**Section 5000.115 Consideration of Public Requests for Rulemaking**

Pursuant to Section 5-145 of the Illinois Administrative Procedure Act [5 ILCS 100/5-145], *any interested person may request an agency to adopt, amend, or repeal a rule. If, within 30 days after submission of a request, the agency has not initiated rulemaking proceedings in accordance with Section 5-35, the request shall be deemed to have been denied*. Requests received by the State Board of Education shall be addressed as set forth in this Section.

a) An interested person who wishes to initiate formal consideration by the State Board of Education of a request to adopt, amend, or repeal a rule shall submit a written request to that effect.

1) The request shall:

A) identify the rule in question, if one exists;

B) describe the problem created by the text of the current rule or absence of a rule;

C) propose the substance of the desired rule or amendment or identify the text that should be repealed, as applicable;

D) describe the affiliation of the individual submitting the request or the individual’s experience in matters related to the rule in question; and

E) provide an address to which the agency should direct its reply.

2) The request shall be addressed to the Agency Rules Coordinator and may be mailed or delivered to the Springfield office of the State Board of Education or submitted via e-mail to rules@isbe.net.

b) The Rules Coordinator shall initiate review of the request by management staff within the organizational unit responsible for the rules that are the subject of the request.

c) The responsible staff may consult with other individuals knowledgeable about the subject matter of the rules in question and shall respond within 20 days after the agency’s receipt of the request as to whether the requested change is warranted and why or why not.

d) If the requested change is deemed warranted, the Rules Coordinator shall seek the Superintendent’s authorization to initiate the rulemaking based upon the request and staff’s rationale for supporting it.

e) No later than 30 days after the agency’s receipt of the request, the individual submitting the request shall be informed in writing as to the agency’s determination regarding it.

f) Staff members of the State Board of Education who receive oral requests for changes in the agency’s rules shall invite the interested parties to submit written requests conforming to the requirements of subsection (a) of this Section for formal consideration.

(Source: Added at 27 Ill. Reg. 14305, effective August 25, 2003)