in the school setting.

“Students of Non-English Background” means students, whether born in the United States or born elsewhere, whose native language is other than English or students who come from homes where a language other than English is spoken, either by the students themselves or by their parents or legal guardians.

“Teacher of English as a Second Language” or “Teacher of English as a New Language” means a teacher who:

holds a special certificate endorsed for teaching ESL or ENL, issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25; or

holds a valid Illinois certificate and an endorsement or approval for ESL, issued by the State Board of Education pursuant to 23 Ill. Adm. Code 1.780, 1.781, and 1.782; or

meets the requirements set forth in 23 Ill. Adm. Code 1.782.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.15 Identification of Eligible Students

- a) Each school district shall administer a home language survey with respect to each student entering the district's schools for the first time, for the purpose of identifying students of non-English background. The survey shall include at least the following questions, and the student shall be identified as having a non-English background if the answer to either question is yes:
 - 1) Whether a language other than English is spoken in the student's home and, if so, which language; and
 - 2) Whether the student speaks a language other than English and, if so, which language.
- b) The home language survey shall be administered in English and, if feasible, in the student's home language.
- c) The home language survey form shall provide spaces for the date and the signature of the student's parent or legal guardian.
- d) The completed home language survey form shall be placed into the student's temporary record as defined in 23 Ill. Adm. Code 375 (Student Records).
- e) The district shall, using the prescribed screening instrument, screen the English language proficiency of each student identified through the home language survey as having a non-English background. This assessment shall take place within 30 days after the student's enrollment in the district, for the purpose of determining the student's eligibility for bilingual education services and, if eligible, the appropriate placement for the student.
 - 1) A district may rely upon a student's score attained on the prescribed screening instrument or on the assessment instrument prescribed under Section 228.25(c) of this Part, if either is available from another school district or another state, provided that the score was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English for purposes of eligibility and placement.
 - 2) Each student whose score on the prescribed screening instrument is identified as not "proficient" as defined by the State Superintendent of Education shall be considered to have limited English proficiency and therefore to be eligible for bilingual education services. However, even if the student scores at the "proficient" level, the school district may

consider additional indicators such as the results of criterion-referenced or locally developed tests, teachers' evaluations of performance, samples of a student's work, or information received from family members and school personnel in order to determine whether the student's proficiency in English is limited and the student is eligible for services.

- 3) Students who, based on review of assessment scores and other evidence such as that outlined in subsection (e)(2) of this Section, are judged to be of limited English proficiency shall be eligible for, and shall be placed into a program of, bilingual education services.
- f) Each district shall ensure that any accommodations called for in the Individualized Education Programs of students with disabilities are afforded to those students in the administration of the screening instrument discussed in this Section and the language proficiency assessment prescribed under Section 228.25(c) of this Part.
- g) The parent or guardian of any child resident in a school district who has not been identified as having limited English proficiency may request the district to determine whether the child should be considered for placement in a bilingual education program, and the school district shall make that determination upon request, using the process described in this Section. A determination contested by a parent or legal guardian may be appealed to the regional superintendent of schools for the region in which the district is located, pursuant to the provisions of Section 3-10 of the School Code [105 ILCS 5/3-10].

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.20 Public School Bilingual Census

- a) *No later than the first day of March of each year, every school district shall submit a bilingual census report for that school year to the State Superintendent of Education (Section 14C-3 of the School Code [105 ILCS 5/14C-3]). The bilingual census report shall be submitted on forms provided by the Superintendent and shall include:*
- 1) the number of students of non-English background in each attendance center, as identified via the home language survey;
 - 2) the number of those students who have been identified as having limited English proficiency based on the results of the prescribed screening instrument or the English language proficiency assessment and other factors discussed in Section 228.15(e) or Section 228.25(c) of this Part; and
 - 3) the home languages, ages, and grade or achievement levels of the students identified as having limited English proficiency.
- b) A district may use the number of students who have been identified in its census report as having limited English proficiency and who are thus eligible for bilingual education services as a preliminary count for the purpose of submitting a program application pursuant to Section 228.50 of this Part.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.25 Program Options, Placement, and Assessment

- a) *When an attendance center has an enrollment of 20 or more limited English proficient students of the same language classification, the school district must establish a transitional bilingual education (TBE) program for each language classification represented by those students (Section 14C-3 of the School Code). A further assessment of those students to determine their specific programmatic needs or for placement in either a full-time or a part-time program may be conducted.*
- b) *When an attendance center has an enrollment of 19 or fewer students of limited English proficiency from any single non-English language, the school district shall conduct an individual student language assessment to determine each student's need for native language instruction and may provide a transitional bilingual program in the non-English languages common to such students. If the district elects not to provide a transitional bilingual program, the district shall provide a locally determined transitional program of instruction (TPI) for those students. (Section 14C-3 of the School Code.)*
- c) *Annual Examination*
 - 1) *School districts must annually assess the English language proficiency, including aural comprehension (listening), speaking, reading, and writing skills, of all students enrolled in programs (Section 14C-3 of the School Code), using the English language proficiency assessment prescribed by the State Superintendent of Education. This assessment shall be administered during a testing window designated by the State Superintendent, for the purpose of determining individual students' continuing need and eligibility for bilingual education services. The annual assessment shall be based on the "Framework for Large-Scale Assessment of the English Language Proficiency Standards for English Language Learners K-12" (2004), published by the State of Wisconsin and posted at www.isbe.net/bilingual/pdfs/elps_framework.pdf. No later amendments to or editions of these standards are incorporated by this Section.*
 - 2) *Each student whose score on the English language proficiency assessment is identified as "proficient" may be considered eligible to exit the program of bilingual education services. However, the school district may also consider other indicators such as those listed in Section 228.15(e)(2) of this Part to determine whether individual students continue to exhibit limited English proficiency and remain eligible for bilingual education*

services, subject also to the provisions of Section 14C-3 of the School Code [105 ILCS 5/14C-3].

- 3) Beginning with the 2007 administration of the annual English language proficiency examination, each student who is not enrolled in a program under this Part but who has been identified as having limited English proficiency at any time since 2006 shall be required to participate in the annual examination each year until he or she achieves a “proficient” score.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.30 Establishment of Programs

- a) Administrative Provisions
- 1) Program Facilities - *Programs shall be located in regular public school facilities rather than in separate facilities. (Section 14C-6 of the School Code [105 ILCS 5/14C-6])* If such a location is not feasible, the substitute location shall be comparable to those made available to a majority of the district's students with respect to space and equipment. If housed in a facility other than a public school (including a charter school), the school district shall provide a written explanation in its annual application to the State Superintendent of Education as to why the use of a public school building is not feasible.
 - 2) Course Credit - Students enrolled in approved programs shall receive full credit for courses taken in such programs, which shall count toward promotion and fulfillment of district graduation requirements. Courses in ESL shall count toward English requirements for graduation. Students who change attendance centers or school districts shall do so without loss of credit for coursework completed in the program.
 - 3) *Extracurricular Activities - Each district shall ensure that students enrolled in programs shall have the opportunity to participate fully in the extracurricular activities of the public schools in the district. (Section 14C-7 of the School Code [105 ILCS 5/14C-7])*
 - 4) Inclusion of Students Whose First or Home Language is English - Students whose first or home language is English may be included in a program under this Part provided that all students of limited English proficiency are served.
 - 5) Joint Programs - A school district may join with one or more other school districts to provide joint programs or services in accordance with the provisions of Section 10-22.31a of the School Code [105 ILCS 5/10-22.31a]. The designated administrative agent shall adhere to the procedures contained in 23 Ill. Adm. Code 110 (Program Accounting Manual) as they pertain to cooperative agreements.
 - 6) Preschool and Summer School - *A school district may establish preschool and summer school programs for students of limited English proficiency, or join with other school districts in establishing such programs. Summer*

school programs shall not replace programs required during the regular school year. (Section 14C-11 of the School Code [105 ILCS 5/14C-11])

b) Instructional Specifications

- 1) Student-Teacher Ratio - The student-teacher ratio in the ESL and native language components of programs as of September 30 of each school year shall not exceed 90% of the average student-teacher ratio in general education classes for the same grades in that attendance center. Decreases in the ratio for general education during the course of a school year due to students' mobility shall not require corresponding adjustments within the bilingual program. Further, additional students may be placed into bilingual classes during the course of a school year, provided that no bilingual classroom may exhibit a student-teacher ratio that is greater than the average for general education classes in that grade and attendance center as a result of such placements.
- 2) Grade-Level Placement - *Students enrolled in a program of transitional bilingual education shall be placed in classes with students of approximately the same age or grade level, except as provided in subsection (b)(3) of this Section. (Section 14C-6 of the School Code)*
- 3) Multilevel Grouping - *If students of different age groups or educational levels are combined in the same class, the school district shall ensure that the instruction given each student is appropriate to his/her age or grade level. (Section 14C-6 of the School Code)* Evidence of compliance with this requirement shall be:
 - A) individualized instructional programs; or
 - B) grouping of students for instruction according to grade level.
- 4) Language Grouping - School districts may place students of limited English proficiency who have different home languages in the same class, provided that, in classes taught in the native language:
 - A) instructional personnel or assistants representing each of the languages in the class are used; and
 - B) the instructional materials are appropriate for the languages of instruction.

- 5) Program Integration – *In courses of subjects in which language is not essential to an understanding of the subject matter, including, but not necessarily limited to, art, music, and physical education, students of limited English proficiency shall participate fully with their English-speaking classmates.* (Section 14C-7 of the School Code)

c) Administrators

Beginning July 1, 2008, each individual newly assigned to administer a program under this Part shall meet the applicable requirements of this subsection (c). Administrators first assigned on or before June 30, 2008, shall be subject to the applicable requirements of this subsection (c) as of July 1, 2010.

- 1) Except as provided in subsections (c)(3) and (4) of this Section, any person designated to administer a TBE program must hold a valid administrative certificate or supervisory endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must hold the bilingual approval or endorsement.
- 2) Except as provided in subsections (c)(3) and (4) of this Section, any person designated to administer a TPI program must hold a valid administrative certificate or supervisory endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 and 1 and must hold the bilingual or ESL approval or endorsement.
- 3) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from the requirement for bilingual or ESL approval or endorsement, provided that he or she annually completes two hours of professional development specifically designed to address the needs of students with limited English proficiency. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.
- 4) A person who has been assigned to administer a TPI program in a district that experiences such growth in the number of students eligible for bilingual education that a TBE program is required shall become subject to the requirements of subsection (c)(1) of this Section at the beginning of the fourth school year of the TBE program's operation. A person who has been assigned to administer a program under subsection (c)(3) of this

Section in a district where the number of students eligible for bilingual education grows beyond 200 shall become subject to the requirements of subsection (c)(2) of this Section at the beginning of the fourth school year in which the eligible population exceeds 200 students. That is, each individual may continue to serve for the first three school years on the credentials that qualified him or her to administer the program previously operated.

- d) In-Service Training for Staff
- 1) Each school district having a program shall annually plan in-service training activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be included in the district's annual application and shall be approved by the State Superintendent of Education if it meets the standards set forth in subsections (d)(2) and (d)(3) of this Section.
 - 2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of the requirements for the program established under this Part and the employing district's relevant policies and procedures.
 - 3) Training activities shall be provided to all bilingual program staff at least twice yearly and shall address at least one of the following areas:
 - A) current research in bilingual education;
 - B) content-area and language proficiency assessment of students with limited English proficiency;
 - C) research-based methods and techniques for teaching students with limited English proficiency;
 - D) research-based methods and techniques for teaching students with limited English proficiency who also have disabilities; and
 - E) the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents.
 - 4) In addition to any other training required under this subsection (d), each individual who is responsible for administering the screening instrument

referred to in Section 228.15(e) of this Part or the annual English language proficiency examination discussed in Section 228.25(c) of this Part shall be required to complete an on-line training sequence furnished by the State Board of Education and to pass the test embedded in that material.

- e) Specific Requirements for Transitional Bilingual Education (TBE) Programs
- 1) Each full-time TBE program shall consist of at least the following components (Section 14C-2 of the School Code):
 - A) *Instruction in subjects which are either required by law (see 23 Ill. Adm. Code 1) or by the student's school district, to be given in the student's home language and in English; core subjects such as math, science and social studies must be offered in the student's home language;*
 - B) *Instruction in the language arts in the student's home language and in English as a second language; and*
 - C) *Instruction in the history and culture of the country, territory, or geographic area which is the native land of the students or of their parents and in the history and culture of the United States.*
 - 2) Programs may also include other services, modifications, or activities such as counseling, tutorial assistance, learning settings, or special instructional resources that will assist students of limited English proficiency in meeting the Illinois Learning Standards (see 23 Ill. Adm. Code 1, Appendix D).
 - 3) Students may be placed into a part-time program, or students previously placed in a full-time program may be placed in a part-time program, if an assessment of the student's English language skills has been performed in accordance with the provisions of either Section 228.15(e) or Section 228.25(c) of this Part and the assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program. However, district staff shall consider the student's score and his or her proficiency in the home language, prior performance, if any, in coursework taught exclusively in English, current academic performance, and other relevant factors such as age, disability, and cultural background in order to determine whether a full-time or a part-time program is appropriate.

- 4) A part-time program shall consist of components of a full-time program that are selected for a particular student based upon an assessment of the student's educational needs. Each student's part-time program shall provide daily instruction in English and in the student's native language as determined by the student's needs.
- 5) *Parent and Community Participation – Each district or cooperative shall establish a parent advisory committee consisting of parents, legal guardians, transitional bilingual education teachers, counselors, and community leaders. This committee shall participate in the planning, operation, and evaluation of programs. The majority of committee members shall be parents or legal guardians of students enrolled in these programs. Membership on this committee shall be representative of the languages served in programs to the extent possible. (Section 14C-10 of the School Code [105 ILCS 5/14C-10])*
 - A) The committee shall:
 - i) meet at least four times per year;
 - ii) maintain on file with the school district minutes of these meetings; and
 - iii) review the district's annual program application to the State Superintendent of Education.
 - B) Each district or cooperative shall ensure that training is provided annually to the members of its parent advisory committee. This training shall be conducted in language that the parent members can understand and shall encompass, but need not be limited to, information related to instructional approaches and methods in bilingual education; the provisions of State and federal law related to students' participation and parents' rights; and accountability measures relevant to students in bilingual programs.
- f) Specific Requirements for Transitional Program of Instruction (TPI)
 - 1) Program Structure – The level of a student's proficiency in English, as determined by an individual student language assessment in conjunction with other information available to the district regarding the student's level of literacy in his or her home language, will determine the structure of the student's instructional program.

- 2) Program Components – A transitional program of instruction must include instruction or other assistance in the student’s home language to the extent necessary, as determined by the district on the basis of the student assessment required in Section 228.15(e) or Section 228.25(c) of this Part, to enable the student to keep pace with his/her age or grade peers in achievement in the core academic content areas. A transitional program of instruction may include, but is not limited to, the following components: instruction in ESL, language arts in the students’ home language, and instruction in the history and culture of the country, territory, or geographic area that is the native land of the students or of their parents and in the history and culture of the United States.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.40 Students' Participation; Records

- a) Notice of Enrollment and Withdrawal
 - 1) *Notice of Enrollment – No later than 30 days after the beginning of the school year or 14 days after the enrollment of any student in a transitional bilingual education program in the middle of a school year, the school district shall notify by mail the parents or legal guardians of the student that their child has been enrolled in a transitional bilingual education program or a transitional program of instruction. The notice shall be in English and in the home language of the student and shall convey, in simple, nontechnical language, all of the information called for in Section 14C-4 of the School Code [105 ILCS 5/14C-4].*
 - 2) *Withdrawal by Parents – Any parent or legal guardian whose child has been enrolled in a program shall have the absolute right to withdraw the child from the program immediately by submitting a written notice of his or her desire to withdraw the child to the school authorities of the school in which the child is enrolled or to the school district in which the child resides. (Section 14C-4 of the School Code)*
- b) Unless terminated as set forth in subsection (a)(2) of this Section, the duration of a student's participation in a program under this Part shall be as set forth in Section 14C-3 of the School Code.
- c) Maintenance of Records and Reporting Procedures
 - 1) Report Cards - The school shall send progress reports to parents or legal guardians of students enrolled in programs in the same manner and with the same frequency as progress reports are sent to parents or legal guardians of other students enrolled in the school district. These reports shall indicate the student's progress in the program and in the general program of instruction, and shall indicate when the student has successfully completed requirements for transition from the program into the general program of instruction. Progress reports for all students enrolled in a program under this Part shall be written in English and in the student's home language unless a student's parents or legal guardian agree in writing to waive this requirement. The parents' waiver shall be kept on file in accordance with subsection (c)(3) of this Section.
 - 2) Annual Student Reports - Each district must complete the Transitional Bilingual Education Annual Student Report and the Program Delivery

Report provided by the State Superintendent of Education, in which information on each program and each student participating in the program is compiled.

- 3) Records - School districts shall maintain records of each student enrolled in programs in the manner prescribed in 23 Ill. Adm. Code 375 (Student Records). These records shall include program entry/exit information, annual English proficiency test scores and other student information (e.g., language, grade level, and attendance), the rationale for a student's placement into a part-time program, where applicable, including documentation of the factors indicating that a part-time program would be appropriate, and documentation of conferences and written communication with parents or legal guardians. Parents and legal guardians of students enrolled in programs shall have access to such records, as specified in 23 Ill. Adm. Code 375.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.50 Program Plan Approval and Reimbursement Procedures

- a) Reimbursement for programs provided by school districts pursuant to the provisions of Article 14C of the School Code and this Part is contingent upon the submission and approval of a program plan and request for reimbursement in accordance with the requirements of Section 14C-12 of the School Code and this Section.
- b) Program Plan Submission and Approval
 - 1) Applications for program approval shall be submitted, on forms provided by the State Superintendent of Education, at least 60 calendar days prior to the start of the proposed initial or continuing program.
 - 2) The State Superintendent of Education will waive the requirement in subsection (b)(1) of this Section only when an application is accompanied by a statement of facts showing that the waiver will enable the district to begin serving a student or students sooner than would otherwise be the case.
 - 3) School districts shall be granted at least 45 calendar days to complete and submit applications to the State Superintendent of Education. A district's failure to submit a completed application by the date specified on the form will delay its receipt of reimbursement pursuant to subsection (c) of this Section.
 - 4) Applications for a Transitional Bilingual Education Program and/or a Transitional Program of Instruction must contain at least the following information:
 - A) The number of students to be served by grade or grade equivalent and language group in a full-time or part-time program.
 - B) A summary description of the number and types of personnel who will provide services in the program.
 - C) A description of the full-time and/or part-time program to be provided to the students identified pursuant to subsection (b)(4)(A) of this Section in relation to the applicable program standards set forth in Section 228.30 of this Part.

- D) A budget summary containing a projection of the program expenditures (e.g., instruction, support services, administration and transportation) and offsetting revenues for the upcoming fiscal year, and a detailed budget breakdown including allowable program expenditures for which reimbursement is sought, other program expenditures, and total program costs.
 - E) In the case of a TBE program, the signature of the chairperson of the district's Bilingual Parent Advisory Committee established pursuant to Section 14C-10 of the School Code and Section 228.30(e)(5) of this Part, which shall be evidence that the Committee has had an opportunity to review the application.
- 5) Applications that, upon review by the State Superintendent of Education staff, are found to contain the information required pursuant to this Section shall be recommended for approval by the State Superintendent of Education. If the application is found to be incomplete, State Board staff will send a written notice to applicants requesting that they supply the needed information. In order to permit accurate allocation of funds for the program among eligible recipients, the State Superintendent may establish a deadline by which applicants must supply the requested information.
- 6) The State Superintendent of Education will approve applications that demonstrate compliance with Article 14C of the School Code and this Part, except that the State Superintendent shall invoke subsection (b)(5) of this Section with respect to any requested information that is missing from any application submitted for approval.
- c) Account of Expenditures and Reimbursement Procedures
- 1) An account of each district's expenditures pursuant to Article 14C of the School Code and this Part shall be maintained as required in Section 14C-12 of the School Code. Accounting procedures shall be in accordance with applicable requirements of 23 Ill. Adm. Code 110 (Program Accounting Manual).
 - 2) The final annual report of district expenditures, which shall include the information specified in Section 14C-12 of the School Code, shall be submitted on forms provided by the State Superintendent of Education no later than July 31 of each year.

- 3) School districts shall submit claims for reimbursement of programs approved in accordance with this Part on forms provided by the State Superintendent of Education and in accordance with Section 14C-12 of the School Code. No State reimbursement shall be available with respect to any student served for fewer than five class periods per week.
- 4) In the event that funds appropriated by the General Assembly are insufficient to cover the districts' excess costs, the funds will be distributed on a pro rata basis and in accordance with the timelines specified in Section 14C-12 of the School Code.
- 5) A request to amend a district's approved budget shall be submitted on forms provided by the State Superintendent of Education whenever a district determines that there is a need to increase or decrease an approved line item expenditure by more than \$1,000 or 20 percent, whichever is larger. A budget amendment must also be submitted for approval when a grantee proposes to use funds for allowable expenditures not identified in the approved budget.
- 6) Budget amendment requests will be approved if the rationale provided for each amendment includes facts demonstrating that:
 - A) there is a need (e.g., a change in the number of students served or personnel needed); and
 - B) the altered expenditures and their related program services will be in compliance with the requirements of Article 14C of the School Code and this Part.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)

Section 228.60 Enforcement

- a) Each school district's compliance with the requirements of Article 14C of the School Code and this Part shall be evaluated at least every three years by State Board of Education staff, who shall use the criteria set forth in Article 14C of the School Code and this Part to determine compliance.
- b) The recognition status of districts found to be in noncompliance with the requirements of Article 14C of the School Code and this Part will be evaluated in accordance with the provisions of Subpart A of 23 Ill. Adm. Code 1.

(Source: Amended at 30 Ill. Reg. 17434, effective October 23, 2006)