**Section 475.120 Orders**

a) Consent Orders: At any time, the parties shall be afforded a reasonable opportunity to negotiate a settlement agreement containing consent findings and a rule or order disposing of the whole or any part of the proceedings. The parties shall notify the hearing officer that they have entered into settlement discussions or negotiations or have entered into an agreement disposing of the proceedings. Consent orders may constitute an agreement by the State Superintendent to amend the charges against the licensee, including the facts alleged and the recommendation for sanction, and shall constitute an agreement by the licensee to waive his or her request for a hearing.

1) Any agreement containing consent findings and rules or orders disposing of a proceeding shall also provide:

A) That the rule or order shall have the same force and effect as if made after a full hearing;

B) That the entire record on which any rule or order may be based shall consist solely of the Statement of Charges and the agreement;

C) A waiver of any further procedural steps before the hearing officer; and

D) Waiver of any right to challenge or contest the validity of the findings and of the rule or order made in accordance with the agreement.

2) Any agreement reached by the parties in a case under this Subpart A shall be submitted as a consent order to the hearing officer for approval. Subject to subsection (a)(3) of this Section, upon approval of the agreement, the hearing officer shall forward it to the Secretary of the SEPLB for approval by the SEPLB.

3) The hearing officer and the SEPLB shall approve an agreement entered into by the parties unless the hearing officer or the SEPLB has evidence that one or more of the parties did not understand the terms of the agreement or was unduly influenced to enter into the agreement, or if the agreement is otherwise in violation of applicable law. Should either the hearing officer or the SEPLB reject a proposed consent order in accordance with this subsection (a)(3), the hearing officer or SEPLB must provide a written order explaining the basis for the rejection.

b) Hearing Officer's Recommendations

1) Initial Recommendations: Within 30 days after the later of the close of a hearing or the filing of written closing briefs, the hearing officer shall issue proposed findings of fact and conclusions of law, and make recommendations by way of a proposed order that complies with Section 10-45 of the Illinois Administrative Procedure Act [5 ILCS 100/10-45]. These recommendations shall be made upon consideration of the record as a whole or any portion of the record as may be supported by competent, material and substantial evidence.

2) Opportunity to File Exceptions: The hearing officer shall forward a copy of the proposed findings of fact, conclusions of law, and recommendations to each party of record in the hearing and each party of record shall be allowed 21 days from the date the decision is sent via certified or electronic mail in which to submit exceptions to the findings of fact, conclusions of law, and recommendations of the hearing officer and to present a brief to the hearing officer in support of the position of the party. If a party files an exception within 21 days, then the other party shall be permitted 14 days from the date the first party filed the exception to file its own exception.

c) Final Order: The hearing officer shall present his or her proposed order in person to the SEPLB at either the first or the second next regularly scheduled meeting immediately following the last date by which a party is permitted to file an exception to the hearing officer's initial recommendation. Upon the hearing officer's presentation of his or her proposed order to the SEPLB, the SEPLB shall review the record and the hearing officer's findings of fact, conclusions of law, and recommendations, together with any exceptions thereto and briefs in support thereof, and shall, within 30 days from the hearing officer's presentation, issue a final order that complies with Section 10-50 of the Illinois Administrative Procedure Act [5 ILCS 100/10-50], accepting, rejecting or modifying the hearing officer's recommendation. The Secretary of the SEPLB is authorized to sign final orders on behalf of the SEPLB. The parties shall be immediately notified either personally or by mail, postage paid, certified or registered, addressed to the last known address of each party. A copy of the order shall be delivered or mailed to each party and to the attorney of record for that party. Each agency order shall specify whether it is final and, if so, that it is subject to the Administrative Review Law [735 ILCS 5/Art. III].

d) Parties to the hearing are permitted to be present at the hearing officer's presentation to the SEPLB and may address the SEPLB during any public participation segment of the SEPLB meeting for a period of up to five minutes.

e) Upon final order of the SEPLB to revoke or suspend a license, the Secretary of the SEPLB or his or her designee shall report the final disposition of the license to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse or its agent.