

AGENDA ITEM 7.

PROPOSED ADMINISTRATIVE PROGRAM RULES AMENDMENTS

Submitted for: Action

Summary: This item reports on the agency's proposed administrative program rules amendments. Amendments are being proposed to 10 Parts at this time. A listing of the parts is below. The full text of the proposed rules amendments and Notices are included in this item. The Notices that precede each Part contain descriptions of the subjects and issues involved in the rulemaking process.

Deleting gender-specific pronouns

Part 2731 – Grant Program for Dependents of Correctional Officers

Part 2732 – Grant Program for Dependents of Police or Fire Officers

Part 2741 – Optometric Education Scholarship Program

Part 2754 – John R. Justice Loan Repayment Program

Part 2763 – Minority Teachers of Illinois Scholarship Program

Repeal of Rules Part

Part 2755 – Robert C. Byrd Honors Scholarship Program (due to repeal of federal program)

Improve Program Delivery

Part 2700 – General Provisions

Part 2743 – Grant Program for Exonerees

Part 2754 – John R. Justice Loan Repayment Program

Part 2763 – Minority Teachers of Illinois Scholarship Program

Part 2764 – Golden Apple Scholars of Illinois Program

Part 2766 – AIM HIGH Grant Pilot Program

Text of the proposed program rules amendments was published in the March 5, 2021 *Illinois Register*, initiating a 45-day public comment period, which will expire on April 18, 2021. As of the date of the printing of this book, no public comments have been received and no substantive changes were made after initial publication.

The proposed program rules amendments are being presented to the Commission for consideration. Following acceptance by the Commission, the Executive Director may direct staff to submit the proposed program rules amendments to the Joint Committee on Administrative Rules (JCAR), initiating a second 45-day review period and the JCAR hearing, after which, if no material objection is made by JCAR, the Executive Director will move to adopt the rules amendments.

Action requested: That the Commission approve the following resolution:

“BE IT RESOLVED that the Commission accepts the proposed administrative program rules amendments for submission to the Joint Committee on Administrative Rules (JCAR) and, barring any unresolved objection by JCAR or material modification (unless the material modification is made to ensure compliance with any prospective amendments to the statute(s) governing these rules), the Commission authorizes the Executive Director to proceed with adopting the program rules as amended.”

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: General Provisions
- 2) Code Citation: 23 Ill. Adm. Code 2700
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2700.20	Amendment
2700.80	Amendment
- 4) Statutory Authority: Implementing the Higher Education Student Assistance Act [110 ILCS 947]; Title IV of the Higher Education Act of 1965, as amended (20 USC 1070 et seq., as amended by P.L. 105-244); and authorized by Section 20(f) of the Higher Education Student Assistance Act.
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to expand guidance for the use of consortium and contractual agreements and concurrent registration between colleges.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission

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500 West Monroe, 3rd Floor
Springfield, IL 62704

217.782.5161
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2700

GENERAL PROVISIONS

Section

2700.10	Summary and Purpose
2700.15	Incorporations by Reference
2700.20	Definitions
2700.30	General Institutional Eligibility Requirements
2700.40	General Applicant Eligibility Requirements
2700.50	Determining Applicant Eligibility
2700.55	Use, Security and Confidentiality of Information
2700.60	Audits and Investigations
2700.70	Appeal Procedures
2700.80	Contractual <u>and Consortium</u> Agreement Requirements

AUTHORITY: Implementing the Higher Education Student Assistance Act [110 ILCS 947]; Title IV of the Higher Education Act of 1965, as amended (20 USC 1070 et seq., as amended by P.L. 105-244); and authorized by Section 20(f) of the Higher Education Student Assistance Act.

SOURCE: Adopted at 9 Ill. Reg. 20783, effective January 1, 1986; amended at 11 Ill. Reg. 3167, effective January 29, 1987; amended at 11 Ill. Reg. 14099, effective August 10, 1987; amended at 12 Ill. Reg. 11510, effective July 1, 1988; amended at 13 Ill. Reg. 8626, effective July 1, 1989; transferred from Chapter IX, 23 Ill. Adm. Code 1700 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2700 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17854; amended at 14 Ill. Reg. 10538, effective July 1, 1990; amended at 16 Ill. Reg. 11206, effective July 1, 1992; amended at 17 Ill. Reg. 10541, effective July 1, 1993; amended at 18 Ill. Reg. 10282, effective July 1, 1994; amended at 19 Ill. Reg. 8343, effective July 1, 1995; amended at 20 Ill. Reg. 9170, effective July 1, 1996; amended at 21 Ill. Reg. 11066, effective July 18, 1997; amended at 22 Ill. Reg. 11072, effective July 1, 1998; amended at 23 Ill. Reg. 7550, effective July 1, 1999; amended at 24 Ill. Reg. 9121, effective July 1, 2000; amended at 25 Ill. Reg. 8383, effective July 1, 2001; amended at 26 Ill. Reg. 9980, effective July 1, 2002; amended at 27 Ill. Reg. 10320, effective July 1, 2003; amended at 29 Ill. Reg. 9884, effective July 1, 2005; amended at 30 Ill. Reg. 11600, effective July 1, 2006; amended at 31 Ill. Reg. 9478, effective July 1, 2007; amended at 32 Ill. Reg. 10269, effective July 1, 2008; amended at 33 Ill. Reg. 9742, effective July 1, 2009; amended at 34 Ill. Reg. 8543, effective July 1, 2010; amended at 37 Ill. Reg. 9497, effective July 1, 2013; amended at 38 Ill. Reg. 13356, effective July 1, 2014; amended at 39 Ill. Reg. 8390, effective July 1, 2015; amended at 40 Ill.

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Reg. 1963, effective January 7, 2016; amended at 43 Ill. Reg. 7269, effective July 1, 2019; amended at 43 Ill. Reg. 15003, effective January 1, 2020; amended at 44 Ill. Reg. 20164, effective January 1, 2021; amended at 45 Ill. Reg. _____, effective _____.

Section 2700.20 Definitions

"Academic Level" – The classification of a student as a freshman, sophomore, junior, senior, or graduate student.

"Academic Year" – In relation to scholarship and grant programs, a 12 month period of time, normally from August or September of any year through August or September of the ensuing year. In relation to the Federal Family Education Loan Program, academic year is defined at section 481(d)(2) of the Higher Education Act of 1965, as amended (HEA), and at 34 CFR 668.3.

"Alternative Application for Illinois Financial Aid" or "Alternative Application" – The FAFSA substitute application for State student aid and benefits under the Retention of Illinois Students and Equity (RISE) Act that may be used only as an alternative to the FAFSA, when appropriate, and shall be substituted accordingly for the FAFSA when FAFSA is referenced in ISAC rules. This application is appropriate for use by an applicant *who is an Illinois resident and who is not otherwise eligible for federal financial aid, including , but not limited to, a transgender applicant who is disqualified for failure to register for Selective Service or an eligible noncitizen applicant as defined in this Section.*

"Alternative Application for Illinois Financial Aid Receipt Date" – The date upon which ISAC receives an applicant's initial Alternative Application for an academic year. For a paper Alternative Application sent through the U.S. Postal Service, the receipt date will be the postmark date.

"Alternative Loan" – Any educational loan made or purchased by ISAC other than a loan made pursuant to Title IV of the Higher Education Act of 1965, as amended (20 USC 1071 et seq.), or any other federal statute providing for federal insurance of education loans to borrowers.

"Applicant" – Any individual who requests ISAC consideration for a scholarship, grant, tuition waiver, or guaranteed or alternative loan.

"Approved High School" – *Any public high school located in this State; and any high school, located in this State or elsewhere (whether designated as a high school, secondary school, academy, preparatory school, or otherwise) which in the*

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judgment of the State Superintendent of Education provides a course of instruction at the secondary level and maintains standards of instruction substantially the equivalent of those public high schools located in this State. (Section 10 of the Higher Education Student Assistance Act [110 ILCS 947/10])

"Armed Forces" – The United States Army, Air Force, Navy, Marines and Coast Guard.

"Blanket Certificate of Loan Guaranty" – A process that permits an eligible lender to make loans without receiving prior approval from ISAC for individual loans to eligible borrowers enrolled in eligible programs at eligible institutions, as authorized by section 428(n) of the HEA.

"Chargeback" – Payment of tuition by the community college district of a student's residence to the community college district of a student's attendance. (See 110 ILCS 805/6-2.)

"Citizen" – One who, under the Constitution and laws of the United States, is a native-born or naturalized citizen of the United States of America.

"College Savings Bond" – A State of Illinois general obligation, zero coupon bond, issued pursuant to the Baccalaureate Savings Act as a long-term education savings instrument.

"Co-maker" – One of the 2 individuals who are joint borrowers either on a Federal PLUS Loan (parent borrowers) that was certified prior to January 1, 1995 or on any Federal Consolidation loan (married borrowers) and who are equally liable for repayment of the loan. (See 34 CFR 682.200.)

"Commission" – The 10 member Illinois Student Assistance Commission created by Section 15 of the Higher Education Student Assistance Act [110 ILCS 947].

"Compound Accreted Value" – An amount equal to the original amount plus an investment return accrued to the date of determination at a semiannual compounding rate that is necessary to produce the yield at maturity indicated on the Official Statement that was issued when the college savings bonds were sold. The "Compound Accreted Value at Maturity" will be equal to \$5000 or an integral multiple thereof.

"Concurrent Registration" – The simultaneous enrollment at 2 or more [higher](#)

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education institutions.

"Consolidation" – A federal program under which a borrower may receive a single new loan that refinances one or more outstanding qualified education loans under new terms and conditions, as authorized by section 428C of the HEA.

"Consortium Agreement" – The written agreement between two or more ISAC-eligible institutions whereby the host institution provides part of the education program of students enrolled at the home institution, as codified in Section 2700.80.

"Contractual Agreement" – The written agreement between an eligible institution and a school or organization that is not eligible for participation in ISAC-administered programs whereby the non-eligible institution serving as the host institution provides part of the education program of students enrolled at the ISAC-eligible home institution, as codified in Section 2700.80. ~~A contractual agreement differs from a consortium agreement, which is an agreement among 2 or more eligible institutions only.~~

"Correctional Officer" – An employee of the Illinois Department of Corrections (DOC) who is assigned to a security position with the Department, and who has responsibility for inmates of any correctional institution under the jurisdiction of the Department.

"Correspondence Course" – A home study course provided by an institution under which the institution provides instructional materials, including examinations on the materials, to students who are not physically attending classes at the institution, as defined at 34 CFR 600.2.

"Co-signer" – A person who is secondarily liable for the repayment of an Alternative Loan.

"Cost of Attendance" – For the purposes of ISAC's rules, this term is defined at section 472 of the HEA (20 USC 1087*l*).

"Cumulative Grade Point Average" – The average grade earned throughout a student's applicable secondary or postsecondary educational program. The calculation shall be consistent with the institution's established policy or practice and shall be the same as that completed for admission, placement or other similar purposes.

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"Default Status" – The failure of a borrower or endorser (if any) to make an installment payment when due or to meet other terms of the promissory note as defined at 34 CFR 682.200.

"Delinquency" – For the purposes of ISAC's rules, this term is defined at 34 CFR 682.411(b).

"Dependent Student" – A scholarship, loan, tuition waiver or grant applicant or recipient who is not classified as an independent student.

"Disbursement" – In relation to scholarship and grant programs, a disbursement occurs on the payment voucher date. In relation to the Federal Family Education Loan Program, disbursement is the process of transferring loan proceeds as defined at 34 CFR 682.200.

"Distance Education" – A learning and teaching mode characterized by the separation of place or time between instructor and student, which includes programs and courses offered by correspondence and telecommunications.

"ED" – The acronym for the United States Department of Education.

"Educational Institution" – Unless otherwise qualified, any secondary or postsecondary educational organization that enrolls students who participate in ISAC programs.

"Educational Lender" – An institution that meets the lender eligibility criteria outlined in 23 Ill. Adm. Code 2720.25 for FFELP Loans and 2721.40 for alternative loans.

"EFT" – The acronym for electronic funds transfer.

"Eligible Noncitizen" – A noncitizen who is eligible for federal student assistance pursuant to section 484 of the HEA (20 USC 1091); or a noncitizen or person who is not a permanent resident of the United States, who does not meet the eligibility criteria for federal student assistance pursuant to section 484 of the HEA but who meets all of the following criteria:

the individual resided with a parent or guardian while attending a public or private high school in this State;

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the individual graduated from a public or private high school or received the equivalent of a high school diploma in this State;

the individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma in this State;

the individual provides an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so; and

the individual has not established a residence outside of this State.

"Endorser" – A person fitting the definitions found at 34 CFR 682.200 or 34 CFR 685.102(b) who is secondarily liable for the repayment of a federal student loan.

"Enrolled" – The status of a student who has completed the institution's registration requirements and is attending classes.

"Executive Director" – The chief executive officer of ISAC.

"Expected Family Contribution" – The amount the student and the student's family may be reasonably expected to contribute toward the student's postsecondary education. Expected Family Contribution as defined at section 474 of the HEA (20 USC 1087nn) is used to determine a student's eligibility for need based programs administered by ISAC.

"FAFSA" – The acronym for the Free Application for Federal Student Aid.

"FAFSA Receipt Date" – The date reported by ED's processor as the date upon which it receives an applicant's initial FAFSA for an academic year. For paper FAFSA's sent through the U.S. Postal Service, this is the date of physical receipt at the processor, not the postmark date.

"Federal Regulations" – Refers to regulations promulgated by ED and codified at 34 CFR 600 et seq.

"FFELP" – The acronym for the Federal Family Education Loan Program, as authorized by section 421 of the HEA, including subsidized and unsubsidized Federal Stafford Loans, Federal PLUS Loans, Federal SLS Loans and Federal

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Consolidation Loans.

"Fire Officer" – For the purposes of ISAC's rules, this term means a firefighter who is employed by, or in the voluntary service of, this State or any public entity in this State.

"Foreign Missionary" – An individual who is assigned duty outside of the United States by an organization that engages in educational, philanthropic, humanitarian or altruistic works. The missionary organization must be exempt from the payment of federal taxes and must have been engaged in placing foreign missionaries for at least 5 years. Examples of such missionary organizations include, but are not limited to, the following: Peace Corps, Evangelical Alliance Mission, etc.

"Full-time Student" – In relation to scholarship and grant programs, an individual enrolled for 12 or more credit hours, for either a semester or quarter term. In relation to the Federal Family Educational Loan Program, full-time student is defined at 34 CFR 668.2(b).

"Gift Assistance" – Student assistance funds in the form of a scholarship, grant or tuition waiver, including, but not limited to, federal, State, institutional and private aid.

"Golden Apple Scholars of Illinois" – A private, not-for-profit program under the auspices of the Golden Apple Foundation that recruits, prepares and provides financial assistance to high school graduates to pursue postsecondary education for careers as teachers for particular Illinois schools.

"Good Moral Character" – An applicant is of good moral character if the applicant will benefit from postsecondary instruction and is allowed to enroll at an approved postsecondary institution.

"Graduating Class" – The students who will complete the high school's program of instruction and graduate within an academic year.

"Guaranteed Loan" – Loan assistance through the Federal Family Education Loan Program (FFELP) that includes the subsidized and unsubsidized Federal Stafford Loan, the Federal PLUS Loan, the Federal Supplemental Loans for Students (SLS), and the Federal Consolidation Loan programs.

"Half-time Student" – In relation to scholarship and grant programs, an individual

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enrolled for 6 or more credit hours (but fewer than 12 credit hours) for either a semester or quarter term. In relation to the Federal Family Education Loan Program, half-time student is defined at 34 CFR 668.2(b).

"HEA" – The acronym for the Higher Education Act of 1965, as amended (20 USC 1070 et seq.).

"High School Equivalency Certificate" – A certificate received after successfully completing a high school equivalency examination as defined in Section 3-15.12 of the School Code [105 ILCS 5].

"Holder" – An organization authorized by ED and ISAC to purchase or retain possession of guaranteed loans. These organizations operate as commercial and educational lenders or secondary markets and may purchase ISAC-guaranteed loans from approved lenders.

"Home Institution" – The institution of higher learning where the student is enrolled in a degree or certificate program and is the institution of record in a consortium or contractual agreement.

"Host Institution" – The institution where part of a student's program requirements is being taken through either a consortium or contractual agreement with a home institution.

"IBHE" – The acronym for the Illinois Board of Higher Education, the administrative agency created by the Board of Higher Education Act [110 ILCS 947/205].

"IDAPP" – The acronym for ISAC's Illinois Designated Account Purchase Program as authorized by the Education Loan Purchase Program Law [110 ILCS 947/125 through 170].

"Independent Student" – For the purposes of ISAC's rules, this term is defined at 34 CFR 668.2(b).

"Institution" – Unless otherwise qualified, any secondary or postsecondary educational organization that enrolls students who participate in ISAC programs.

"Institution of Higher Learning" – An educational organization whose main campus is physically located in Illinois that:

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provides at least a 2-year program of collegiate study in liberal arts or sciences, or associate degree or both, directly applicable toward the attainment of a baccalaureate degree, or, a program in health education directly applicable toward the attainment of a certificate, diploma, or an associate degree; and

is operated:

by the State; or

publicly or privately, not for profit; or

for profit, provided it:

offers degree programs that have been approved by the IBHE for a minimum of 3 years under the Academic Degree Act;

enrolls a majority of its students in these degree programs; and

maintains accredited status with the Higher Learning Commission of the North Central Association of Colleges and Schools.

For otherwise eligible educational organizations that provide academic programs for incarcerated students, the term "institution of higher learning" shall specifically exclude academic programs for incarcerated students (Section 10 of the Higher Education Student Assistance Act). For eligible institutions with campuses in multiple states, the term "institution of higher learning" shall include only those campuses located in Illinois.

"Institution of Record" – The postsecondary institution at which a student is enrolled and seeking a degree or certificate. This institution assumes primary responsibility for certification of eligibility for ISAC-administered programs and for requesting payment from ISAC.

"ISAC" – The acronym for the Illinois Student Assistance Commission, the administrative agency created by Section 15 of the Higher Education Student

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Assistance Act [110 ILCS 947] to administer student assistance programs.

"ISBE" – The acronym for the Illinois State Board of Education, the administrative agency created by the School Code [105 ILCS 5].

"Lender" – An organization authorized by ISAC to make educational loans to students.

"Mandatory Fees" – The charges assessed by an institution to each and every full-time student for each term. Application, graduation, laboratory, breakage, add/drop fees, and program administrative fees for out-of-state or foreign study are specifically excluded. For the purposes of ISAC's rules, tuition is not a mandatory fee.

"MAP" – The acronym for the Monetary Award Program administered by ISAC, as authorized by Section 35 of the Higher Education Student Assistance Act and codified at 23 Ill. Adm. Code 2735.

"Master Check" – A single check representing the loan proceeds for more than one borrower.

"Minority Student" – *A student who is either Black (a person having origins in any of the black racial groups in Africa); Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race); Asian American (a person with origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, including Pakistan, and the Pacific Islands, including, among others, Hawaii, Melanesia, Micronesia and Polynesia); or Native American (a person who is a member of a federally or state recognized Indian tribe, or whose parents or grandparents have such membership) and to include the native people of Alaska (Section 50(a) of the Higher Education Student Assistance Act).*

"Parent" – For the purposes of ISAC's rules, this term is defined at 34 CFR 668.2(b).

"Pell Grant" – A federal gift assistance program administered by ED in accordance with section 401 of the HEA (20 USC 1070a et seq).

"PLUS" – The federal program that provides loans to graduate students or parents of certain undergraduate students, as authorized by section 428B of the HEA (20 USC 1078-2) and Sections 80 through 175 of the Higher Education Student

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Assistance Act [110 ILCS 947].

"Police Officer" – For the purposes of ISAC's rules, this term means a law enforcement officer who is employed by, or in the voluntary service of, this State or any public entity in this State.

"Qualified Applicant" – An individual who meets the eligibility requirements of the gift assistance program for which the applicant is applying.

"Regular School Year" – An 8 to 9 month period of time that includes 2 semester terms or 3 quarter terms. The regular school year excludes summer terms. Terms that begin after April 15 and end before September 16 are considered summer terms.

"Remedial Courses" – The course work that prepares a student for study at the postsecondary level and is necessary for the student to pursue the eligible postsecondary program.

"Resident of Illinois" –

A dependent student is a resident of Illinois if the parent of the dependent-applicant, who is required by the instructions to complete the FAFSA or the Alternative Application for Illinois Financial Aid, physically resides within the State of Illinois, and Illinois is the parent's true, fixed and permanent home.

An independent student is a resident of Illinois if the applicant physically resides within the State of Illinois (at the time of application) and has so resided for a period of 12 continuous, full months immediately prior to the start of the academic year for which assistance is requested and Illinois is their true, fixed and permanent home.

When an applicant does not qualify as a resident of Illinois under the preceding 2 paragraphs and the applicant is a member of the U.S. Armed Forces or a foreign missionary, or is the dependent or the spouse of an individual who is a member of the U.S. Armed Forces or a foreign missionary, then the applicant's residency shall be determined in accordance with the following:

An applicant who is a member of the U.S. Armed Forces will be a

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resident of Illinois if the applicant physically resided in Illinois immediately prior to entering the U.S. Armed Forces, returned (or plans to return) to Illinois within 6 months after and including the date of separation and can demonstrate (pursuant to Section 2700.50(f) and (g)) that the applicant's domicile was the State of Illinois throughout such enlistment.

An applicant who is a foreign missionary will be a resident of Illinois if the applicant physically resided in Illinois for 6 continuous months immediately prior to entering missionary service, returned (or plans to return) to Illinois within 6 months after the conclusion of missionary service, and can demonstrate (pursuant to Section 2700.50(f) and (g)) that the applicant's domicile was the State of Illinois throughout the missionary service.

The dependent-applicant shall be a resident of Illinois notwithstanding the parents' temporary physical absence from Illinois provided the parents would be a resident of Illinois under the preceding 2 paragraphs.

The spouse-applicant shall be a resident of Illinois immediately upon physically occupying a dwelling within the State of Illinois provided it can be demonstrated that the applicant's absence from the State was the result of residing with the spouse during enlistment or missionary service outside of Illinois and that the spouse-applicant's domicile continues to be the State of Illinois.

"Rules" – The rules of ISAC codified at 23 Ill. Adm. Code: Subtitle A, Chapter XIX.

"Satisfactory Academic Progress" – An institutional policy that establishes minimum standards of academic performance. For purposes of ISAC-administered programs, the standards must be at least as stringent as those required by ED pursuant to section 484 of the HEA (20 USC 1091).

"Service Academy" – *The U.S. Air Force Academy, the U.S. Coast Guard Academy, the U.S. Military Academy or the U.S. Naval Academy* (Section 30(a) of the Higher Education Student Assistance Act).

"SLS" – The acronym for the federal Supplemental Loans for Students Program, as

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authorized by section 428A of the HEA (20 USC 1078-1). No SLS loans have been made for periods of enrollment beginning on or after July 1, 1994.

"Special Education" – A postsecondary educational program designed to teach persons how to meet the needs of all children designated as physically disabled, with specific learning disabilities, or requiring extraordinary special education services and facilities. (See 105 ILCS 5/14-1.02 and 7.20a.) These programs prepare persons for meeting the needs of children who exhibit disabilities or exceptional characteristics ranging from very mild to very severe. (See 23 Ill. Adm. Code 226, Special Education.) Such a program prepares a student to teach physically disabled children or children with learning disabilities. (See 105 ILCS 5/14-1.02 and 1.03a.)

"Stafford" – The federal subsidized and unsubsidized loan programs as authorized by sections 427, 428 and 428H of the HEA (20 USC 1078).

"Student Beneficiary" – An individual designated as the recipient of a College Savings Bond Bonus Incentive Grant.

"Teacher Education Program" – An undergraduate postsecondary course of study that, upon completion, qualifies a student to be certified as a pre-school, elementary or secondary teacher by a state board of education or its equivalent (including the Illinois State Board of Education). For a student who has completed less than 4 semesters/6 quarters of postsecondary study, this includes a postsecondary course of study that leads to a teacher education program.

"Teacher Shortage Discipline" – An academic discipline in which a shortage of teachers exists in Illinois, as designated by the Illinois State Board of Education.

"Telecommunications Course" – A course offered principally through the use of television, audio, or computer transmission, including open broadcast, closed circuit, cable microwave, satellite, audio conferencing, computer conferencing, and video cassettes or disks, as defined at 34 CFR 600.2.

"Term" – A unit of time for student attendance, including, but not limited to, a quarter or semester.

"Tuition" – The charge for instruction assessed by an institution.

"Verification" – Procedures implemented by postsecondary institutions to verify

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the eligibility of applicants. The procedures are established by subpart E of 34 CFR 668 and by ISAC's rules.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

Section 2700.80 Contractual and Consortium Agreement Requirements

a) The primary purpose of an ~~an ISAC approved contractual~~ course of study in a contractual or consortium agreement must be educational and must lead to, and be required for, a degree or health education certificate in a published course of study offered by the home ~~an ISAC approved~~ institution.

b) —b) —Contractual Agreement requirements

1) All contractual agreements ~~between ISAC approved public institutions and non-approved institutions~~ must involve programs approved by the Illinois Board of Higher Education (IBHE) or the appropriate state accrediting agency and, if applicable, licensing agency. (See 23 Ill. Adm. Code 1050.) ~~All ISAC approved institutions not governed by the IBHE program review and approval procedures shall submit their contractual agreements to ISAC for approval prior to requesting MAP payment for any contractual courses. ISAC may approve the contractual agreement if the terms are consistent with this Section.~~

2)e) The home ~~institution of record must be an ISAC approved institution~~ is responsible for all the administration of ISAC student aid including, but not limited to, disbursements, refunds, maintenance of financial aid records and student eligibility determinations for students attending the host institution consistent with the requirements in 34 CFR 668.5(c).

3)d) A home ~~ISAC approved~~ institution may enter into a contractual agreement with a host ~~non-approved~~ institution/agency only if the home ~~ISAC approved~~ institution does not have faculty and specific educational facilities available within the institution to offer the ~~Illinois Board of Higher Education~~ approved programs.

4)e) ~~All ISAC approved institutions are required to submit to ISAC a published curriculum of all courses leading to a certificate or degree in all programs involving contractual agreements between two or more institutions/agencies.~~ Only courses required for these programs that are

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included in the published curriculum of the home institution will be eligible for ISAC payment except in relation to study abroad programs as provided in 34 CFR 668.5(b). ~~Furthermore, only those courses approved by the Illinois Community College Board for baccalaureate-transfer or vocational programs in the public community colleges will be eligible for ISAC payment at the public community colleges.~~

- f) ~~The Chief Executive Officer of the ISAC approved institution not subject to IBHE contractual guidelines and/or program review and approval procedures shall certify in a statement to ISAC that:~~
 - 1) ~~According to the contract with the non-approved institution, the following items are the responsibility of the ISAC approved institution:~~
 - A) ~~administrative responsibility for the program;~~
 - B) ~~provisions for program supervision, including on-site visits;~~
 - C) ~~procedures for the maintenance of records and transcripts;~~
 - D) ~~number of credit hours required and criteria for course completion within the program;~~
 - E) ~~statement on student tuition, mandatory fees and other charges;~~
 - F) ~~faculty employment and evaluation;~~
 - G) ~~availability of student auxiliary services;~~
 - H) ~~maintenance of liability insurance;~~
 - I) ~~establishment and utilization of a representative advisory committee; and~~
 - J) ~~annual program and contract review.~~
 - 2) ~~The non-approved institution/agency's policies, procedures and practices are consistent with those of the ISAC approved institution as they relate to:~~
 - A) ~~admissions;~~

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- ~~B) student withdrawals; and~~
- ~~C) provisions for follow-up studies.~~
- ~~3) The non-approved institution/agency meets statutory requirements and is approved by appropriate State of Illinois agencies and boards; and~~
- ~~4) The contract with the non-approved institution is consistent with the policies, rules and applicable regulations of the approval agency or board that has jurisdiction over the institution/agency.~~
- ~~5)g) ISAC requires all ISAC-approved institutions to indicate the percentage of their own students who participate in the contractual program(s) of study, and the percentage of all students enrolled in the non-approved institution/agency who will receive tuition assistance through an approved contractual agreement. When either of these percentages exceeds 30%, the contractual agreement will not be approved by ISAC. The home institution must ensure that the percentage of all students enrolled in the host institution who will receive tuition assistance through a contractual agreement does not exceed 25% if the host and home institutions are owned or controlled by the same entity or up to 50% if they are not, consistent with 34 CFR 668.5(c).~~
- ~~h) All students wishing to enter into programs where contractual courses are taken must be informed by the ISAC-approved institution whether these courses are eligible for ISAC payment.~~
- ~~i) The contractual agreement shall be filed with ISAC along with annual tuition and fee charges. (See 23 Ill. Adm. Code 2700.30(e).)~~
- ~~c) Consortium Agreement requirements~~
 - ~~1) Both the home and host institutions must be ISAC eligible institutions; and~~
 - ~~2) The consortium agreement must be consistent with 34 CFR 668.5(a).~~

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Grant Program for Dependents of Correctional Officers
- 2) Code Citation: 23 Ill. Adm. Code 2731
- 3) Section Number: 2731.30 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 60 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/60 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove gender-specific pronouns.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield, IL 62704

217.782.5161

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jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2731

GRANT PROGRAM FOR DEPENDENTS OF CORRECTIONAL OFFICERS

Section	
2731.10	Summary and Purpose
2731.20	Applicant Eligibility
2731.30	Program Procedures
2731.40	Institutional Procedures

AUTHORITY: Implementing Section 60 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/60 and 20(f)].

SOURCE: Adopted at 9 Ill. Reg. 20780, effective January 1, 1986; transferred from Chapter IX, 23 Ill. Adm. Code 1731 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2731 (Illinois Student Assistance Commission) pursuant to P.A. 86-169, effective July 1, 1989, at 13 Ill. Reg. 17853; amended at 14 Ill. Reg. 10534, effective July 1, 1990; amended at 17 Ill. Reg. 10559, effective July 1, 1993; amended at 18 Ill. Reg. 10299, effective July 1, 1994; amended at 20 Ill. Reg. 10183, effective July 15, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11100, effective July 18, 1997; amended at 30 Ill. Reg. 11632, effective July 1, 2006; amended at 35 Ill. Reg. 12374, effective July 15, 2011; amended at 36 Ill. Reg. 9414, effective July 1, 2012; amended at 37 Ill. Reg. 9510, effective July 1, 2013; amended at 38 Ill. Reg. 13390, effective July 1, 2014; emergency amendment at 42 Ill. Reg. 16348, effective August 7, 2018, for a maximum of 150 days; emergency amendment repealed at 42 Ill. Reg. 18517, effective September 27, 2018; emergency amendment at 42 Ill. Reg. 19098, effective September 27, 2018, for a maximum of 150 days; amended at 43 Ill. Reg. 773, effective January 1, 2019; amended at 45 Ill. Reg. _____, effective _____.

Section 2731.30 Program Procedures

- a) All first-time applicants shall complete an application which includes biographical information regarding the deceased or disabled correctional officer (e.g., name, where employed, position title, date of death or disability, etc.) and the application shall be accompanied by a certified death certificate or the certified statement of a licensed physician.
 - 1) The physician's statement must certify that there is a mental or physical condition that is reasonably certain to continue throughout the lifetime of

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the correctional officer, resulting in a 90% to 100% incapacity from performing substantial and material duties previously discharged.

- 2) Documentation must be submitted to prove that the death or disability occurred in the line of duty.
- b) Once eligibility in relation to the qualifying death or disability has been established for one member of a family, it is established for all qualified applicants in the family. Thereafter, a simplified application will be required from each student on an annual basis. Also, students must indicate the institution to be attended.
- c) The deadline for applications will be October 1 for consideration for all terms, March 1 for consideration for second semester/second and third quarter and summer term, and June 15 for consideration for summer term only.
- d) If an application is incomplete, notice will be sent to the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date it was completed and received in ISAC's Deerfield office.
- e) Grants are applicable toward tuition and mandatory fees.
 - 1) A recipient attending a public institution in Illinois shall receive a grant that shall not exceed the cost of tuition and mandatory fees at that institution. This includes the difference between in-district and out-of-district tuition.
 - 2) A recipient attending a private institution in Illinois may receive a grant sufficient to pay the cost of tuition and mandatory fees, provided the award does not exceed the maximum grant payable to a student enrolled in the most expensive comparable program of study at a public institution.
- f) Notice of the grant award shall be sent to each recipient. Applicants not receiving awards will also be notified.
- g) Benefits are limited to the full-time enrollment equivalent of eight semesters or twelve quarters of payment for undergraduate or graduate study. Recipients may accumulate up to 48 eligibility units.
 - 1) To determine the amount of eligibility a recipient has used, credit hours (and noncredit hours for which benefits are used) will be converted to eligibility

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units according to the following table:

Number of Hours	Semester Term	Quarter Term
12 or more hours	6 units	4 units
6 - 11.99 hours	3 units	2 units

- 2) Full program benefits may be extended for one additional term if the recipient has accumulated fewer than 48 eligibility units but does not have enough units remaining for the number of hours in which ~~the recipient~~ she is enrolled for the term.
- h) A student who receives a grant under this program and who is subsequently determined to be ineligible shall repay the institution the total amount of the funds received during the period in which ~~the student~~ she was ineligible.
- i) Recipients receive payment through their institution of record.
- j) If a recipient withdraws from enrollment after the expiration of the tuition refund/withdrawal adjustment period, the recipient shall receive a grant for costs incurred up to the term award provided the institution's tuition refund policy indicates the recipient had incurred such charges.
- k) A recipient shall agree to notify ISAC, in writing, within 15 days of any change affecting ~~his/her~~ enrollment status, name or address.
- l) ISAC pays grant funds directly to the institution of record in the name of the recipient.
- m) ISAC will disburse grant funds in multiple installments, depending upon the number of terms financed by the grant; except that multiple disbursements will not be required in cases where the applicant's eligibility is not determined until the final term of the academic year for which the grant is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.
- n) Grant payment is subject to the limits of dollars appropriated for this program by the General Assembly.
- o) In the event that funds are insufficient to make awards to all eligible applicants,

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ISAC will make award determinations on the basis of the dates that the completed applications were received and the following:

- 1) first semester and first quarter awards will be paid, or prorated if funding is insufficient to pay all grants in full;
- 2) if funds remain after first semester and first quarter awards are paid, then second semester/second and third quarter awards will be paid, or prorated if funds remaining are insufficient to pay all grants in full;
- 3) if funds remain after second semester/second and third quarter awards are paid, summer term awards will be paid, or prorated if funding is insufficient to pay all grants in full; and
- 4) timely claims for the difference between in-district and out-of-district tuition for recipients who do not qualify for charge backs will be considered for payment at the same time and in the same priority order as all other timely claims, in accordance with the provisions of this subsection (o).

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Grant Program for Dependents of Police or Fire Officers
- 2) Code Citation: 23 Ill. Adm. Code 2732
- 3) Section Number: 2732.30 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Section 55 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/55 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove gender-specific pronouns.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield, IL 62704

217.782.5161

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jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2732

GRANT PROGRAM FOR DEPENDENTS OF POLICE OR FIRE OFFICERS

Section	
2732.10	Summary and Purpose
2732.20	Applicant Eligibility
2732.30	Program Procedures
2732.40	Institutional Procedures

AUTHORITY: Implementing Section 55 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/55 and 20(f)].

SOURCE: Adopted at 9 Ill. Reg. 20873, effective January 1, 1986; amended at 11 Ill. Reg. 3239, effective January 29, 1987; transferred from Chapter IX, 23 Ill. Adm. Code 1732 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2732 (Illinois Student Assistance Commission) pursuant to P.A. 86-169, effective July 1, 1989, at 13 Ill. Reg. 17866; amended at 14 Ill. Reg. 10585, effective July 1, 1990; amended at 17 Ill. Reg. 10620, effective July 1, 1993; amended at 18 Ill. Reg. 10342, effective July 1, 1994; amended at 20 Ill. Reg. 10191, effective July 15, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11090, effective July 18, 1997; amended at 30 Ill. Reg. 11639, effective July 1, 2006; amended at 35 Ill. Reg. 12378, effective July 15, 2011; amended at 36 Ill. Reg. 9420, effective July 1, 2012; amended at 37 Ill. Reg. 9516, effective July 1, 2013; amended at 38 Ill. Reg. 13396, effective July 1, 2014; emergency amendment at 42 Ill. Reg. 16355, effective August 7, 2018, for a maximum of 150 days; ; emergency amendment repealed at 42 Ill. Reg. 18524, effective September 27, 2018; emergency amendment at 42 Ill. Reg. 19105, effective September 27, 2018, for a maximum of 150 days; amended at 43 Ill. Reg. 780, effective January 1, 2019; amended at 45 Ill. Reg. _____, effective _____.

Section 2732.30 Program Procedures

- a) All first-time applicants shall complete an application which includes biographical information regarding the deceased or disabled officer (e.g., name, where employed, position title, date of death or disability, etc.) and the application shall be accompanied by a certified death certificate or the certified statement of a licensed physician.

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- 1) The physician's statement must certify that there is a mental or physical condition that is reasonably certain to continue throughout the lifetime of the officer, resulting in a 90% to 100% incapacity from performing substantial and material duties previously discharged.
 - 2) Documentation must be submitted to prove that the death or disability occurred in the line of duty.
- b) Once eligibility in relation to the qualifying death or disability has been established for one member of a family, it is established for all qualified applicants in the family. Thereafter, a simplified application will be required from each student on an annual basis. Also, students must indicate the institution to be attended.
 - c) The deadline for applications will be October 1 for consideration for all terms, March 1 for consideration for second semester/second and third quarter and summer term, and June 15 for consideration for the summer term only.
 - d) If an application is incomplete, notice will be sent to the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date it was completed and received in ISAC's Deerfield office.
 - e) Grants are applicable toward tuition and mandatory fees.
 - 1) A recipient attending a public institution in Illinois shall receive a grant that shall not exceed the cost of tuition and mandatory fees at that institution. This includes the difference between in-district and out-of-district tuition.
 - 2) A recipient attending a private institution in Illinois may receive a grant sufficient to pay the costs of tuition and mandatory fees, provided the award does not exceed the maximum grant payable to a student enrolled in the most expensive comparable program of study at a public institution.
 - f) Notice of the grant award will be sent to each recipient. Applicants not receiving awards will also be notified.
 - g) Benefits are limited to the full-time enrollment equivalent of eight semesters or twelve quarters of payment for undergraduate or graduate study. Recipients may accumulate up to 48 eligibility units.

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- 1) To determine the amount of eligibility a recipient has used, credit hours (and noncredit hours for which benefits are used) will be converted to eligibility units according to the following table:

Number of Hours	Semester Term	Quarter Term
12 or more hours	6 units	4 units
6 - 11.99 hours	3 units	2 units

- 2) Full program benefits may be extended for one additional term if the recipient has accumulated fewer than 48 eligibility units but does not have enough units remaining for the number of hours in which ~~the recipient~~ ~~or she~~ is enrolled for the term.

- h) A student who receives a grant under this program and who is subsequently determined to be ineligible shall repay the institution the total amount of the funds received during the period in which ~~the student~~ ~~or she~~ was ineligible.

- i) Recipients receive payment through their institution of record.

- j) If a recipient withdraws from enrollment after the expiration of the tuition refund/withdrawal adjustment period, the recipient shall receive a grant for costs incurred up to the term award provided that the institution's tuition refund policy indicates the recipient had incurred such charges.

- k) A recipient shall agree to notify ISAC, in writing, within 15 days of any change affecting ~~his/her~~ enrollment status, name or address.

- l) ISAC pays grant funds directly to the institution of record in the name of the recipient.

- m) ISAC will disburse grant funds in multiple installments, depending upon the number of terms financed by the grant; except that multiple disbursements will not be required in cases where the applicant's eligibility is not determined until the final term of the academic year for which the grant is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.

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- n) Grant payment is subject to the limits of dollars appropriated for this program by the General Assembly.
- o) In the event that funds are insufficient to make awards to all eligible applicants, ISAC will make award determinations on the basis of the dates that the completed applications were received and the following:
 - 1) first semester and first quarter awards will be paid, or prorated if funding is insufficient to pay all grants in full;
 - 2) if funds remain after first semester and first quarter awards are paid, then second semester/second and third quarter awards will be paid, or prorated if funds remaining are insufficient to pay all grants in full;
 - 3) if funds remain after second semester/second and third quarter awards are paid, summer term awards will be paid, or prorated if funding is insufficient to pay all grants in full; and
 - 4) timely claims for the difference between in-district and out-of-district tuition for recipients who do not qualify for charge backs will be considered for payment at the same time and in the same priority order as all other timely claims, in accordance with the provisions of this subsection (o).

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Optometric Education Scholarship Program
- 2) Code Citation: 23 Ill. Adm. Code 2741
- 3) Section Number: 2741.30 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 65.70 of the Higher Education Student Assistance Act [110 ILCS 947/65.70] and authorized by Sections 20(f) and 65.70 of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.70].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove gender-specific pronouns.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield, IL 62704

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217.782.5161
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2741
OPTOMETRIC EDUCATION SCHOLARSHIP PROGRAM

Section	
2741.10	Summary and Purpose
2741.20	Applicant Eligibility
2741.30	Program Procedures
2741.40	Institutional Procedures

AUTHORITY: Implementing Section 65.70 of the Higher Education Student Assistance Act [110 ILCS 947/65.70 and authorized by Sections 20(f) and 65.70 of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.70].

SOURCE: Adopted at 27 Ill. Reg. 10369, effective July 1, 2003; amended at 37 Ill. Reg. 9540, effective July 1, 2013; amended at 43 Ill. Reg. 15037, effective January 1, 2020; amended at 45 Ill. Reg. _____, effective _____.

Section 2741.30 Program Procedures

- a) All applicants must complete and file the Free Application for Federal Student Aid (FAFSA) for the purpose of determining the Expected Family Contribution (EFC), which is used as a selection criterion for this award. (See Section 483 of the Higher Education Act of 1965, as amended (20 USCA 1070a).)
- b) A completed ISAC application for the Optometric Education Scholarship Program must be postmarked on or before March 1 immediately preceding the academic year for which the scholarship is being requested in order to receive priority consideration for an award.
- c) A total of 10 scholarships shall be awarded each year; 2 each for eligible applicants in their first year, second year, third year, and fourth year; the remaining 2 shall be awarded to students in any academic level.
- d) If in any year the number of qualified applicants exceeds the number of scholarships to be awarded, priority will be given to students demonstrating exceptional merit and who are in financial need based on a combination of the following criteria:

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- 1) cumulative grade point averages, prioritized from the highest to the lowest. All grade point averages will be converted to a four-point scale; and
- 2) EFC, from the lowest to the highest; and
- 3) recipients of assistance under the Optometric Education Scholarship Program during the previous academic year shall receive first priority consideration provided the student:
 - A) maintains ~~his or her~~ a qualified applicant status ~~as a qualified applicant~~;
 - B) maintains satisfactory academic progress as determined by the institution; and
 - C) submits an application on a timely basis.
- e) If all other criteria are equal, priority consideration will be given to the qualified applicant who submitted ~~his or her~~ completed application on the earliest date.
- f) A recipient may receive the equivalent of 8 semesters/12 quarters of scholarship assistance under this Part.
- g) Scholarship funds are applicable toward 2 semesters/3 quarters of full-time study within an academic year.
- h) The total number of scholarships awarded in a given fiscal year is contingent upon available funding.
- i) To the extent necessary to administer this program within the limits of the State appropriation, the Commission may adjust the priority consideration factors established by this Section.
- j) ISAC shall publish guidelines for the awarding of Optometric Education Scholarships.
- k) Each qualified applicant who is selected to receive an Optometric Education Scholarship shall be notified.

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- l) Prior to receiving scholarship assistance for any academic year, the qualified applicant must sign a Practice Agreement/Promissory Note that is submitted to ISAC. The Practice Agreement/Promissory Note shall include the following stipulations:
 - 1) the recipient pledges to practice in Illinois as a licensed optometrist under the Illinois Optometric Practice Act of 1987 for a period of not less than one year for each year of scholarship assistance awarded under this Part;
 - 2) the recipient shall begin practicing optometry in Illinois within one year following completion of the academic program for which the recipient was awarded a scholarship, and shall practice on a continuous basis for the required period of time;
 - 3) if the recipient does not fulfill the requirement to practice optometry in Illinois, the scholarship converts to a loan and the recipient must repay the entire amount of the scholarships prorated according to the fraction of the obligation not completed, plus interest at a rate of 5% and, if applicable, reasonable collection fees;
 - 4) the recipient agrees to provide ISAC with evidence of compliance with program requirements;
 - 5) the recipient promises to use the proceeds of the scholarship for educational expenses.

- m) A recipient of a scholarship awarded under this Part shall not be in violation of the agreement entered into pursuant to Section 2741.30(1) during periods in which the recipient:
 - 1) serves, for not more than 3 years, as a member of the United States Armed Forces;
 - 2) is enrolled full-time in a residency program at an approved institution for one continuous period of time, not to exceed one year, following graduation;
 - 3) is temporarily totally disabled for not more than 3 years, as established by the sworn affidavit of a qualified physician;
 - 4) cannot fulfill the practice obligation due to the recipient's~~his or her~~ death,

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verified by a certified copy of a death certificate; or

- 5) cannot fulfill the practice obligation due to ~~the recipient's his or her~~ disability or incompetency, as established by sworn affidavit of a qualified physician.
- n) No claim for repayment may be filed against the estate of a decedent or incompetent.
- o) If a recipient is required to repay any portion of the scholarship, the repayment period shall be completed within 10 years after the scholarship converts to a loan. This 10-year period may be extended if the recipient:
 - 1) serves, for not more than 3 years, as a member of the United States Armed Forces;
 - 2) is enrolled full-time in a residency program at an approved institution for one continuous period of time, not to exceed one year, following graduation; or
 - 3) is temporarily disabled, for not more than 3 years, as established by the sworn affidavit of a licensed physician.
- p) A recipient shall enter repayment status on the earliest of the following dates:
 - 1) the first day of the first calendar month after the recipient has ceased to pursue a course of study leading to certification as an optometrist;
 - 2) the date the recipient informs ISAC that ~~the recipient she or he~~ does not plan to fulfill the practice obligation; or
 - 3) the day after the latest date upon which the recipient must have begun practicing as an optometrist after completing the education for which the scholarship was awarded.
- q) A recipient shall not be required to repay the amount of the scholarships received if ~~the recipient she or he~~ becomes permanently totally disabled, as established by the sworn affidavit of a licensed physician (see, e.g., 34 CFR 653.42(k)(1)), or if ~~the recipient's his or her~~ representative provides ISAC with a certified death certificate.

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(Source: Amended at 45 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Grant Program for Exonerees
- 2) Code Citation: 23 Ill. Adm. Code 2743
- 3) Section Number: 2743.20 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Section 62 of the Higher Education Student Assistance Act [110 ILCS 947/62].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove the reference to an applicant's ineligibility for this program while receiving the Monetary Award Program (MAP).
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield, IL 62704

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

217.782.5161
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2743

GRANT PROGRAM FOR EXONEREES

Section	
2743.10	Summary and Purpose
2743.15	Definitions
2743.20	Applicant Eligibility
2743.30	Program Procedures
2743.40	Institutional Procedures

AUTHORITY: Implementing and authorized by Section 62 of the Higher Education Student Assistance Act [110 ILCS 947/62].

SOURCE: Adopted at 40 Ill. Reg. 1968, effective January 7, 2016; amended at 45 Ill. Reg. _____, effective _____.

Section 2743.20 Applicant Eligibility

- a) A qualified applicant shall:
 - 1) be a resident of Illinois;
 - 2) have received:
 - A) a pardon issued on the grounds of innocence; or
 - B) a certificate of innocence from a circuit court;
 - 3) be an exonerated person who:
 - A) has not yet received a high school diploma or a high school equivalency certificate and is completing a high school equivalency preparation course through an Illinois Community Board-approved provider and/or is seeking an Illinois high school equivalency certificate; or
 - B) is enrolled at an ISAC-approved public university or community

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college in an eligible degree or certificate program (see 34 CFR 668.8) for either a semester or quarter term, throughout the institution's tuition refund/withdrawal adjustment period;

- 4) maintain satisfactory academic progress as determined by the institution; and
- 5) not have to demonstrate financial need to receive this grant.

- b) ~~In any regular school year in which the qualified applicant accepts or receives financial assistance through the Monetary Award Program (23 Ill. Adm. Code 2735), the qualified applicant shall not be eligible for assistance under this Part.~~

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: John R. Justice Student Loan Repayment Program
- 2) Code Citation: 23 Ill. Adm. Code 2754
- 3) Section Number: 2754.30 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 952 of the Higher Education Opportunity Act (42 USC 3797cc-21) by Section 20(b) of the Illinois Higher Education Student Assistance Act [110 ILCS 947] and authorized by Section 20(f) of that Act.
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to modify terminology used in the formula description, due to changes in tax filing procedures, and to remove gender-specific pronouns.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield, IL 62704

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NOTICE OF PROPOSED AMENDMENT

217.782.5161
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2754
JOHN R. JUSTICE STUDENT LOAN REPAYMENT PROGRAM

Section	
2754.10	Summary and Purpose
2754.15	Definitions
2754.20	Applicant Eligibility
2754.30	Program Procedures

AUTHORITY: Implementing Section 952 of the Higher Education Opportunity Act (42 USC 3797cc-21) and Section 20(b) of the Illinois Higher Education Student Assistance Act [110 ILCS 947] and authorized by Section 20(f) of that Act.

SOURCE: Emergency rules adopted at 36 Ill. Reg. 556, effective January 9, 2012, for a maximum of 150 days; adopted at 36 Ill. Reg. 8434, effective June 1, 2012; amended at 37 Ill. Reg. 20776, effective January 1, 2014; amended at 45 Ill. Reg. _____, effective _____.

Section 2754.30 Program Procedures

- a) In order to receive benefits under this Part, a qualified applicant must annually complete a program application and, at the time of application, execute the appropriate Service Agreement. A qualified applicant must also submit any forms required by the United States Department of Justice for participation in the John R. Justice Student Loan Repayment Program.
 - 1) Program applications and Service Agreements are available at ISAC's website and ISAC's Springfield, Deerfield and Chicago offices.
 - 2) If the application or the Service Agreement is incomplete, the applicant will be provided an opportunity to furnish any missing information. Applications will be considered for processing only as of the date a complete application and Service Agreement are received by ISAC in its Deerfield office. No applications will be considered for processing if received after the published date unless funds remain available for disbursement. ISAC reserves the right to request documentation to verify

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data reported on the application.

- 3) The application will require the applicant's employer (or future employer in the case of recruited attorneys) to certify the following:
 - A) The employer is an eligible employing entity under the John R. Justice Prosecutors and Defenders Incentive Act (42 USC 3797cc-21);
 - B) The applicant seeking benefits meets the definition of "prosecutor" or "public defender" under the Act; and
 - C) The employer employs or, in the case of a recruited attorney, has extended an offer of employment that has been accepted by the applicant.
- b) Each year, ISAC shall select individuals to receive repayment benefits from among individuals who have previously executed a Service Agreement with the Department of Justice but have not yet completed the required term of service described in the Service Agreement and all new applicants who have submitted a completed application and Service Agreement.
- c) Individuals who have previously executed a Service Agreement with the Department of Justice but have not yet completed the required term of service shall be selected once all information necessary to compute the amount of an award under this Part has been received by ISAC.
- d) Priority consideration in selecting individuals to receive benefits from among new applicants will be given to those applicants who have the least ability to repay their loans. Individuals not receiving benefits under another program that provides loan repayment assistance for eligible educational loans will be considered before those who are receiving those benefits.
- e) Any award of funds under this Part shall be made in accordance with the following:
 - 1) Individuals selected to receive benefits shall be assigned to one of the five districts of the Illinois Appellate Court on the basis of the zip code of the individual's employer or, for those individuals who are employed in a statewide capacity as a prosecutor, as a statewide prosecutor. Available benefits will be allocated to each district or to statewide prosecutors based

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on the ratio of the number of statewide prosecutors or prosecutors or public defenders within a district to the total population of prosecutors and public defenders in the state.

- 2) The amount of the benefit awarded will be calculated based on each individual's ability to repay ~~the his or her~~ qualifying loan debt. ISAC shall determine an individual's ability to repay qualifying loan debt using the individual's Adjusted Gross Income (AGI) from the IRS Form 1040 during the previous calendar year, ~~the number of dependents reported, including the applicant and spouse (if applicable), calculated exemptions to federal income tax claimed~~ by the individual during the previous calendar year, the amount of qualifying student loan debt owed by the individual, and the cost of living in the appellate district in which the individual's employer is located, as determined by the Cost of Living Index published annually by the Illinois Appellate Court.
 - 3) Priority consideration in awarding benefits will be given to individuals who have previously executed a Service Agreement with the Department of Justice but have not yet completed the required term of service, except that priority under this Section shall be limited to individuals who have not previously completed a term of service under a Service Agreement with the Department of Justice. Awards shall then be made in accordance with this Section to new applicants.
 - 4) Once all the money allocated for a particular district or to individuals qualifying as statewide prosecutors has been exhausted, the awarding for that district or to statewide prosecutors will cease.
 - 5) In the event that an insufficient number of individuals from a particular district apply for the program, the remaining dollars in that district's allocation would be awarded to the highest-ranked applicants who have not received an award, regardless of which district they are from.
 - 6) The total amount of funds allocated to prosecutors, regardless of the district to which they are assigned or their status as a statewide prosecutor, must equal the total amount of funds allocated to defenders, regardless of the district to which they are assigned.
- f) The amount of an award shall not exceed \$10,000 per year, up to a maximum of \$60,000 during an individual's career. The annual amount may be reduced in order

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to make more loan repayment assistance awards when funding is insufficient to provide benefits to all selected individuals.

- g) The loan proceeds shall be remitted to the holder of the loans to be repaid.
- h) While receiving benefits, an individual must notify ISAC of changes to ~~their~~^{his or her} address, employment status or loan status (default) within 10 days after a change.
- i) While receiving benefits, the individual must remain a licensed attorney in good standing with the Illinois bar.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Robert C. Byrd Honors Scholarship Program
- 2) Code Citation: 23 Ill. Adm. Code 2755
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2755.10	Repealed
2755.20	Repealed
2755.30	Repealed
2755.40	Repealed
2755.APPENDIX A	Repealed
- 4) Statutory Authority: Implementing Section 65.60 of the Higher Education Student Assistance Act [110 ILCS 947/65.60] and Title IV, Part A, Subpart 6 of the Higher Education Act of 1965, as amended (20 USCA 1070d-31 et seq.) and authorized by Section 20(f) of the Higher Education Assistance Act [110 ILCS 947/20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being repealed due to repeal of the program by the federal government.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed repealer contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Jackie Eckley

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED REPEALER

Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield, IL 62704

217.782.5161
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Repealer begins on the next page:

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NOTICE OF PROPOSED REPEALER

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2755

ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM (REPEALED)

Section

2755.10	Summary and Purpose
2755.20	Applicant Eligibility
2755.30	Program Procedures
2755.40	Institutional Procedures
2755.APPENDIX A	Geographic Districts

AUTHORITY: Implementing Section 65.60 of the Higher Education Student Assistance Act [110 ILCS 947/65.60] and Title IV, Part A, Subpart 6 of the Higher Education Act of 1965, as amended (20 USCA 1070d-31 et seq.) and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

SOURCE: Adopted at 19 Ill. Reg. 8386, effective July 1, 1995; amended at 20 Ill. Reg. 9244, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11211, effective July 18, 1997; amended at 22 Ill. Reg. 11162, effective July 1, 1998; amended at 24 Ill. Reg. 9195, effective July 1, 2000; amended at 27 Ill. Reg. 10377, effective July 1, 2003; amended at 30 Ill. Reg. 11666, effective July 1, 2006; amended at 35 Ill. Reg. 3529, effective February 16, 2011; repealed at 45 Ill. Reg. _____, effective _____.

Section 2755.10 Summary and Purpose

- a) The Robert C. Byrd Honors Scholarship Program promotes student excellence and outstanding academic achievement by providing scholarships to exceptional high school graduates who show promise of continued academic excellence.
- b) Federal regulations govern the responsibilities of the Illinois Student Assistance Commission (ISAC), institutions and recipients. This Part implements ISAC's discretionary authority as the program administrator for the State of Illinois.
- c) Additional rules and definitions are contained in General Provisions, 23 Ill. Adm. Code 2700.

Section 2755.20 Applicant Eligibility

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- a) Initially, a qualified applicant shall:
- 1) be a United States citizen or eligible noncitizen;
 - 2) be a resident of Illinois;
 - 3) become a high school graduate in the same high school year in which s/he submits the scholarship application, or have passed a General Educational Development (GED) test in the same high school year in which s/he submits the scholarship application;
 - 4) demonstrate outstanding academic achievement as measured by test scores and high school records, or have received a GED test score recognized by the General Educational Development Testing Service as the equivalent to ranking in the top five percent of the United States high school graduates; and
 - 5) be enrolled or accepted for enrollment on a full-time basis as an undergraduate student in a postsecondary institution that is approved by the U.S. Department of Education to participate in federal student financial assistance programs. (See, e.g., 34 CFR 600.)
- b) A recipient will continue to be eligible for a scholarship if the postsecondary institution at which the student is enrolled certifies that the recipient is:
- 1) maintaining enrollment as a full-time student, except as provided in Section 2755.30(e) of this Part;
 - 2) maintaining satisfactory academic progress as determined by the institution;
 - 3) not in default on any federal student loan nor owing repayment on any state or federal student financial assistance grant; and
 - 4) not receiving federal financial aid in excess of the student's cost of attendance, as determined by the institution.

Section 2755.30 Program Procedures

- a) Applicant data for a Robert C. Byrd Honors Scholarship must be received in ISAC's Deerfield office on or before March 1 preceding the academic year for which the

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scholarship is being requested.

- b) Information on applying for the Robert C. Byrd Honors Scholarship is available for distribution to students at approved high schools in Illinois, ISAC's web site and ISAC's Springfield, Deerfield and Chicago offices.
- c) If the applicant data are incomplete, notification shall be sent to the applicant. The applicant will then have an opportunity to furnish the missing information; however, the applicant will only be considered as of the date when the data are complete and received in ISAC's Deerfield office.
- d) Each year new and renewal Byrd applicants are to certify to ISAC that they meet eligibility requirements.
- e) Recipients must be enrolled on a full-time basis unless granted a postponement, waiver or interruption.
- f) A new recipient may postpone his or her initial enrollment for a maximum of 12 months.
- g) After the first year of full-time study, the recipient may request a waiver of the full-time enrollment requirement due to unusual circumstances for a maximum of 12 months.
 - 1) The request is to be submitted in writing to ISAC and any documentation must also be submitted.
 - 2) The circumstances under which an exception to the full-time enrollment requirement may be granted include:
 - A) the recipient's employment hours will not permit full-time enrollment;
 - B) the recipient has medical problems that will not permit full-time enrollment, as established by the sworn statement of a licensed physician;
 - C) the recipient is in his or her last semester of school and full-time enrollment is not required to complete the degree; or

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- D) the care of an immediate family member due to illness or incapacitation will not permit full-time enrollment.
- 3) In order to receive a waiver of the full-time enrollment requirement, the recipient must be enrolled at least half-time.
- h) If the full-time enrollment requirement is waived, the Byrd award is prorated according to the number of hours the recipient is enrolled.
- i) After the first year of study, a recipient may interrupt his or her enrollment at an institution for a maximum of 12 continuous months.
 - 1) The request is to be submitted in writing to ISAC and any documentation must also be submitted.
 - 2) The circumstances under which an interruption may be granted include:
 - A) the recipient's participation in a cooperative education or study abroad program;
 - B) the recipient is experiencing financial difficulties that will not permit continuous enrollment;
 - C) the recipient has medical problems that will not permit continuous enrollment; or
 - D) the recipient has family responsibilities that will not permit continuous enrollment.
- j) The scholar is not eligible to receive scholarship funds during the periods of postponement or interruption. The funds that would have been awarded to the scholar during that time period can be awarded to the scholar during a subsequent period of enrollment at an institution as an undergraduate student.
- k) A recipient who is subsequently determined to be ineligible shall repay ISAC the total amount of the funds received for the period during which he or she was ineligible.
- l) ISAC shall select new recipients from among the timely applicants by choosing the highest scoring qualified applicants on the basis of the following criteria:

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- 1) Academic Data. A qualified applicant's score shall be computed as follows:

$$[\text{number in class} \div (\text{rank})^2 \times .05]$$

$$+ [(\text{grade point average} \div \text{scale}) \times 100]$$

$$+ (\text{Illinois Standard Test Score} \times 10) = \text{score}$$

- A) Rank in class, class size and non-weighted grade point average (GPA) shall be reported as of the end of the third semester prior to graduation from high school or its equivalent. An institution shall use the same class size and non-weighted GPA scale in reporting all of its applicants.
- B) SAT I or ACT tests, which must be taken during the time frame identified for State Scholar eligibility (see 23 Ill. Adm. Code 2760.20(b)), shall be converted to the Illinois Standard Test Score as described in 23 Ill. Adm. Code 2760.30(b).
- C) If more than one composite score is submitted, the highest score is used.
- D) For applicants qualifying by virtue of their GED scores (see Section 2755.20(a)(4)), class rank shall be set at 5 out of 100 (top 5%) and average GED percentile rank shall be used in lieu of grade point average \div scale.
- E) For high schools that cannot provide class ranks, non-weighted grade point averages (GPA) as of the third semester prior to graduation must be provided. Class ranks are calculated the same as for the State Scholar Program (see 23 Ill. Adm. Code 2760.30(a)(1)).

- 2) Geographic District. New Robert C. Byrd Honors Scholarships will be allocated within geographic districts in accordance with Appendix A. An applicant's county of residence shall be determined by his or her permanent home address.

- m) Scholarships will be awarded first to renewing applicants.
- n) Scholarship funds are applicable towards an academic year of study.

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- o) New recipients are selected from each of the 15 geographic districts, and on an at-large basis, in accordance with the number of awards set forth in Appendix A. A student who has not been selected to be a scholar within his or her geographic district but who ranks first in his or her class and has a perfect GPA and standardized test score will be given first priority for a scholarship through the at-large category. Any remaining awards in the at-large category will then be made to qualified applicants chosen from among the highest scoring non-selected qualified applicants statewide, regardless of their geographic district. A lottery will be used to determine recipients if the number of students receiving first priority exceeds the number of scholarships in the at-large category.
- p) The total number of scholarships awarded in a given fiscal year is contingent upon available funding (see section 419D of the HEA (20 USC 1070d-34), Allocation Among States), notwithstanding the number of new scholarships outlined in Appendix A.
- q) Recipients will be informed of their selection by the May 1 preceding the academic year for which the scholarship was requested.
- r) High schools will be notified of the recipients attending their high school by May 1.
- s) If an individual does not accept the offer of a new scholarship award, the next highest scoring qualified applicant not yet selected from the same geographic district will be chosen to receive a scholarship.
- t) Each year recipients shall complete an "Eligibility Certification" that includes certification statements required by ED.
- u) Scholarship funds shall be sent to the institution on behalf of the recipients.

Section 2755.40 Institutional Procedures

- a) An institution shall certify the qualified applicant's eligibility with its request for payment within the time frame specified by ISAC.
- b) Upon receipt of scholarship funds, the institution(s) shall verify the recipient's enrollment status for the term for which the award was intended. If enrolled, the

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institution may credit scholarship funds to the recipient's account for expenses due and payable. If the recipient withdraws from enrollment prior to completing the academic year of study, the institution shall return the amount of the scholarship to ISAC for the semester(s) or quarter(s) not attended.

- c) Refunds not submitted to ISAC will be deducted from payments for the subsequent academic year.
- d) If a scholar does not meet the requirements for continuing eligibility within an award year, scholarship funds will be suspended until the scholar demonstrates that s/he meets the eligibility requirements. The scholar is not eligible to receive scholarship funds during the period of suspension. If the suspension period exceeds 12 months, the scholar's eligibility will be terminated. If eligibility is reestablished within the 12-month period, scholarship funds will be disbursed only for remaining periods of eligibility. The funds not awarded during a period of suspension cannot be awarded to the scholar during a subsequent period of enrollment at an institution as an undergraduate student.
- e) The total amount of the Byrd Scholarship awarded to a recipient in any given academic year, when added to the other federal or state financial aid available to the recipient for that year, cannot exceed the student's cost of attendance.
 - 1) The amount of any federally guaranteed student loans should be decreased prior to reducing the amount of the Byrd Scholarship.
 - 2) A Monetary Award Program (MAP) grant should be decreased prior to reducing the amount of a Byrd Scholarship.
 - 3) The Byrd Scholarship should be decreased prior to reducing the amount of a Federal Pell Grant.
- f) Except as provided in subsection (e) of this Section, a recipient may receive up to \$1500 for each academic year, up to a maximum of four years of study. Scholarship payment is subject to the limit of available federal funding.
- g) Out-of-state institutions that are eligible to participate in Title IV federal student financial aid programs need not execute a Program Participation Agreement with ISAC to receive funds on behalf of recipients.

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- h) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests must be received no later than May 15.

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Section 2755.APPENDIX A Geographic Districts

District Number	Counties	Number of New Scholarships
1	Cook	112
2	DuPage	20
3	Lake	14
4	Winnebago, Boone, McHenry	13
5	Mercer, McDonough, Adams, Schuyler, Warren, Fulton, Sangamon, Cass, Menard, Hancock, Mason, Henderson	9
6	DeKalb, Kane, Lee	14
7	Kendall, Will, Grundy	17
8	Jo Daviess, Ogle, Carroll, Henry, Bureau, Rock Island Whiteside, Stephenson	9
9	LaSalle, Putnam, Livingston, Ford, McLean, Kankakee, Iroquois	10
10	Knox, Stark, Marshall, Peoria, Woodford, Tazewell	9
11	Champaign, Edgar, Vermilion, Coles, Clark, Douglas, Cumberland, Jasper, Crawford	9
12	Logan, DeWitt, Piatt, Macon, Christian, Moultrie, Shelby, Montgomery, Clay, Marion, Effingham, Bond, Fayette	9
13	Calhoun, Green, Scott, Brown, Pike, Jersey, Morgan, Madison, Macoupin	9
14	Richland, Wayne, Lawrence, Wabash, Edwards, White, Jefferson, Union, Franklin, Hardin, Hamilton, Saline, Gallatin, Johnson, Pope, Jackson, Massac, Alexander, Pulaski, Williamson	8
15	St. Clair, Perry, Clinton, Monroe, Washington, Randolph	9

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NOTICE OF PROPOSED REPEALER

- At-Large

15

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Minority Teachers of Illinois (MTI) Scholarship Program
- 2) Code Citation: 23 Ill. Adm. Code 2763
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2763.30	Amendment
2763.40	Amendment
- 4) Statutory Authority: Implementing Section 50 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/50 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to clarify that deadline dates will be established each year for submission of payment requests, to change the order in which the grant is awarded to applicants who are also eligible for the Monetary Award Program (MAP) and to remove gender-specific pronouns.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

500 West Monroe, 3rd Floor
Springfield, IL 62704

217.782.5161
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendments begins on the next page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2763

MINORITY TEACHERS OF ILLINOIS (MTI) SCHOLARSHIP PROGRAM

Section	
2763.10	Summary and Purpose
2763.20	Applicant Eligibility
2763.30	Program Procedures
2763.40	Institutional Procedures

AUTHORITY: Implementing Section 50 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/50 and 20(f)].

SOURCE: Emergency rules adopted at 15 Ill. Reg. 15621, effective October 11, 1991, for a maximum of 150 days; emergency expired on March 9, 1992; adopted at 16 Ill. Reg. 7048, effective April 21, 1992; emergency amendments adopted at 16 Ill. Reg. 16326, effective September 28, 1992, for a maximum of 150 days; emergency expired on February 25, 1993; emergency amendment at 17 Ill. Reg. 175, effective January 1, 1993, for a maximum of 150 days; emergency expired on May 30, 1993; amended at 17 Ill. Reg. 10585, effective July 1, 1993; amended at 18 Ill. Reg. 10325, effective July 1, 1994; amended at 19 Ill. Reg. 8361, effective July 1, 1995; amended at 20 Ill. Reg. 9221, effective July 1, 1996; amended at 20 Ill. Reg. 9221, effective July 1, 1996; old Part repealed, new Part adopted at 21 Ill. Reg. 11174, effective July 18, 1997; amended at 22 Ill. Reg. 11141, effective July 1, 1998; amended at 24 Ill. Reg. 9181, effective July 1, 2000; amended at 27 Ill. Reg. 10385, effective July 1, 2003; amended at 28 Ill. Reg. 9155, effective July 1, 2004; amended at 29 Ill. Reg. 9934, effective July 1, 2005; amended at 30 Ill. Reg. 11678, effective July 1, 2006; amended at 37 Ill. Reg. 9544, effective July 1, 2013; amended at 39 Ill. Reg. 8454, effective July 1, 2015; amended at 42 Ill. Reg. 13641, effective July 1, 2018; amended at 43 Ill. Reg. 15044, effective January 1, 2020; amended at 45 Ill. Reg. _____, effective _____.

Section 2763.30 Program Procedures

- a) A completed ISAC application for the MTI Scholarship Program must be postmarked on or before March 1 immediately preceding the regular school year for which the scholarship is being requested, in order to receive priority consideration for an award.
 - 1) Applications are available from qualified institutions of higher learning,

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ISAC's website and ISAC's Springfield, Deerfield and Chicago offices.

- 2) ISAC will make renewal applications available to all qualified students who were awarded MTI Scholarships during the preceding regular school year.
 - 3) If the application is incomplete, ISAC will notify the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date when the application is complete and received at ISAC's Deerfield office.
- b) At least 30 percent of the funds appropriated for scholarships awarded under this Section in each fiscal year shall be reserved for male qualified applicants. *If the Commission does not receive enough applications from qualified male minorities on or before January 1 of each fiscal year to award 30% of the funds appropriated for these scholarships to qualified male minority applicants, then the Commission may award a portion of the reserved funds to qualified female minority applicants.* [110 ILCS 947/50]
 - c) Notwithstanding the provisions of subsection (b), awards will be made first to renewing applicants.
 - d) No recipient may receive more than 8 semesters/12 quarters of scholarship assistance under this program.
 - e) Scholarship funds are applicable towards up to two semesters/three quarters of study within a regular school year.
 - f) The total number of scholarships awarded in a given fiscal year is contingent upon available funding. If appropriated funds are insufficient to provide all qualified applicants with a scholarship, available funds shall be allocated in accordance with subsections (b) and (c) and on the basis of the dates that the completed applications are received in ISAC's Deerfield office. However, preference may be given to qualified applicants enrolled at or above the junior level.
 - g) Qualified applicants may be required to furnish the postsecondary institution at which they are enrolled with a copy of their high school transcripts, any other documentation verifying high school graduation, or a copy of their high school equivalency certificates.

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- h) Prior to receiving scholarship assistance under this Part, the qualified applicant must sign a Teaching Agreement/Promissory Note that is submitted to ISAC. The Teaching Agreement/Promissory Note shall include the following stipulations:
- 1) the recipient pledges to teach, on a full-time equivalent basis, for one year for each year of scholarship aid received, or for any portion of a year for which aid was received, under this Part;
 - 2) the recipient shall begin teaching within one year following the completion of the program for which the recipient received assistance under this Part, and shall teach on a continuous basis for the required period of time;
 - 3) the teaching requirement will be fulfilled at a nonprofit Illinois public, private or parochial preschool, elementary school or secondary school at which no less than 30 percent of the enrolled students are minority students, as certified by the Illinois State Board of Education (ISBE);
 - 4) if the teaching requirement is not fulfilled, the scholarship converts to a loan and the recipient must repay the entire amount of the scholarships prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of interest equal to five percent and, if applicable, reasonable collection fees;
 - 5) the recipient agrees to provide ISAC with evidence of compliance with program requirements (e.g., responses to annual follow-up questionnaires, etc.); and
 - 6) the recipient promises to use the proceeds of the scholarship for educational expenses.
- i) A recipient of a scholarship awarded under this Part shall not be in violation of the agreement entered into pursuant to subsection (h) during periods in which the recipient:
- 1) serves, for not more than three years, as a member of the United States Armed Forces;
 - 2) is enrolled on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning;

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- 3) is temporarily totally disabled, for not more than three years, as established by the sworn affidavit of a licensed physician;
 - 4) is actively seeking but unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (h)(3) for one continuous period not to exceed two years, and is able to provide evidence of that fact;
 - 5) is taking additional courses, on at least a half-time basis, needed to obtain licensure as a teacher in Illinois; or
 - 6) is fulfilling teaching requirements associated with other programs administered by ISAC if ~~the recipient~~ ~~he or she~~ cannot concurrently fulfill them in a period of time equal to the length of the teaching obligation.
- j) If a recipient is required to repay any portion of the scholarship, the repayment period shall be completed within 10 years after the scholarship converts to a loan. This 10 year period may be extended if the recipient:
- 1) serves, for not more than three years, as a member of the United States Armed Forces;
 - 2) is temporarily disabled, for not more than three years, as established by the sworn affidavit of a licensed physician;
 - 3) is seeking and unable to find full-time employment, for one continuous period not to exceed two years, and is able to provide evidence of that fact;
 - 4) withdraws from a course of study leading to licensure as a teacher but is enrolled full-time in another academic discipline; or
 - 5) is pursuing a graduate course of study and is enrolled on a full-time basis for one continuous period of time not to exceed three years.
- k) During the time a recipient qualifies for any of the extensions listed in subsection (j), ~~the recipient~~ ~~he or she~~ shall not be required to make payments and interest shall not accrue.
- l) A recipient shall enter repayment status on the earliest of the following dates:

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- 1) the first day of the first calendar month after the recipient has ceased to pursue a course of study leading to licensure as a teacher at the preschool, elementary or secondary level, but not before six months have elapsed after the cessation of at least half-time enrollment in such a course of study;
 - 2) the date the recipient informs ISAC that ~~the recipient~~~~he or she~~ does not plan to fulfill the teaching obligation; or
 - 3) the day after the latest date upon which the recipient must have begun teaching after completing the postsecondary education for which the scholarship was awarded.
- m) A recipient shall not be required to repay the amount of the scholarships received if ~~the recipient~~~~he or she~~ becomes permanently totally disabled as established by the sworn affidavit of a qualified physician (see, e.g., 34 CFR 682.402(c)), or if ~~the recipient's~~~~his or her~~ representative provides ISAC with a death certificate or other evidence that the recipient has died.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

Section 2763.40 Institutional Procedures

- a) The institution shall submit eligibility information for qualified applicants in sufficient time for ISAC to make award announcements.
- b) MTI awards are paid directly to the approved institution of record that certifies to ISAC that the applicant is an eligible recipient.
 - 1) ISAC will annually establish priority claim dates for the submission of payment requests and inform schools of the required priority dates.
 - 2) Late payment requests will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
 - 3) Institutions may submit their payment requests beginning 10 days prior to the start of classes for the term for which payment is being requested.
~~The institution shall submit its request for payment within the time frame requested by ISAC, which shall be no sooner than 30 days unless a more rapid~~

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~~response is necessary to expend appropriated funds prior to the end of the academic year.~~

- c) ISAC shall disburse scholarship funds in two or three installments, depending on the number of terms financed by the scholarship, except that multiple disbursements shall not be required in cases where the applicant's eligibility is not determined until the final term of the regular school year for which the scholarship is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.
- d) Funds shall be remitted by ISAC to institutions on behalf of the recipients.
- e) Upon receipt of scholarship funds, the institution shall verify the recipient's enrollment status for the term for which the award was intended. If enrolled, the institution may credit the scholarship funds to the recipient's account for expenses due and payable. The balance of the disbursement shall be released to the recipient.
- f) Upon receipt of the scholarship funds, if the recipient has withdrawn from enrollment for the terms for which the award was intended, the institution shall return the amount of the scholarship payment to ISAC.
- g) Scholarship Amount
 - 1) MTI scholarships are applicable only toward tuition and fees and room and board charges or commuter allowances, if applicable.
 - 2) The annual scholarship amount shall be computed by the institution and must be the lesser of:
 - A) tuition and fees plus room and board expenses charged by the institution;
 - B) tuition and fees plus the standard commuter allowance for students living off-campus; or
 - C) \$5000.
 - 3) The total amount of MTI scholarship assistance awarded to a qualified applicant in a given regular school year, when added to the other financial aid available to the qualified applicant for that year, cannot exceed the cost

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of attendance.

- 4) A qualified applicant may receive grant assistance under the ~~MTI Monetary Award Program (23 Ill. Adm. Code 2735)~~ only up to the amount by which the qualified applicant's cost of attendance exceeds the amount of the ~~Monetary Award Program grant (23 Ill. Adm. Code 2735)~~ ~~MTI scholarship~~.
- h) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests must be received by ISAC no later than July 1.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Golden Apple Scholars of Illinois Program
- 2) Code Citation: 23 Ill. Adm. Code 2764
- 3) Section Number: 2764.40 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Section 52 of the Higher Education Student Assistance Act [110 ILCS 947/52] and authorized by Sections 20(f) and 52(h) of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 52(h)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to clarify that deadline dates will be established each year for submission of payment requests and to change the order in which the grant is awarded to applicants who are also eligible for the Monetary Award Program (MAP).
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor

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Springfield, IL 62704

217.782.5161

jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2764

GOLDEN APPLE SCHOLARS OF ILLINOIS PROGRAM

Section	
2764.10	Summary and Purpose
2764.20	Applicant Eligibility
2764.30	Program Procedures
2764.40	Institutional Procedures

AUTHORITY: Implementing Section 52 of the Higher Education Student Assistance Act [110 ILCS 947/52] and authorized by Sections 20(f) and 52(h) of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 52(h)].

SOURCE: Emergency rules adopted at 19 Ill. Reg. 976, effective February 1, 1995, for a maximum of 150 days; emergency expired on June 30, 1995; adopted at 19 Ill. Reg. 11367, effective August 1, 1995; amended at 20 Ill. Reg. 9141, effective July 1, 1996; old Part repealed at 21 Ill. Reg. 11027 and new Part adopted at 21 Ill. Reg. 11029, effective July 18, 1997; amended at 22 Ill. Reg. 11043, effective July 1, 1998; amended at 24 Ill. Reg. 9095, effective July 1, 2000; amended at 27 Ill. Reg. 10395, effective July 1, 2003; emergency amendment at 27 Ill. Reg. 14860, effective September 10, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. 1749, effective January 25, 2004; amended at 28 Ill. Reg. 9162, effective July 1, 2004; amended at 30 Ill. Reg. 11687, effective July 1, 2006; amended at 32 Ill. Reg. 10333, effective July 1, 2008; amended at 33 Ill. Reg. 9784, effective July 1, 2009; amended at 36 Ill. Reg. 13957, effective September 1, 2012; emergency amendment at 37 Ill. Reg. 15446, effective September 3, 2013, for a maximum of 150 days; amended at 38 Ill. Reg. 2898, effective January 15, 2014; amended at 39 Ill. Reg. 8462, effective July 1, 2015; amended at 42 Ill. Reg. 13649, effective July 1, 2018; amended at 44 Ill. Reg. 11050, effective July 1, 2020; amended at 45 _____, effective _____.

Section 2764.40 Institutional Procedures

- a) The institution shall certify eligibility information for selected recipients.
- b) Golden Apple awards are paid directly to the approved institution of record that certifies to ISAC that the applicant is an eligible recipient.

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- 1) ISAC will annually establish priority claim dates for the submission of payment requests and inform schools of the required priority dates.
 - 2) Late payment requests will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
 - 3) Institutions may submit their payment requests beginning 10 days prior to the start of classes for the term for which payment is being requested. ~~The institution shall submit its request for payment, within the time frame requested by ISAC, which shall be no sooner than 30 days unless a more rapid response is necessary to expend appropriated funds prior to the end of the academic year.~~
- c) ISAC shall disburse scholarship funds in two or three installments, depending on the number of terms financed by the scholarship, except that multiple disbursements shall not be required in cases where the applicant's eligibility is not determined until the final term of the academic year for which the scholarship is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.
 - d) Funds shall be remitted by ISAC to institutions on behalf of the recipients.
 - e) Upon receipt of scholarship funds, the institution shall verify the recipient's enrollment status for the term for which the award was intended. If enrolled, the institution may credit the scholarship funds to the recipient's account for expenses due and payable. The balance of the disbursement shall be released to the recipient.
 - f) Upon receipt of the scholarship funds, if the recipient has withdrawn from enrollment for the terms for which the award was intended, the institution shall return the amount of the scholarship payment to ISAC.
 - g) Scholarship assistance provided under this Part shall be subject to the following conditions:
 - 1) A recipient may receive up to 8 semesters or 12 quarters of scholarship assistance under this program.
 - 2) Scholarship funds are applicable toward two semesters or three quarters of half-time and full-time study within an academic year.

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- 3) The total number of scholarships awarded in a given fiscal year is contingent upon available funding.
- 4) Program scholarships are applicable only toward tuition, fees and room and board charges or commuter allowances, if applicable.
- 5) The annual scholarship amount shall be computed by the institution and be the lesser of:
 - A) tuition and fees plus room and board expenses charged by the institution;
 - B) tuition and fees plus the institution's standard cost of living allowance for students living off-campus;
 - C) an amount not to exceed \$5,000 unless otherwise authorized by this Section.
- 6) The total amount of scholarship assistance awarded under this Section to a recipient of scholarship assistance under this Part in a given academic year, when added to the other financial aid available to the qualified applicant for that year, cannot exceed the cost of attendance.
- 7) A recipient of scholarship assistance under this Part may receive grant assistance under the ~~Golden Apple Scholars~~ Monetary Award Program only up to the amount by which the qualified applicant's cost of attendance exceeds the amount of the Monetary Award Program grants ~~scholarship assistance awarded under this Section.~~
- h) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests must be received by ISAC no later than July 1.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: AIM HIGH Grant Pilot Program
- 2) Code Citation: 23 Ill. Adm. Code 2766
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2766.10	Amendment
2766.15	Amendment
2766.20	Amendment
2766.30	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 65.100 of the Higher Education Student Assistance Act [110 ILCS 947].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to clarify guidance for program administration.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)] and does not necessitate a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this notice to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor

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Springfield, IL 62704

217.782.5161

jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2021

The full text of the Proposed Amendments begins on the next page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2766

AIM HIGH GRANT PILOT PROGRAM

Section	
2766.10	Summary and Purpose
2766.15	Definitions
2766.20	Institutional Applicant Eligibility
2766.30	Program Procedures
2766.40	Institutional Procedures
2766.50	Student Applicant and Recipient Eligibility

AUTHORITY: Implementing and authorized by Section 65.100 of the Higher Education Student Assistance Act [110 ILCS 947].

SOURCE: Former Part 2766 repealed at 31 Ill. Reg. 9523, effective July 1, 2007; new Part 2766 adopted by emergency rulemaking at 42 Ill. Reg. 17265, effective September 13, 2018, for a maximum of 150 days; new Part adopted at 43 Ill. Reg. 2263, effective February 1, 2019; amended at 43 Ill. Reg. 15048, effective January 1, 2020; amended at 44 Ill. Reg. 11059, effective July 1, 2020; amended at 44 Ill. Reg. 20188, effective January 1, 2021; amended at 45 Ill. Reg. _____, effective _____.

Section 2766.10 Summary and Purpose

- a) In an effort to increase enrollment of Illinois residents at Illinois public universities, increase overall retention of Illinois college students in Illinois, and encourage Illinois residents to attain a college degree, State appropriated funds are to be used to enable Illinois public universities to establish a merit-based, means-tested award program known as the Aspirational Institutional Match Helping Illinois Grow Higher Education Grant Pilot Program (AIM HIGH) to make college more affordable at their campuses while reducing the amount of student loan debt. Each eligible public university campus must match a statutorily prescribed amount of those funds with non-loan financial aid for eligible students and maintain or exceed levels of financial aid given to its Illinois residents from the 2017-18 academic year, not including the summer term. ISAC is responsible for administering the distribution of AIM HIGH grant funds to the public universities in compliance with this Part and the AIM HIGH Grant Agreement.

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- b) This Part establishes rules that govern AIM HIGH. Additional rules and definitions are contained in General Provisions (23 Ill. Adm. Code 2700 and 44 Ill. Adm. Code 7000)

(Source: Amended at 45 Ill. Reg. _____, effective _____)

Section 2766.15 Definitions

"Baseline Awards" means the total amount of qualifying non-loan financial aid the public university campus awarded to its Illinois resident undergraduate students in academic year 2017-18, not including the summer term.

"Illinois High School" - any high school located in Illinois whether or not recognized by the State Board of Education. [110 ILCS 947/65.100]

"Maintenance of Effort" or "MOE" - a requirement that in the academic year AIM HIGH funds are received by the public university campus, the total amount of qualifying non-loan financial aid the public university campus awards to its Illinois resident undergraduate students must be at least as much as its baseline awards and shall not include AIM HIGH funded awards or matching requirement awards made in that academic year.

"Matching Requirement" - a requirement that the public university campus use its own funds in the academic year for which the AIM HIGH funds are used to **equally** match those AIM HIGH funds **as required by 110 ILCS 947/65.100(f)** to award non-loan financial aid to its students who meet at least the qualifications described in Section 2766.50(b).

"Public University" - any public 4-year university in Illinois. [110 ILCS 947/10]

"Public University Campus" - any campus under the governance or supervision of a public university. [110 ILCS 947/10]

"Qualifying Non-loan Financial Aid" – non-loan financial aid, the awarding of which is mostly within the control of the public university campus. The data requested to demonstrate this awarding shall be determined by ISAC and shall be applied uniformly across university campuses.

"Resident of Illinois" or "Illinois Resident" – defined by the laws governing eligibility for in-state tuition at the public university campus.

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(Source: Amended at 45 Ill. Reg. _____, effective _____)

Section 2766.20 Institutional Applicant Eligibility

- a) A public university applicant is eligible to apply for and receive an allocation of an appropriation of AIM HIGH funds if it:
- 1) submits a timely and complete application that includes a description of the award to be funded with AIM HIGH funds that meet program eligibility criteria in Section 2766.50(a), (b) and (c) to be used solely for non-loan financial aid at that university or university campus during the academic year, not including the summer term;
 - 2) certifies ~~that, during the academic year for which the AIM HIGH funds are requested, it shall, in addition to meeting its MOE requirement, make a~~ good faith effort to meet its matching requirement that it shall use its own funds, in the academic year for which the AIM HIGH funds are requested, to equally match those AIM HIGH funds allocated to it and award non-loan financial aid to its students who meet at least the qualifications described in Section 2766.50(b);
 - 3) certifies the total amount of its baseline awards;
 - 4) certifies that, during the academic year for which the AIM HIGH funds are requested, it shall, in addition to awards made for the matching requirement, make a good faith effort to award qualifying non-loan financial aid to its Illinois resident undergraduate students, not including AIM HIGH funded awards, in an amount:
 - A) that is at least equal to its baseline awards; or
 - B) if enrollment is less than in academic year 2017-18, not including the summer term, that total amount calculated on a per student basis;
 - 5) has met all information reporting requirements in Section 2766.40(c);
 - 6) has not been suspended or disqualified from receiving an allocation for the upcoming academic year; and
 - 7) enters into an AIM HIGH Grant Agreement with ISAC.

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- b) For renewal applications, in addition to complying with subsection (a), the public university campus shall:
- 1) demonstrate that it met its matching requirement and MOE in the previous academic year;
 - 2) in any academic year the public university campus fails to meet its entire matching requirement, demonstrate that it made a good faith effort to meet ~~its matching requirement~~ to be eligible for an allocation that is necessary to fund only renewal AIM HIGH funded awards in the ~~next~~ academic year following the next allocation determination.; ~~and~~
 - 3) in any academic year ~~when~~ the public university campus fails to make its entire MOE, demonstrate that it made a good faith effort to make its ~~MOE~~ to be eligible for:
 - A) 100% of its allocation of AIM HIGH funds in the next allocation distribution if, in the ~~preceding~~ academic year preceding the academic year it does not make its MOE, the public university campus made its entire MOE;
 - B) 90% of its allocation of AIM HIGH funds in the next allocation distribution ~~the previous academic year's AIM HIGH funds received and distributed by the public university campus~~ if it is the second consecutive academic year the public university campus fails to make its entire MOE; and
 - C) an amount in the next allocation determination that is necessary to fund only renewal AIM HIGH funded awards when it is ~~in any academic year that is~~ the third or more consecutive academic year that the public university campus fails to make its entire MOE.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

Section 2766.30 Program Procedures

- a) Each year, in the month of August, ISAC will request from each public university campus the number of undergraduate students who are residents of Illinois and citizens or eligible noncitizens of the U.S. and who were enrolled at that public

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university campus in the previous academic year.

- b) ISAC will determine for each public university campus its proportionate allocation of appropriated funds for the following upcoming academic year using enrollment data provided in subsection (a).
- c) After determining the allocation of the appropriation for each public university campus, ISAC will inform each public university campus of the amount of its available allocation for the following upcoming academic year.
- d) Annually, each public university campus may opt to apply for all or part of its allocation of appropriated funds after any reduction per Section 2766.20(b)(2) and (3).
- e) If a public institution does not request or is not eligible to receive all or part of its allocation, ISAC will reallocate those unallocated or unclaimed funds, using the same methodology as the initial allocation determination, among the remaining universities that have indicated a desire to receive an additional allocation.
- f) In order to receive a disbursement of AIM HIGH funds, the university campus shall complete an application that shall be in a form provided by ISAC and shall include, at a minimum, the following information and documentation:
 - 1) the amount of the allocation the university has claimed for the upcoming academic year;
 - 2) the total university campus funds used to match funds received from ISAC in the previous academic year, if any;
 - 3) the total number of undergraduate students who are residents of Illinois from the previous academic year;
 - 4) all information and certifications that demonstrate eligibility as described in Section 2766.20; and
 - 5) any other information or certifications required by law or the Grant Agreement.
- g) If the application is incomplete, ISAC will notify the applicant, who will have an opportunity to furnish the missing information. The application will only be

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considered for processing as of the date the completed application is received at ISAC's Springfield office at 500 West Monroe, 3rd Floor, Springfield IL 62704.

- h) A university that does not submit a complete and timely application may not be eligible to receive its allocation. Instead, its share may be distributed by ISAC using the allocation determination methodology in subsection (a) to make the remaining funds available for other universities that filed timely applications and indicate a desire for an additional allocation.
- i) The total amount of grant funds to be distributed among eligible applicant universities in a given academic year is contingent upon available funding from the previous fiscal year and whether all eligible institutions elect to receive their full allocation.
- j) No funds shall be distributed to the public university campus until all AIM HIGH funds from the previous academic year have been reconciled, including any claimed and unexpended funds that were retained by the public university campus.
- k) Depending upon the number of academic years and the degree to which the public university campus fails to make its matching requirement or MOE, the university campus may be suspended from participating in AIM HIGH in an academic year, but shall be eligible to regain eligibility in the academic year following the suspension.
- l) When making the determination to reduce an award under Section 2766.20(b)(2) and (3), or suspend a university campus from AIM HIGH for not meeting its matching requirement or MOE under subsection (k), ISAC shall take into account the circumstances that may have contributed to this failure, such as, but not limited to:
 - 1) a reduction in State appropriations to fund the public university campus in that academic year;
 - 2) the number of matching requirements or MOE qualifying awards offered by the public institution, but not accepted by students in that academic year;
 - 3) the matching award commitments already made to students for the academic year for which the AIM HIGH funds will be used; and

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- 4) the commitment demonstrated by the public university campus to maintaining level tuition and mandatory fees for Illinois residents over multiple academic years.

(Source: Amended at 45 Ill. Reg. _____, effective _____)