

1 AN ACT in relation to education.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by adding Section  
5 14-9.05 as follows:

6 (105 ILCS 5/14-9.05 new)

7 Sec. 14-9.05. Temporary special education teacher  
8 certification.

9 (a) The General Assembly makes all of the following  
10 findings:

11 (1) There exists throughout this State a severe  
12 shortage of special education teachers, and this shortage  
13 has existed for many years and gives no indication of  
14 abating at anytime in the future.

15 (2) As a result of this shortage of special  
16 education teachers, school districts and private special  
17 education facilities throughout this State are finding it  
18 increasingly difficult to hire and maintain a sufficient  
19 number of special education teachers to meet the needs of  
20 their children with disabilities.

21 (3) If a solution is not found to alleviate the  
22 effects of this shortage of special education teachers,  
23 the high quality of special education that the school  
24 districts and private special education facilities of  
25 this State provide could be in jeopardy.

26 (4) As a result of this shortage of special  
27 education teachers and the potential impact that this  
28 shortage may have on this State's special education  
29 system, the General Assembly believes that a temporary  
30 certification process for special education teachers is  
31 necessary.

1       (b) The State Teacher Certification Board shall issue  
2 temporary special education teacher certificates for teaching  
3 children with disabilities, other than students who are deaf  
4 or hard of hearing, blind or visually impaired, or speech or  
5 language impaired, to persons who satisfy the requirements of  
6 this Section. Certificates shall be issued only during the  
7 3-year period beginning on July 1, 2002. The powers granted  
8 to the State Teacher Certification Board concerning the  
9 issuance of temporary special education teacher certificates  
10 under this Section expire on July 1, 2005. Notwithstanding  
11 that expiration, any certificate issued before July 1, 2005  
12 is valid until the date of the certificate's expiration. Once  
13 issued, a temporary special education teacher certificate is  
14 valid for a period of 3 years.

15       (c) A person seeking certification under this Section  
16 must meet all of the following requirements:

17           (1) The person possesses either a valid teaching  
18 certificate issued by any state or a possession or  
19 territory of the United States or a certificate issued  
20 pursuant to Section 21-9 of this Code.

21           (2) The person has the qualifications to be  
22 certified to teach under Section 21-1 of this Code.

23       (d) A person seeking temporary special education teacher  
24 certification must be enrolled in an approved special  
25 education teacher preparation program at a recognized  
26 institution of higher learning, as defined under Article 21  
27 of this Code, and meet, within 3 years after issuance of the  
28 temporary special education teacher certificate, the  
29 requirements to receive a special certificate pursuant to  
30 Section 21-4 of this Code, except that a person seeking  
31 temporary special education teacher certification who has  
32 been teaching under a certificate valid for teaching in the  
33 common schools of this State for a minimum of 3 years and who  
34 has received a satisfactory evaluation and an appropriate

1 teaching performance critique from the institution of higher  
2 learning is exempt from the student teaching requirement. The  
3 holder of a temporary special education teacher certificate  
4 must pass the basic skills test required for certification to  
5 teach in the common schools of this State within one year  
6 after issuance of the temporary special education teacher  
7 certificate.

8 (e) A person is not eligible for employment by a school  
9 district, for employment in a program under a special  
10 education joint agreement, or for employment in a private  
11 special education facility as a temporarily certified special  
12 education teacher unless he or she holds a valid substitute  
13 teacher's certificate pursuant to Section 21-9 of this Code.  
14 The person must not be employed to replace any currently  
15 employed teacher who otherwise would not be replaced for any  
16 reason. Before being assigned to a classroom with children  
17 with disabilities for the first time, the person must  
18 successfully complete a pre-service training program on  
19 educating children with disabilities that has been approved  
20 by the State Board of Education and that is provided by the  
21 employing entity or a recognized institution of higher  
22 learning, as defined under Article 21 of this Code. An  
23 employing entity must assign a mentoring teacher to the  
24 person for the duration of his or her employment with the  
25 entity as a temporarily certified special education teacher.

26 (f) A person employed by a school district or employed in  
27 a program under a special education joint agreement as a  
28 temporarily certified special education teacher shall have  
29 that employment credited to him or her for the purpose of  
30 determining, under the provisions of this Code, eligibility  
31 to enter upon contractual continued service, provided that  
32 the employment immediately precedes and is consecutive with  
33 the year in which the person becomes certified under Article  
34 21 of this Code. For the purposes of determining the minimum

1 salary payable to the person and the employment benefits that  
2 the person is entitled to, the person is deemed to have been  
3 trained at a recognized institution of higher learning, as  
4 defined under Article 21 of this Code, and the person is  
5 eligible for salary and benefits as a beginning full-time  
6 teacher of the employing entity.

7 (g) The provisions of Article 21 of this Code that apply  
8 to certificates issued under Article 21 apply to temporary  
9 special education teacher certificates to the extent that  
10 those provisions are not contradicted by or inconsistent with  
11 any provision of this Section.

12 (h) In order to assist the State Board of Education and  
13 the State Teacher Certification Board in evaluating the  
14 special education certification process in this State, any  
15 school district, program under a special education joint  
16 agreement, or private special education facility that hires a  
17 temporarily certified special education teacher must annually  
18 report all of the following to the State Board of Education:

19 (1) The number of temporarily certified special  
20 education teachers that have been hired.

21 (2) The number of temporarily certified special  
22 education teachers hired who have obtained special  
23 certificates pursuant to Section 21-4 of this Code.

24 (3) The total number of children with disabilities  
25 that are serviced.

26 (4) The number of special education teacher  
27 vacancies that exist.

28 (5) The other methods that are being undertaken to  
29 fill special education teacher vacancies.

30 (i) The State Board of Education, in consultation with  
31 the State Teacher Certification Board, may adopt any rules  
32 necessary to implement and administer this Section.

33 Section 90. The State Mandates Act is amended by adding

1 Section 8.26 as follows:

2 (30 ILCS 805/8.26 new)

3 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6  
4 and 8 of this Act, no reimbursement by the State is required  
5 for the implementation of any mandate created by this  
6 amendatory Act of the 92nd General Assembly.

7 Section 99. Effective date. This Act takes effect on July  
8 1, 2002.