STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

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)].

SOURCE: Adopted May 28, 1976; codified at 8 Ill. Reg. 5176; Part repealed, new Part adopted at 11 Ill. Reg. 5969, effective March 23, 1987; amended at 17 Ill. Reg. 104, effective December 18, 1992; amended at 26 Ill. Reg. 898, effective January 15, 2002; amended at 27 Ill. Reg. 9996, effective June 20, 2003; amended at 30 Ill. Reg. 17434, effective October 23, 2006; amended at 34 Ill. Reg. 11581, effective July 26, 2010; amended at 35 Ill. Reg. 3735, effective February 17, 2011; amended at 35 Ill. Reg. 16870, effective September 29, 2011; amended at 37 Ill. Reg. 16803, effective October 2, 2013; amended 38 Ill. Reg. _____, effective _____.

Section 228.10 Definitions

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

"English Language Development Standards" means either the:

"2012 Amplification of English Language Development Standards Kindergarten-Grade 12" (2012) for students in kindergarten and grades 1 through 12 published by the Board of Regents of the University of Wisconsin System on behalf of the World-class Instructional Design and Assessment (WIDA) Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 and posted at http://wida.us/standards/eld.aspx (no later amendments to or editions of these standards are incorporated by this Section); or

"Early English Language Development Standards Ages 2.5-5.5 2013 Edition" (2013) for students in preschool education programs published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 and posted at http://www.wida.us/standards/eeld.aspx (no later amendments to or editions of these standards are incorporated by this Section).

"English Language Proficiency Assessment" means the ACCESS for ELLs® (WIDA ~~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)).

"English Learners" means any student in preschool, kindergarten or any of grades 1 through 12, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English is not yet sufficient to provide the student with:

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.

For the purposes of this Part, the terms "limited English proficient student" and "students with limited English proficiency", as used in Article 14C of the School Code, are understood to be "English learners".

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

"Language Background other than English" means that the home language of a student in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, is other than English or that the student comes from a home where a language other than English is spoken by the student, or by his or her parents or legal guardians, or by anyone who resides in the student's household.

"Preschool Program" means instruction provided to children who are ages 3 up to but not including those of kindergarten enrollment age as defined in Section 10-20.12 of the School Code [105 ILCS 5/10-20.12] in any program administered by a school district, regardless of whether the program is provided in an attendance center or a non-school-based facility.

"Prescribed Screening Instrument" means the:

WIDA ACCESS Placement Test (W-APT™) (2013 ~~2006 or 2007~~) for students ~~entering or~~ in the second semester of grade 1 or in grades 2 through 12 (WIDA ~~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) and accessible at http://www.wida.us/assessment/W-APT/; or

Measure of Developing English Language (MODEL™) ~~(2008)~~ for students in ~~entering~~ kindergarten through ~~or~~ the first semester of grade 1 (WIDA ~~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); this instrument also may be used for students in the second semester of grade 1 through grade 12.

"Prescribed Screening Procedures" means the procedures that a school district determines to be appropriate to assess a preschool student's level of English language proficiency (minimally in the domains of speaking and listening), in

order to determine whether the student is eligible to receive bilingual education services. The procedures may include, without limitation, established screening instruments or other procedures provided that they are research-based. Further, screening procedures shall at least:

Be age and developmentally appropriate;

Be culturally and linguistically appropriate for the children being screened;

Include one or more observations using culturally and linguistically appropriate tools;

Use multiple measures and methods (e.g., home language assessments; verbal and nonverbal procedures; various activities, settings, and personal interactions);

Involve family by seeking information and insight to help guide the screening process without involving them in the formal assessment or interpretation of results; and

Involve staff who are knowledgeable about preschool education, child development, and first and second language acquisition.

"Sheltered Content Instruction" means instruction that is generally intended for English learners who demonstrate intermediate or advanced English proficiency and consists of adapting the language used in the particular subject to the student's English proficiency level to assist the student in understanding the content of the subject area and acquiring the knowledge and skills presented.

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

Section 228.15 Identification of Eligible Students

a) Each school district shall administer a home language survey with respect to each student in preschool, kindergarten or any of grades 1 through 12 who is entering the district's schools or any of the district's preschool programs for the first time, for the purpose of identifying students who have a language background other than English. The survey should be administered as part of the enrollment process or, for preschool programs, by the first day the student commences participation in the program. The survey shall include at least the following questions, and the

student shall be identified as having a language background other than English 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 screen the English language proficiency of each student identified through the home language survey as having a language background other than English by using the prescribed screening instrument applicable to the student's grade level (i.e., kindergarten or any of grades 1 through 12), as set forth in Section 228.10, or the prescribed screening procedures identified by the preschool program. This screening shall take place within 30 days either after the student's enrollment in the district or, for preschool programs, after the student commences participation in the program, for the purpose of determining the student's eligibility for bilingual education services and, if eligible, the appropriate placement for the student. For kindergarten, all students identified through the home language survey, including students previously screened when enrolled in preschool, must be screened using the prescribed screening instrument for kindergarten.

1) The prescribed screening instrument does not need to be administered to a student who, in his or her previous school district:

A) has been screened and identified as English language proficient as required in this subsection (e); or

B) has met the State exit requirements as described in Section 228.25(b)(2) ~~of this Part~~; or

C) has met all of the following criteria:

i) resides in a home where a language other than English is spoken, and

ii) has not been screened or identified as an English learner, and

iii) has been enrolled in the general program of instruction in the school he or she has previously attended, and

iv) has been performing at or above grade level as evidenced by having met or exceeded the Illinois Learning Standards in reading and math on the student's most recent State assessment administered pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64] or, for students for whom State assessment scores are not available, a nationally normed standardized test, provided that either assessment was not administered with accommodations for English learners. This provision applies only to a student who had been enrolled in any of the grades in which the State assessment is required to be administered in accordance with Section 2-3.64 of the School Code.

2) For purposes of eligibility and placement, a district must rely upon a student's score attained on the English language proficiency assessment prescribed under Section 228.25(b) ~~of this Part~~, if available from another school district or another state, provided that the score was achieved no sooner than the school year previous to the student's enrollment in the district.

3) If results are not available pursuant to subsection (e)(2) ~~of this Section~~, then a district must rely upon a student's score on the prescribed screening instrument if available from another school district or another state for the purposes of eligibility and placement for students entering any of grades 1 through 12, if the student's score on the prescribed screening instrument was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English.

4) Each student whose score on the prescribed screening instrument or procedures, as applicable, is identified as not "proficient" as defined by the

State Superintendent of Education shall be considered to be an English learner and therefore to be eligible for, and shall be placed into a program of, bilingual education services.

A) For preschool programs using a screening procedure other than an established assessment tool where "proficiency" is defined as part of the instrument, "proficiency" is the point at which performance identifies a child as proficient in English, as set forth in the program's proposed screening process.

B) For any preschool student who scores at the "proficient" level, the school district may consider additional indicators such as 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.

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 or procedures, as applicable, discussed in this Section and the English language proficiency assessment prescribed under Section 228.25(b) ~~of this Part~~.

g) The parent or guardian of any child resident in a school district who has not been identified as an English learner 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.

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

Section 228.30 Establishment of Programs

a) Administrative Provisions

1) Program Facilities – Other than for preschool education programs, TBE and TPI 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 these 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 English learners 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 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) as they pertain to cooperative agreements.

6) Preschool and Summer School – *A school district may establish preschool and summer school programs for* English learners *or join with other school districts in establishing* these *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]) A school district that offers a summer school program or preschool program shall provide transitional bilingual education programs or transitional programs of instruction for English learners in accordance with Article 14C and this Part.

b) Instructional Specifications

1) Student-Teacher Ratio – The student-teacher ratio in the ESL and home language components of programs serving students in kindergarten or any of grades 1 through 12 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 these placements. Preschool programs established pursuant to Section 2-3.71 of the School Code [105 ILCS 5/2-3.71] that provide bilingual education services shall meet the requirements of 23 Ill. Adm. Code 235.30 (Early Childhood Block Grant) rather than the requirements of this subsection (b)(1).

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) Beginning with the 2012-13 school year, instruction in Spanish language arts, where provided under subsection (c) or (d) ~~of this Section~~, shall be aligned to the standards that are appropriate to the ages or grade levels of the students served, which are set forth in the document titled "World-Class Instructional Design and Assessment: Spanish Language Arts Standards" (2005), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, University of Wisconsin-Madison, 1025 West Johnson Street, MD #23, Madison WI 53706, and posted at http://wida.us/standards/sla.aspx. No later

amendments to or editions of these standards are incorporated by this Section.

5) Language Grouping – School districts may place English learners who have different home languages in the same class, provided that, in classes taught in the home 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.

6) 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,* English learners *shall participate fully with their English-speaking classmates.* (Section 14C-7 of the School Code)

c) 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*, except as otherwise provided in subsection (c)(3) ~~of this Section~~*;*

B) *Instruction in the language arts in the student's home language*;

C) *Instruction in English as a second language*, which must align to the applicable English language development standards set forth in Section 228.10 ~~2012 Amplification of the English Language Development Standards Kindergarten-Grade 12 (2012), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, University of Wisconsin-Madison, 1025 West Johnson Street, MD #23, Madison, WI 53706, and posted at http://wida.us/standards/eld.aspx. No later~~

~~amendments to or editions of these standards are incorporated by this Section~~; *and*

D) *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 English learners in meeting the Illinois Learning Standards (see 23 Ill. Adm. Code 1, Appendix D) and for preschool programs established pursuant to Section 2-3.71 of the School Code, the Illinois Early Learning and Development Standards – Children Age 3 to Kindergarten Enrollment Age (see 23 Ill. Adm. Code 235, Appendix A).

3) Beginning September 1, 2013, 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 in accordance with the requirements of this subsection (c)(3).

A) 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(b) ~~of this Part~~ and the assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program.

i) Evidence of sufficient proficiency shall be achievement of the minimum score to be used for this purpose set by the State Superintendent either on the prescribed screening instrument required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b). The State Superintendent shall inform districts of the minimum score to be used for the prescribed screening instrument or the English language proficiency assessment, and post the minimum score on the State Board's website. Should the minimum score be modified, the State Superintendent shall inform school districts no later than July 1 of the scores to be used and modify the State Board's website accordingly.

ii) Preschool programs shall use as evidence of sufficient proficiency either a minimum score for an established screening instrument or a minimum level of performance documented through established screening procedures.

B) If the student's score either on the prescribed screening instrument required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b) is below the minimum identified pursuant to subsection (c)(3)(A) ~~of this Section~~, the student may be placed in a part-time program only if one of the following conditions is met.

i) Native Language Proficiency

A native language proficiency test documents that the student has minimal or no proficiency in the home language and a parent provides written confirmation that English is the primary language spoken in the home.

ii) Academic Performance in Subjects Taught in English

Any student whose student grades, teacher recommendations and State or local assessment results in the previous school year indicate that the student has performed at or above grade level in one or more core subject areas (i.e., reading, English language arts, mathematics, physical sciences, social sciences) that were taught exclusively in English.

iii) Academic Performance

Any student in a departmentalized setting whose student grades, teacher recommendations and State or local assessment results in the previous school year indicate that the student has performed at or above grade level in at least two core subject areas that were taught in a U.S. school in the student's native language or via sheltered instruction in English.

iv) Students with Disabilities

Any student with a disability whose Individualized Education Program developed in accordance with 23 Ill. Adm. Code 226.Subpart C identifies a part-time transitional bilingual education program as the least restrictive environment for the student.

v) Limited Native Language Instruction

The limited use of native language instruction is permissible for a student whose native language has no written component or one for which written instructional materials are not available. Oral native language instruction or support should be provided based on the student's needs.

C) 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 home language as determined by the student's needs.

4) *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;

iii) review the district's annual program application to the State Superintendent of Education; and

iv) *autonomously carry out their affairs, including the election of officers and the establishment of internal rules, guidelines, and procedures*. (Section 14C-10 of the School Code)

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.

d) 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 assessment of the student's language skills on the basis of either the prescribed screening instrument or procedures, as applicable, required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b) ~~of this Part~~ 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 native language support ~~other assistance~~ in the student's home language to the extent necessary, as determined by the district on the basis of the prescribed screening instrument or procedures, as applicable, required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b) ~~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 shall ~~may~~ include~~, but is not limited to, the following components:~~

~~A)~~ instruction in ESL, which must align to the applicable English language development standards set forth in Section 228.10. A transitional program of instruction also may include, but is not limited to: ~~2012 Amplification of the English Language Development Standards Kindergarten-Grade 12 (2012), published~~

~~by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, University of Wisconsin-Madison, 1025 West Johnson Street, MD #23, Madison WI 53706, and posted at http://wida.us/standards/eld.aspx. No later amendments to or editions of these standards are incorporated by this Section~~;

A)~~B)~~ language arts in the students' home language; and

B)~~C)~~ 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 37 Ill. Reg. _____, effective _____)

Section 228.35 Personnel Qualifications; Professional Development

a) Each individual assigned to provide instruction in a student's home language shall meet the requirements for bilingual education teachers set forth in 23 Ill. Adm. Code 25 (Educator Licensure) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), as applicable.

b) Each individual assigned to provide instruction in ESL shall meet the requirements for ESL or English as a New Language teachers set forth in 23 Ill. Adm. Code 25 and 23 Ill. Adm. Code 1, as applicable.

c) Preschool Programs

1) Each individual assigned to provide instruction to students in a preschool program shall meet the requirements of 23 Ill. Adm. 235.20(c) (Application Procedure and Content for New or Expanding Programs).

2) By July 1, 2016 ~~2014~~, each individual assigned to provide instruction to students in a preschool program also shall meet the applicable requirements of subsection (a) or (b) ~~of this Section~~, depending on the assignment, except as provided in subsection (c)(3).

3) During school years 2014-15 and 2015-16, any school district unable to meet the requirements of subsection (c)(2) shall submit a plan to the State Superintendent of Education by September 15 of each year that demonstrates how the program is actively working toward recruiting and

hiring fully qualified staff and serve preschool-age English learners. The plan shall be developed jointly by school administrators responsible for the preschool program and the bilingual education program. Using a format prescribed by the State Superintendent of Education, the plan shall include, but is not limited to:

A) Past and current efforts undertaken by the district to recruit and hire fully qualified staff;

B) Reasons why individuals meeting the requirements of subsection (a) or (b) were not hired, if applicable;

C) Professional development activities focused on the needs of preschool-age English learners; and

D) How the educational program for English learners will meet the needs of those students without fully qualified staff, to include information relative to the components set forth in Section 228.27(b) through (f).

4) Staff who are employed to assist in instruction in a preschool program but do not hold a professional educator license shall meet the requirements of 23 Ill. Adm. 235.20(c).

d) Administrators

Beginning July 1, 2014, each individual assigned to administer a program under this Part shall meet the applicable requirements of this subsection (d).

1) Except as provided in subsections (d)(2) and (3) ~~of this Section~~, any person designated to administer either a TBE or a TPI program must hold a valid administrative or a supervisory endorsement issued on a professional educator license by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Educator Licensure) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must meet the requirements of 23 Ill. Adm. Code 1.783 (Requirements for Administrators of Bilingual Education Programs), as applicable.

2) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from all but the

requirement for an administrative or a supervisory endorsement issued on a professional educator license, provided that he or she annually completes a minimum of eight hours of professional development. An assurance that this requirement has been met shall be provided annually in a school district's application submitted pursuant to Section 228.50 ~~of this Part~~. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.

3) 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 (d)(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 (d)(2) ~~of this Section~~ in a district where the number of students eligible for bilingual education reaches 200 shall become subject to the requirements of subsection (d)(1) ~~of this Section~~ at the beginning of the fourth school year in which the eligible population equals or exceeds 200 or more 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.

e) Professional Development for Staff

1) Each school district having a program shall annually plan professional development activities for the licensed and nonlicensed personnel involved in the education of English learners. 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 (e)(2) and (e)(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 English learners;

C) research-based methods and techniques for teaching English learners;

D) research-based methods and techniques for teaching English learners 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 (e), each individual who is responsible for administering the prescribed screening instrument referred to in Section 228.15(e) ~~of this Par~~t or the annual English language proficiency assessment discussed in Section 228.25(b) ~~of this Part~~ shall be required to complete on-line training designated by the State Superintendent of Education and to pass the test embedded in that material.

5) Each ~~Beginning in the 2012-13 school year, each~~ district that operates either a TBE or a TPI program for students of Spanish language background in kindergarten and any of grades 1 through 12 shall provide annually at least one training session related to the implementation of the Spanish language arts standards required under Section 228.30(b)(4) ~~of this Part~~ for staff members of that program who are providing instruction in the Spanish language arts.

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