Dear Ms. Lopuszanski:

This letter is in response to your recent request for information under the Freedom of Information Act (FOIA). Your request was received on Sept. 26, 2012.

You have requested the following information:

Request 1: A list of teachers that were given and currently hold a "Short Term Emergency Special Education Certificate" including those teachers that received it in 2011/2012.

Response 1: The attached document, 13-094-lopuszanski-doc.xlsx, is provided in response to this request.

Request 2: The penalty for falsifying records and hiring teachers that do not have a degree, proper certification or educational background.

Response 2: Falsification of records is penalized in the following ways:

1. For an individual - as per School Code 105 ILCS 5/22-6.5 False Statement or Material Omission is a Class A misdemeanor.
   False statement or material omission; Class A misdemeanor. Any person who applies for employment as a teacher, principal, superintendent, or other certificated employee of a school board of any school district, including a special charter district and a district organized under Article 34 of the School Code, who willfully makes a false statement on his or her application for employment, material to his or her qualifications for employment, which he or she does not believe to be true, shall be guilty of a Class A misdemeanor.
   If a person's employment history or current or prior employers are required to be furnished on an application for employment, a person who makes a statement which he or she does not believe to be true or who knowingly omits or fails to include any employment history or employer required to be furnished on the application which is material to his or her qualifications for employment shall be deemed to have made a false statement on his or her application within the meaning of this Section.
   Each application for employment for a certificated position used by a
school district shall state that failure to provide requested employment or employer history which is material to the applicant's qualifications for employment or the provision of statements which the applicant does not believe to be true may be a Class A misdemeanor.

2. For a District – Districts that lack appropriately certificated personnel run the risk of recognition sanctions pursuant to 23 Illinois Administrative Code 1.20 (b)

b) Based upon the information provided by the district and the regional superintendent, the State Superintendent shall prepare a certificate of recognition status for each school and for each district as a whole and shall transmit these certificates to all districts. In each case, the recognition status assigned shall be either "Fully Recognized", "On Probation", "Recognized Pending Further Review", or "Nonrecognized".

1) Each school or district that meets the requirements imposed by law, including the requirements established by the State Board pursuant to Section 2-3.25 of the School Code and this Part, shall be fully recognized.

2) A school or district shall be placed on probation if it:
   A) exhibits deficiencies that present a health hazard or a danger to students or staff;
   B) fails to offer required coursework;
   C) employs personnel who lack the required qualifications and who are not in the process of attaining such qualifications;
   D) fails or refuses to serve students according to relevant legal and/or regulatory requirements; and/or
   E) prolongs or repeats instances of noncompliance to a degree that indicates an intention not to comply with relevant requirements.

3) A school or district shall be recognized pending further review if it exhibits areas of noncompliance that:
   A) are not serious enough to warrant probation as delineated in subsection (b) (2) of this Section; and
   B) may be corrected prior to the end of the school year following the school year in which they were identified.

4) A district shall be recognized pending further review whenever one or more of the district's schools are first removed from full recognition, whether recognized pending further review or placed on probation. The district shall subsequently be placed on probation if the instances of noncompliance cited for one or more schools have not been corrected within the time allowed under subsection (b)(3)(B) of this Section.

Request 3: The schools broken down by county and the individual schools listed and the number of teachers at each of those buildings that currently have staff that hold a "short term emergency special education certificate."

Response 3: Please see Response 1.
Request 4: For the 2011/2012 school year, please include the paperwork that backs up the need to request a short term emergency certificate for any teacher in Kane County, the date the request was filed and the short term certificate was given along with the formatted information as was provided in response for the 2010/2011 report.

Response 4: During the 2011-2012 school year, only one request was made for a Short Term Emergency Certificate in Special Education in Kane County. The request was received by ISBE and entered into our system on 8/24/12. The Emergency Certificate was then issued on 8/31/12. The attached document, 13-094-lopuszanki-doc2.pdf, provides the supporting documentation. Please note that pursuant to 5 ILCS 140/7 (1) (b), private information has been redacted.

Request 5: Please provide a list of not-for-profit schools in Illinois; a list of not-for-profit schools that receive State of Illinois funding; qualifies for any programs and receives funding from the State of Illinois and ISBE.

Response 5: A list of state-approved nonpublic special education programs (Category D) may be found in the Directory of Educational Entities spreadsheet available at http://www.isbe.net/research/htmls/directories.htm. Click on the tab labeled “Nonpublic Spec Ed Programs”. Please note that our agency does not provide any direct state or federal funding to these schools. All funding is facilitated through the public school districts that make student placements and pay the private facilities.

Request 6: The educational teaching requirements, degrees and certification that teachers must have when teaching at a not-for-profit school. Special education teaching certificate requirements for not-for-profit schools to be in compliance with IEP students.

Response 6: The information you seek is available on our website at http://www.isbe.net/charter/.

Request 7: Please provide a list of all teachers that have an LBSI and currently work in Kane County, date the teacher passed and was approved by ISBE to be claimed as having an LBSI. Please note the penalty for falsifying records.

Response 7: The attached document, 13-094-lopuszanski-doc3.xlsx, is provided in response to this request. Also, please see Response 2.

If you have questions, please contact Amanda Simhauser at (217) 782-4648 or asimhaus@isbe.net.

Sincerely,

Matt Vanover
Director of Public Information

Attachments