

AGENDA ITEM 8.
PROPOSED ADMINISTRATIVE PROGRAM
RULES AND AMENDMENTS

Submitted for: Action

Summary: This item reports on the agency's proposed administrative program rules and amendments. Amendments are being proposed to seven Parts at this time. A listing of the parts is below. The full text of the proposed rules and 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.

Delete gender-specific pronouns

Part 2753 – Community Behavioral Health Care Professional Loan Repayment Program

Part 2758 – Nurse Educator Loan Repayment Program

Part 2765 – Illinois Special Education Teacher Tuition Waiver Program

Part 2767 – Illinois Teachers and Child Care Providers Loan Repayment Program

Establish New Part

Part 2746 – Displaced Energy Worker Dependent Transition Scholarship Program (new program)

Improve Program Delivery and Respond to New Legislation

Part 2700 – General Provisions

Part 2733 – Illinois Veteran Grant Program

Text of the proposed program rules and amendments was published in the February 18, 2022 *Illinois Register*, initiating a 45-day public comment period, which will expire on April 3, 2022. 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 and 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 and 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 and amendments.

Action requested: That the Commission approve the following resolution:

“BE IT RESOLVED that the Commission accepts the proposed administrative program rules and 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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- 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
2700.90	New Section
- 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 add/update definitions and incorporate updates required by recent legislation (P.A. 102-0571).
- 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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13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Applies to Educational Planning Service Providers, which may or may not be small businesses, that charge a fee for educational planning services. Excludes not-for-profit institutions of higher learning and public entities.
- B) Reporting, bookkeeping or other procedures required for compliance: Requires consumer protection actions, including written contracts, as well as written and oral disclosures, before any fees can be charged to a consumer. Also requires the inclusion of cancellation procedures in contracts.
- C) Types of professional skills necessary for compliance: Ability to contract and provide oral and written disclosures.

14) Small Business Impact Analysis:

- A) Types of businesses subject to the proposed rule:
 - 52 Finance and Insurance
 - 54 Professional, Scientific, and Technical Services
 - 61 Educational Services
- B) Categories that the agency reasonably believes the rulemaking will impact including:
 - vii. training requirements;
 - viii. record keeping
 - x. other potential impacted categories

15) Regulatory Agenda on which this rulemaking was summarized: January 2022

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 and Consortium Agreement Requirements
<u>2700.90</u>	<u>Consumer Protection Requirements</u>

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 [110 ILCS 947/20(f)].

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;

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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.

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. 8430, effective July 1, 2021; preemptory amendment at 45 Ill. Reg. 10794, effective August 16, 2021; amended at 46 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.

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"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 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

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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 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.

"Consumer" – Any person who purchases or contracts for the purchase of educational planning services. [815 ILCS 616/15]

"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.

"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

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section 472 of the HEA (20 USC 1087*ll*).

"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.

"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.

"Displaced Energy Worker" – An energy worker who has lost employment due to the reduced operation or closure of a fossil fuel power plant or coal mine. [20 ILCS 735-10/30]

"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.

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“Educational Planning Service Provider” – Any person or entity engaging in or holding itself out as engaging in the business of providing educational planning services in exchange for any fee or compensation or any person who solicits or acts on behalf of any person or entity engaging in or holding itself out as engaging in the business of providing educational planning services in exchange for any fee or compensation. “Educational Planning Service Provider” does not include any of the following: (1) A not-for-profit or public institution of higher learning, as defined in the Higher Education Student Assistance Act, and the individuals employed by that institution where educational planning services are provided as part of the financial aid or career counseling services offered by the institution, (2) Public entities and their officers while acting in their official capacities, or (3) Persons acting on behalf of a consumer under court order or as a legal representative. [815 ILCS 616/15]

“Educational Planning Services” – College and career preparatory planning services, including, but not limited to, advice regarding and assistance with college and career searches; college application preparation or submission; financial aid application planning, preparation, or submission; and scholarship searches and applications. [815 ILCS 616/15]

"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;

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

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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 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

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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 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

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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:

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:

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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 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 that are required to deliver educational services to each and every full-time student, for each term, regardless if a student is attending either on campus or through distance education.

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Application, graduation, laboratory, breakage, and add/drop fees, as well as ~~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 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.

"Qualified Bilingual Minority Applicant" – A qualified student who demonstrates

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proficiency in a language other than English by (i) receiving a State Seal of Biliteracy from the State Board of Education or (ii) receiving a passing score on an educator licensure target language proficiency test (Section 50(a) of the Higher Education Student Assistance Act).

"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 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.

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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 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

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

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 2700.90 Consumer Protection Requirements

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- a) *The primary purpose of the Educational Planning Services Consumer Protection Act (The Act) is to protect consumers who enter into agreements with educational planning service providers and to regulate educational planning service providers. [815 ILCS 616/1]*
- b) *No entity shall act as an educational planning service provider except as authorized by The Act.*
- c) *All entities acting as educational planning service providers shall be expected to know and comply with all provisions of The Act.*
- d) *ISAC will make available on its Internet website the most current disclosure of free support.*
- e) *ISAC may, in the name of the people of the State of Illinois, through the Attorney General, file a complaint for an injunction in the circuit court to enjoin such person from engaging in unlawful violations of The Act. [815 ILCS 616/1]*

(Source: Added at 46 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Illinois Veteran Grant (IVG) Program
- 2) Code Citation: 23 Ill. Adm. Code 2733
- 3) Section Number: 2733.20 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Section 40 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110ILCS 947/40 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to incorporate changes to what is considered an honorable discharge as a result of P.A. 102-0382.
- 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

ILLINOIS REGISTER

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 2022

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

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

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

PART 2733
ILLINOIS VETERAN GRANT (IVG) PROGRAM

Section	
2733.10	Summary and Purpose
2733.20	Applicant Eligibility
2733.30	Program Procedures
2733.40	Institutional Procedures

AUTHORITY: Implementing Section 40 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/40 and 20(f)].

SOURCE: Emergency rule adopted at 10 Ill. Reg. 14322, effective August 20, 1986 for a maximum of 150 days; emergency expired January 16, 1987; adopted at 11 Ill. Reg. 3207, effective January 29, 1987; amended at 12 Ill. Reg. 11536, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1733 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2733 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17858; amended at 14 Ill. Reg. 10571, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 15613, effective October 11, 1991, for a maximum of 150 days; emergency expired March 9, 1992; emergency amendment at 15 Ill. Reg. 18778, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 6880, effective April 14, 1992; amended at 16 Ill. Reg. 11261, effective July 1, 1992; amended at 17 Ill. Reg. 10570, effective July 1, 1993; amended at 18 Ill. Reg. 10309, effective July 1, 1994; amended at 20 Ill. Reg. 9200, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11139, effective July 18, 1997; amended at 22 Ill. Reg. 11114, effective July 1, 1998; amended at 23 Ill. Reg. 7575, effective July 1, 1999; amended at 24 Ill. Reg. 9166, effective July 1, 2000; amended at 25 Ill. Reg. 8418, effective July 1, 2001; amended at 26 Ill. Reg. 10020, effective July 1, 2002; amended at 27 Ill. Reg. 10342, effective July 1, 2003; emergency amendment at 28 Ill. Reg. 12932, effective September 15, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2462, effective February 1, 2005; amended at 29 Ill. Reg. 9912, effective July 1, 2005; amended at 30 Ill. Reg. 11646, effective July 1, 2006; amended at 32 Ill. Reg. 10313, effective July 1, 2008; amended at 36 Ill. Reg. 9426, effective July 1, 2012; amended at 37 Ill. Reg. 9522, effective July 1, 2013; amended at 39 Ill. Reg. 8425, effective July 1, 2015; amended at 42 Ill. Reg. 13628, effective July 1, 2018, emergency amendment at 43 Ill. Reg. 10804, effective September 18, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 2893, effective February 1, 2020;

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amended at 44 Ill. Reg. 11019, effective July 1, 2020; amended at 46 Ill. Reg. _____, effective _____.

Section 2733.20 Applicant Eligibility

- a) A qualified applicant shall be any member of the Armed Forces of the United States, a reserve component of the Armed Forces, or the Illinois National Guard who has served at least one year of federal active duty service and whose service has been characterized as honorable, provided the applicant:
 - 1) was a:
 - A) resident of Illinois at the time of entering federal active duty service or within 6 months prior to entering the service; or
 - B) student at an Illinois public university or community college at the time of entering federal active duty service; and
 - 2) established or plans to establish Illinois residency within 6 months after leaving federal active duty service, or if married to a person in continued military service:
 - A) applied for this grant within 6 months after and including the date that the spouse was stationed within Illinois; or
 - B) established Illinois residency within 6 months after and including the date that the spouse was separated (if the spouse was stationed outside Illinois).
- b) To use benefits, a qualified applicant meeting the requirements of subsection (a) must reside in Illinois while enrolled unless federal active duty is being served during the time of enrollment or the qualified applicant is residing with a spouse in continued military service who is currently stationed outside of Illinois.
- c) An applicant who does not meet the residency requirements in subsection (a) may be a qualified applicant if the applicant:
 - 1) resides in Illinois at the time of application and while enrolled; and
 - 2) has been a resident of Illinois for at least 15 consecutive years at some point

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since leaving federal active duty.

- d) Any member of the Armed Forces of the United States, a reserve component of the Armed Forces, or the Illinois National Guard who has served at least one year of federal active duty service and who meets the Illinois residency requirements of this Section is a qualified applicant if the service was characterized as honorable. An honorable discharge may include a discharge under other than honorable conditions or general discharge under honorable conditions if only due to a person's sexual orientation or gender identity but does not include a bad conduct discharge or a dishonorable discharge. If the applicant is still in service, the individual shall be subject to verification of continued eligibility for assistance under this Part after each period of federal active duty service.
- e) A recipient must maintain an acceptable grade point average as determined by the institution pursuant to a published policy.
- f) An individual is not a qualified applicant unless the individual's service was characterized as honorable for each period of federal active duty service.
- g) An individual is not a qualified applicant if the individual's federal active duty service was for less than one year unless:
 - 1) the applicant's separation from such service for medical reasons directly connected with such service was characterized as honorable; or
 - 2) the applicant's separation prior to August 11, 1967 was characterized as honorable; or
 - 3) the applicant's federal active duty service, which included service in a foreign country in a time of hostilities in that country, was characterized as honorable. As used in this Section, "time of hostilities in a foreign country" means any action by the Armed Forces of the United States that is recognized by the issuance of a Presidential proclamation or a Presidential executive order and in which the Armed Forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.
- h) Members of the Reserve Officer Training Corps (ROTC) are not eligible for assistance under this Part.

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- i) Applicants are not eligible if their only service has been attendance at a service academy.
- j) In order to establish eligibility for this grant, an individual shall submit to ISAC an application and documentation of all periods of service.
 - 1) An applicant should submit a copy of the Certificate of Release or Discharge From Active Duty (DD Form 214) or Discharge Certificate, which can be obtained from the National Personnel Records Center or the Illinois Department of Veterans' Affairs, or other documentation as required.
 - 2) If the applicant does not have a copy of the DD Form 214, the applicant should submit documentation that provides the following information: date of entry, date of separation, character of service, total active service, home or place of entry into the service, and home or place of separation from the service. The documentation must have been issued by the United States Department of Defense (DD) or the United States Department of Veterans Affairs.
 - 3) If the applicant is a member of the Armed Forces at the time of application, a letter from the commanding officer shall be submitted. This letter must:
 - A) indicate that the applicant is a member of the Armed Forces at the time of application;
 - B) include character of service;
 - C) include the veteran's home of record at the time of original enlistment;
 - D) state the individual's length of time in each period of federal active duty service; and
 - E) state the expiration date of the current enlistment.
 - 4) The definition of "Resident of Illinois" contained in 23 Ill. Adm. Code 2700.20 does not apply to the Illinois Veteran Grant Program; rather, for the purposes of this program, residency is established as stated in

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subsections (a) and (b) or (c). If the applicant's DD Form 214 does not indicate Illinois residency when entering and/or separating from the Armed Forces, and when any other residency requirement is being verified, residency may be verified by providing one or more of the documents listed in this subsection (j)(4). ISAC may choose to request documents in addition to, or instead of, those listed. The dates recorded on the documents must indicate the applicant has resided in Illinois for the required period.

- A) Illinois driver's license issued during the relevant 6 month period;
- B) Illinois high school or college transcripts demonstrating attendance during the relevant 6 month period;
- C) Utility bills/rent receipts in the applicant's name for the relevant 6 month period;
- D) Illinois motor vehicle registration issued during the relevant 6 month period;
- E) Residential lease in the applicant's name for the relevant 6 month period;
- F) Statement of benefits history from the Illinois Department of Public Aid for the relevant 6 month period;
- G) Statement of benefits from the Illinois Department of Employment Security for the relevant 6 month period;
- H) State of Illinois identification card issued during the relevant 6 month period; or
- I) Letter of employment verified by certification in accordance with Illinois law (see 735 ILCS 5/1-109) and printed on company letterhead.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Displaced Energy Worker Dependent Transition Scholarship Program
- 2) Code Citation: 23 Ill. Adm. Code 2746
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2746.10	New Section
2746.20	New Section
2746.30	New Section
2746.40	New Section
- 4) Statutory Authority: Implementing Section 20 and authorized by Section 10-30 of the Energy Community Reinvestment Act [20 ILCS 735/10-30].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being added in response to the creation of a new program resulting from legislation by the Illinois General Assembly (P.A. 102-0662).
- 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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NOTICE OF PROPOSED RULES

500 West Monroe, 3rd Floor
Springfield, IL 62704

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- 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 2022

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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2746

DISPLACED ENERGY WORKER DEPENDENT TRANSITION
SCHOLARSHIP PROGRAM

Section

2746.10	Summary and Purpose
2746.20	Applicant Eligibility
2746.30	Program Procedures
2746.40	Institutional Procedures

AUTHORITY: Implementing Section 20 and authorized by Section 10-30 of the Energy Community Reinvestment Act [20 ILCS 735/10-30].

SOURCE: Adopted at 46 Ill. Reg. _____, effective _____.

Section 2746.10 Summary and Purpose

- a) Any natural child, legally adopted child, or stepchild of an eligible displaced energy worker who possesses all necessary entrance requirements shall, upon application and proper proof, be awarded a transition scholarship consisting of the equivalent of one calendar year of full-time enrollment, including summer terms, to the State-supported Illinois institution of higher learning of his or her choice.
- b) This Part establishes rules which govern the Displaced Energy Worker Dependent Transition Scholarship Program. Additional rules and definitions are contained in General Provisions, 23 Ill. Adm. Code 2700.

Section 2746.20 Applicant Eligibility

- a) A qualified applicant shall be:
 - 1) the natural child, legally adopted child, or stepchild of an energy worker who has lost employment due to the reduced operation or closure of a fossil fuel power plant or coal mine;

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- 2) a United States citizen or an eligible noncitizen;
 - 3) enrolled or accepted for enrollment, on a full- or part-time basis (at least 3 credit hours) at an Illinois public university or community college; and,
 - 4) in the absence of transition scholarship assistance, will be deterred by financial considerations from completing an educational program at the Illinois public university or community college of choice, as represented by there being unmet need in the applicant's financial aid package.
- b) An applicant must be making satisfactory academic progress toward a degree or certificate.
 - c) An applicant need not be a resident of Illinois at the time of enrollment; however, the award is limited to the cost of in-district and in-state tuition and fees.

Section 2746.30 Program Procedures

- a) An application for this scholarship program must be submitted each time the applicant wishes to receive an award, and an applicant must also complete the Free Application for Federal Student Aid (FAFSA).
- b) All first-time applicants shall complete an application which includes biographical information regarding the eligible displaced energy worker.
- c) Once eligibility in relation to the eligible displaced energy worker and the applicant has been established, it is established for all subsequent applications. Thereafter, a simplified application will be required from the applicant. Also, the student must indicate the institution to be attended.
- d) The deadline for applications will be October 1 for consideration for all terms, March 1 for consideration for second semester and third quarter and summer term, and June 15 for consideration for summer term only.
- e) 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 by ISAC.

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- f) Scholarships are applicable toward tuition and fees.
 - 1) A recipient attending a public institution in Illinois shall receive a grant that shall not exceed the cost of tuition and fees at that institution. This includes the difference between in-district and out-of-district tuition.
- g) Notice of the scholarship award shall be sent to each recipient. Applicants not receiving awards will also be notified.
- h) Scholarship awards are limited to the equivalent of one calendar year of full-time enrollment, including summer, for undergraduate or graduate study. Summer term is considered the final term of the academic and fiscal year. Recipients may accumulate up to 14 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 units according to the following table.

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

Number of Hours	Summer Term
3 or more	2 units

- 2) Full program benefits may be extended for one additional term if the recipient has accumulated fewer than 14 eligibility units but does not have enough units remaining for the number of hours in which the recipient is enrolled for the term.
- i) A student who receives a scholarship 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 was ineligible.
- j) Recipients receive payment through their institution of record.
- k) If a recipient withdraws from enrollment after the expiration of the tuition refund/withdrawal adjustment period, the recipient shall receive a scholarship for

ILLINOIS STUDENT ASSISTANCE COMMISSION

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costs incurred up to the term award provided the institution's tuition refund policy indicates the recipient had incurred such charges.

- l) A recipient shall agree to notify ISAC, in writing, within 15 days of any change affecting enrollment status, name or address.
- m) ISAC pays scholarship funds directly to the institution of record in the name of the recipient.
- n) ISAC will disburse scholarship funds in multiple installments, depending upon the number of terms financed by the scholarship, 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 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.
- o) Scholarship payment is subject to the limits of dollars appropriated for this program.
- p) 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 scholarships 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 scholarships in full; and
 - 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 scholarships in full.

Section 2746.40 Institutional Procedures

- a) The institution shall certify the applicant's award amount 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.

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- b) Institutional Packaging of Assistance:
- 1) If the recipient receives other assistance targeted specifically for tuition and fees, the combined assistance shall not exceed the total tuition and fee expenses incurred by the student; and if it does, the institution shall reduce one of the awards accordingly.
 - 2) notwithstanding the provisions of other ISAC-administered programs, the total amount of a student's gift assistance may not exceed the student's cost of attendance for that institution. Any excess gift assistance is considered an overaward, and the institution is required to notify ISAC to reduce this scholarship and/or other gift assistance to prevent such an overaward; and
 - 3) if the recipient is eligible for assistance under MAP, the recipient may not be eligible for a full MAP grant because the Displaced Energy Worker Dependent Transition scholarship must be factored into the financial aid package prior to receiving MAP gift assistance. The institution, however, may request a MAP grant to finance tuition and mandatory fee expenses not paid by this program.
- c) Institutional Processing of Payments:
- 1) Within 30 days after and including the date of receiving payment, the institution shall credit the award toward the recipient's tuition and fee charges for the appropriate term.
 - 2) Institutions are required to reconcile payments, both payment data and actual funds, received through the Displaced Energy Worker Dependent Transition Scholarship Program and, as applicable, submit all necessary corrections to student records on a timely basis.
 - 3) Within 30 days after the end of an academic term during which the Displaced Energy Worker Dependent Transition Scholarship Program funds are credited to recipient's tuition and fee charges, institutions must reconcile data received from ISAC as a result of payment claim processing against the eligibility status throughout that term for each student for whom payment claims were made. In reconciling the data with student eligibility, an institution must determine whether:

ILLINOIS STUDENT ASSISTANCE COMMISSION

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- A) The amount of the claim applied to a student's tuition and fee charges exceeded the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - B) The amount of the claim applied to a student's tuition and fee charges was less than the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - C) The amount of the claim applied to a student's tuition and fee charges equaled the amount that the student was eligible to receive.
- 4) Any institution that determines that the amount of a claim applied to a student's tuition and fee charges either exceeded the amount that the student was eligible to receive or was less than that amount must submit an accounting of all such adjustments to ISAC within 30 days following the end of the applicable term.
 - 5) For any claims determined to exceed the amount that the student was eligible to receive, the amount in excess paid for the claims shall be remitted to ISAC within 45 days after the end of the applicable term unless the payment is received after the end of the applicable term. If the payment of claims is made after the end of the applicable term, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
 - 6) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment must be submitted to ISAC and a supplemental request must be made and processed for the proper recipient.
 - 7) If the institution does not submit refunds as required, ISAC will deduct outstanding refunds from subsequent payments to the institution.
 - 8) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests except for summer term must be received by ISAC no later than July 1. Summer term payment requests must be received no later than July 31.

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Community Behavioral Health Care Professional Loan Repayment Program
- 2) Code Citation: 23 Ill. Adm. Code 2753
- 3) Section Number: 2753.30 Proposed Action: Amendment
- 4) Statutory Authority: Implementing the Community Behavioral Health Care Professional Loan Repayment Program Act [110 ILCS 996] and authorized by Section 20(f) 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 remove gender-specific pronouns and make other minor revisions.
- 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

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

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- 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 2022

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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

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

PART 2753
COMMUNITY BEHAVIORAL HEALTH CARE PROFESSIONAL
LOAN REPAYMENT PROGRAM

Section	
2753.10	Summary and Purpose
2753.15	Definitions
2753.20	Applicant Eligibility
2753.30	Program Procedures

AUTHORITY: Implementing the Community Behavioral Health Care Professional Loan Repayment Program Act [110 ILCS 996] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947].

SOURCE: Adopted at 43 Ill. Reg. 7289, effective July 1, 2019; amended at 46 Ill. Reg. _____, effective _____.

Section 2753.30 Program Procedures

- a) Eligible educational loans include:
- 1) Stafford Loans;
 - 2) Perkins Loans;
 - 3) Graduate PLUS Loans;
 - 4) consolidation loans;
 - 5) medical student loans;
 - 6) Supplemental Loans for Students;
 - 7) alternative loans; and

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NOTICE OF PROPOSED AMENDMENT

- 8) other types of government and institutional loans used for education expenses.
- b) Non-eligible loans include:
 - 1) credit card payments;
 - 2) Parent PLUS Loans;
 - 3) loans that have been paid in full;
 - 4) loans from lending institutions that are not governed by State or federal regulations or loans from individuals or family members;
 - 5) any portion of a consolidated loan that cannot be directly attributed to the applicant; and
 - 6) non-education loans, such as home equity loans.
- c) All applicants annually must complete an ISAC application for the loan repayment program.
 - 1) ~~An applications are is~~ available on ISAC's website ~~and at ISAC's Springfield, Deerfield and Chicago offices.~~
 - 2) 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 considered for processing as of the date the application is complete and received ~~by at ISAC's Deerfield office (1755 Lake Cook Road, Deerfield IL 60015-5209).~~ No applications will be considered for processing if received after the published date unless funds remain available for disbursement.
 - 3) Renewal applicants may be required to submit a history of prior awards in order to show program proceeds do not exceed the total amount of outstanding eligible educational loans, including award proceeds received that were not used to repay educational loans.
- d) Grant assistance under this program may be received for up to 4 years.

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- e) ISAC shall select the recipients from among those who have submitted complete applications, including qualified new applicants and those who filed timely renewal applications and have supplied information required in subsection (c).
- f) The total number of grants awarded in a given fiscal year and the amount of each award as limited by subsection (g) is contingent upon available funding. If funding is insufficient to pay all eligible applicants, awarding will be determined in the following order:
 - 1) renewal applicants, in the order in which their applications were received; then
 - 2) new applicants, using the mental health portion of the HPSA database to rank eligible rural and underserved applicants and giving priority to applicants in the areas that have the highest degree of shortage (score) for that applicant's profession. If multiple applicants receive the same score, their applications shall be given consideration in the order in which they were received.
 - A) If an applicant works for an organization located in an HPSA mental health discipline that has satellite clinics and the applicant works in more than one of the clinics, the highest HPSA mental health discipline score where the applicant works shall apply.
 - B) If an applicant works for different employers in multiple HPSA mental health disciplines having different degrees of shortage, the location having the highest HPSA mental health discipline score shall apply.
- g) The amount repaid by ISAC to the grantee shall be no more than the borrower's remaining balance on all eligible educational loans minus any grant payment made under this Part that was not used to pay the loan holder and shall not exceed:
 - 1) \$35,000 per year for a psychiatrist;
 - 2) \$15,000 per year for an advanced practice registered nurse or a physician assistant;
 - 3) \$12,000 per year for a psychologist who holds a doctoral degree;

ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 4) \$6,500 per year for a licensed clinical social worker or a licensed clinical professional counselor; and
- 5) \$2,500 per year for a substance use professional.
- h) Proceeds will be remitted directly to the holder of the loans to be repaid when the beneficiary designates ISAC as ~~the his or her~~ disbursing agent for this purpose.
- i) The recipient and loan holder shall submit information for eligible educational loans in sufficient time for ISAC to make payments for each year in which the funds are awarded.
- j) If the recipient's loan holder receives an overpayment, the loan holder shall return the amount of the overage to ISAC. A supplemental request must be made by the recipient and processed by ISAC for any funds to be paid to another holder.
- k) When multiple loans are held by a single lending institution, the loan holder shall distribute the payment to one loan until paid in full.
- l) When possible, all loans held at a single lending institution shall be paid in full before monies are distributed to another loan holder.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Nurse Educator Loan Repayment Program
- 2) Code Citation: 23 Ill. Adm. Code 2758
- 3) Section Number: 2758.30 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Article 10 of the Nurse Educator Assistance Act [110 ILCS 967/10] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove gender-specific pronouns and make other minor revisions.
- 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 2022

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 2758

NURSE EDUCATOR LOAN REPAYMENT PROGRAM

Section	
2758.10	Summary and Purpose
2758.20	Applicant Eligibility
2758.30	Program Procedures

AUTHORITY: Implementing Article 10 of the Nurse Educator Assistance Act [110 ILCS 967/10] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947 and 20(f)].

SOURCE: Adopted at 31 Ill. Reg. 9510, effective July 1, 2007; amended at 43 Ill. Reg. 7297, effective July 1, 2019; amended at 46 Ill. Reg. _____, effective _____.

Section 2758.30 Program Procedures

- a) Eligible educational loans include:
 - 1) Stafford Loans;
 - 2) Graduate PLUS Loans;
 - 3) consolidation loans;
 - 4) nursing student loans;
 - 5) Supplemental Loans for Students;
 - 6) alternative loans; and
 - 7) other types of government and institutional loans used for nursing education expenses.
- b) Non-eligible loans include:
 - 1) credit card payments;

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- 2) Parent PLUS Loans;
 - 3) loans that have been paid in full;
 - 4) loans obtained from family members or private institutions not administered by State and federal regulations for the purpose of lending;
 - 5) any portion of a consolidated loan that is not the applicant's; and
 - 6) any loans that can be fully forgiven by a state or federal government or a lending institution through a comparable repayment or forgiveness program.
- c) All applicants annually must complete an ISAC application for the Nurse Educator Loan Repayment Program.
- 1) ~~An applications is are available at all Illinois approved institutions that have practical or professional nursing programs, on ISAC's web site, and ISAC's Springfield, Deerfield and Chicago offices.~~
 - 2) 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 considered for processing as of the date the application is complete and received ~~by at ISAC's Deerfield office.~~
 - 3) Renewal applicants may be required to submit a history of prior awards in order to show program proceeds were used for eligible educational loans.
- d) Grant assistance under this program may be received for up to a maximum of 4 years.
- e) ISAC shall select the recipients from among qualified new applicants as well as those who filed timely renewal applications and have complied with the information in subsection (c).
- f) If funding is insufficient to pay all eligible applicants, awarding will be based on the date the complete application, with all required documentation, is received in ISAC's Deerfield office.
- g) The amount repaid is based on the borrower's remaining balance on eligible educational loans, not to exceed \$5,000 per year.

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- h) Proceeds will be remitted directly to the holder of the loans to be repaid when the beneficiary designates ISAC as ~~the his or her~~ disbursing agent for this purpose. Otherwise, the recipient is responsible for paying the holder.
- i) The recipient and institution shall submit eligibility information for qualified and certified loans in sufficient time for ISAC to make payments each academic year the funds are awarded.
- j) If the loan holder receives an overpayment, the loan holder shall return the amount of the overage to ISAC. A supplemental request must be made and processed for the proper funds to be paid to another holder.
- k) When multiple loans are held, the institution shall distribute the payment to one loan until paid in full.
- l) When possible, each loan shall be paid in full before monies are distributed to another loan holder.
- m) The total number of grants awarded in a given fiscal year is contingent upon available funding.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Illinois Special Education Teacher Tuition Waiver (SETTW) Program
- 2) Code Citation: 23 Ill. Adm. Code 2765
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2765.20	Amendment
2765.30	Amendment
- 4) Statutory Authority: Implementing Section 65.15 and authorized by Sections 20(f) and 65.15(a)(2) of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.15].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove gender-specific pronouns and make other minor revisions.
- 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 AMENDMENTS

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 2022

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

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NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2765

ILLINOIS SPECIAL EDUCATION TEACHER TUITION WAIVER (SETTW) PROGRAM

Section

2765.10	Summary and Purpose
2765.20	Applicant Eligibility
2765.30	Program Procedures
2765.40	Institutional Procedures

AUTHORITY: Implementing Section 65.15 and authorized by Sections 20(f) and 65.15(a)(2) of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.15].

SOURCE: Adopted at 19 Ill. Reg. 8354, effective July 1, 1995; amended at 20 Ill. Reg. 9194, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11129, effective July 18, 1997; amended at 22 Ill. Reg. 11107, effective July 1, 1998; amended at 24 Ill. Reg. 9159, effective July 1, 2000; amended at 26 Ill. Reg. 10037, effective July 1, 2002; amended at 27 Ill. Reg. 10405, effective July 1, 2003; amended at 28 Ill. Reg. 9170, effective July 1, 2004; amended at 29 Ill. Reg. 9941, effective July 1, 2005; amended at 30 Ill. Reg. 11697, effective July 1, 2006; amended at 35 Ill. Reg. 12388, effective July 15, 2011; amended at 37 Ill. Reg. 9550, effective July 1, 2013; amended at 38 Ill. Reg. 13402, effective July 1, 2014; amended at 41 Ill. Reg. 8134, effective July 1, 2017; amended at 42 Ill. Reg. 13657, effective July 1, 2018; amended at 46 Ill. Reg. _____, effective _____.

Section 2765.20 Applicant Eligibility

- a) A qualified applicant shall be:
 - 1) a United States citizen or an eligible noncitizen;
 - 2) a resident of Illinois;
 - 3) a graduate of an approved high school; a student scheduled to graduate from an approved high school by the end of the academic year in which the award is made who ranks in the upper half of ~~the his or her~~ high school graduating class at the end of the sixth semester; or a person holding a valid teaching license that is not in the discipline of Special Education;

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- 4) enrolled, or accepted for enrollment, as an undergraduate or graduate student seeking initial licensure in any area of Special Education as determined by the university;
 - 5) attending, or planning to attend, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Southern Illinois University (Carbondale), Southern Illinois University (Edwardsville), University of Illinois (Chicago), University of Illinois (Springfield), University of Illinois (Urbana) or Western Illinois University; and
 - 6) a potential new recipient in that ~~the applicant~~~~the or she~~ shall have not received the Illinois Special Education Teacher Tuition Waiver in the past.
- b) In any academic year in which the qualified applicant accepts or receives financial assistance through the Paul Douglas Teacher Scholarship (23 Ill. Adm. Code 2762), the Minority Teachers of Illinois Scholarship (23 Ill. Adm. Code 2763), the Golden Apple Scholars of Illinois Program (23 Ill. Adm. Code 2764), or Teach Illinois Scholarship Program (23 Ill. Adm. Code 2768), ~~the applicant~~~~the or she~~ shall not be eligible for an Illinois Special Education Teacher Tuition Waiver.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 2765.30 Program Procedures

- a) A completed ISAC application for the Illinois SETTW Program must be postmarked on or before March 1 immediately preceding the academic year for which the tuition waiver is being requested, in order to receive priority consideration for an award.
- b) ~~An ISAC~~ applications for the Illinois SETTW Program ~~is~~are available ~~on from~~ ~~eligible institutions~~, ISAC's website ~~and ISAC's Springfield, Deerfield and Chicago offices~~.
- c) If the student section of an application is incomplete, ISAC will notify the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will be considered for processing as of the date when the student section is complete and received ~~by in~~ ISAC's ~~Deerfield office~~.

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- d) Before March 1 of each year, principals of public, private and parochial high schools in Illinois will provide the names of all students in their high school who are anticipated to be qualified applicants.
- e) ISAC shall annually award 250 Illinois Special Education Teacher Tuition Waivers as provided in this subsection (e).
 - 1) Currently Licensed Teachers
 - A) A maximum of 40 tuition waivers may be awarded annually to qualified applicants who hold a valid teaching license that is not in the discipline of Special Education.
 - B) If more than 40 applicants qualify under these provisions, a lottery shall be used to select 40 recipients.
 - 2) Applicants Graduating from High School in the Current Award Year
 - A) Except as otherwise provided in subsection (e)(4), a minimum of 105 tuition waivers shall be awarded annually to students scheduled to graduate from an approved high school in the academic year in which the award is made and who rank in the upper half of their class at the end of the sixth semester.
 - B) ISAC shall select recipients under this subsection (e)(2) from among qualified applicants based on the highest ACT or SAT scores from the time periods set forth in the State Scholar Program (23 Ill. Adm. Code 2760.20(b), (c) and (d), as converted according to the Illinois Standard Test Score table (Section 2760.30(c)).
 - C) If the number of qualified applicants sharing the same Illinois Standard Test Score exceeds the number of tuition waivers to be awarded, a lottery shall be used to select the awardees.
 - 3) Applicants Not Graduating from High School in the Current Award Year
 - A) Except as otherwise provided in subsection (e)(4), a minimum of 105 tuition waivers shall be awarded annually to qualified applicants who have graduated from an approved high school prior to the academic year in which the award is made.

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- B) If the number of qualified applicants exceeds the number of tuition waivers to be awarded, a lottery shall be used to select the awardees.
- 4) Rollover of Unused Tuition Waivers
- A) Any of the available tuition waivers not awarded under subsection (e)(1) shall be added to the pool of available waivers under subsection (e)(2).
 - B) If the number of qualified applicants under subsection (e)(2) or (e)(3) is insufficient to utilize all of the waivers available under those subsections, the remainder shall be transferred to the pool of waivers under the other subsection if the other subsection has qualified applicants who have not yet been awarded a waiver.
- f) Notice of eligibility will be sent by July 1 to each qualified applicant who is selected to receive a tuition waiver. The qualified applicant is then responsible for providing a copy of the notice of eligibility to the institution. All other qualified applicants will be notified that they were not selected.
- g) Tuition waivers are applicable towards credit for any semester/quarter within an academic year.
- h) A recipient shall be exempt from paying tuition and mandatory fees for up to four calendar years.
- i) Prior to receiving assistance, the qualified applicant must sign a Teaching Agreement/Promissory Note, which must be submitted to ISAC. The Teaching Agreement/Promissory Note shall include the following stipulations:
- 1) the recipient pledges to begin teaching on a full-time basis, in the field of Special Education, within one year following graduation from or termination of enrollment in a teacher education program, at a nonprofit, public, private or parochial preschool, elementary or secondary school in Illinois and to continue teaching for at least 2 of the 5 years immediately following;
 - 2) if the teaching requirement is not fulfilled, the tuition waiver converts to a loan and the recipient must repay the entire amount of the tuition waiver

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(prorated according to the fraction of the teaching obligation not completed), plus interest at a rate equal to 5% per annum; and

- 3) the recipient agrees to provide ISAC with evidence of compliance with program requirements (e.g., responses to annual follow-up questionnaires, etc.).
- j) The five-year time period during which the teaching requirement must be fulfilled 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 enrolled full-time in an academic program related to the field of teaching, leading to a graduate or postgraduate degree;
 - 3) is temporarily totally disabled for a period of time not to exceed three years, as established by the sworn affidavit of a qualified physician;
 - 4) is actively seeking but unable to find full-time employment as a teacher at an Illinois public, private, or parochial school 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~~~~the or she~~ cannot concurrently fulfill them in a period of time equal to the length of the teaching obligation.
- k) A recipient may be granted a leave of absence by the president of the institution, or ~~the president's~~~~his/her~~ designee, for the following reasons:
- 1) earning funds to defray the recipient's educational expenses;
 - 2) illness of the recipient or a member of the recipient's immediate family, as established by the sworn statement of a licensed physician; or
 - 3) military service.
- l) A recipient must complete ~~the~~~~his or her~~ course of study within six years including

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leaves of absence. A recipient must remain enrolled on a continuous basis during the regular school year for four years, unless granted a leave of absence. However, a leave of absence granted for military service shall not be considered part of the six years within which a recipient must complete a degree.

- m) 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 initial licensure as a teacher in Special Education, but not until six months have elapsed after the cessation of at least half-time enrollment in such a course of study. A recipient who has transferred and is waiting to be accepted into the Special Education program at the new university shall not be subject to this provision provided ~~the recipient~~~~the or she~~ is enrolled and is pursuing course work that meets the new university's requirements to gain admission to the Special Education program;
 - 2) the date the recipient informs ISAC that ~~the recipient~~~~the or she~~ does not plan to fulfill the teaching obligation; or
 - 3) the latest date upon which the recipient must have begun teaching in order to complete the teaching obligation within five years after completing the postsecondary education for which the waiver was awarded.
- n) If a recipient is required to repay any portion of a tuition waiver awarded prior to July 1, 2014, the repayment period shall be completed within five years after the tuition waiver converts to a loan. If a recipient is required to repay any portion of a tuition waiver awarded after July 1, 2014, the repayment period shall be completed within 10 years after the tuition waiver converts to a loan. Repayment periods may be extended if a 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 pursuing a graduate or postgraduate degree and is enrolled on a full-time basis for one continuous period of time not to exceed three years;
 - 4) is seeking and unable to find full-time employment for one continuous

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period not to exceed two years and is able to provide evidence of that fact;
or

- 5) withdraws from a course of study leading to teacher licensure in Special Education but remains enrolled on at least a half-time basis in another academic discipline.
- o) During the time a recipient qualifies for any of the extensions listed in subsection (n) of this Section, ~~the recipient~~~~he or she~~ shall not be required to make payments and interest shall not continue to accrue.
- p) A recipient shall not be required to pay the amount of the tuition and fees waived if ~~the recipient~~~~he or she~~ becomes permanently totally disabled, as established by the sworn affidavit of a licensed 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.
- q) A holder of a tuition waiver must register for enrollment in a special education program of teacher education within ten days after the beginning of the term for which the tuition waiver was initially awarded. If the recipient fails to comply with this requirement, ~~he or she will forfeit~~ the tuition waiver will be forfeited and ISAC will award it to another qualified applicant.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Teachers and Child Care Providers Loan Repayment Program
- 2) Code Citation: 23 Ill. Adm. Code 2767
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2767.20	Amendment
2767.30	Amendment
- 4) Statutory Authority: Implementing Section 65.56 of the Higher Education Student Assistance Act [110 ILCS 947/65.56] and authorized by Sections 20(f) and 65.56 of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.56].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to remove gender-specific pronouns and make other minor revisions.
- 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 AMENDMENTS

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 2022

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 2767

ILLINOIS TEACHERS AND CHILD CARE PROVIDERS LOAN REPAYMENT PROGRAM

Section

2767.10	Summary and Purpose
2767.20	Applicant Eligibility
2767.30	Program Procedures

AUTHORITY: Implementing Section 65.56 of the Higher Education Student Assistance Act [110 ILCS 947/65.56] and authorized by Sections 20(f) and 65.56 of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.56].

SOURCE: Adopted at 27 Ill. Reg. 10413, effective July 1, 2003; amended at 31 Ill. Reg. 9525, effective July 1, 2007; amended at 46 Ill. Reg. _____, effective _____.

Section 2767.20 Applicant Eligibility

A qualified applicant shall be:

- a) *a United States citizen or eligible noncitizen;*
- b) *a resident of Illinois;*
- c) *a borrower who has had an amount of ~~his or her~~ educational loans forgiven pursuant to Section 428J or 428K of the Higher Education Act of 1965, as amended (HEA); and*
- d) *a borrower who has fulfilled the obligations set forth in Section 428J or 428K of the HEA in Illinois. [110 ILCS 947/65.56]*

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 2767.30 Program Procedures

- a) An applicant must complete and file an ISAC application for a Teacher Loan Repayment grant or Child Care Provider Loan Repayment grant and include documentation that ~~he or she has had~~ an educational loan was forgiven under Section 428J or 428K of the HEA, and qualified for that loan forgiveness by

ILLINOIS STUDENT ASSISTANCE COMMISSION

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virtue of service performed in Illinois.

- b) An applicant must apply for a grant under this Part within six months after receiving notification of loan forgiveness pursuant to Section 428J or 428K of the HEA.
- c) The amount repaid will be based on the borrower's outstanding balance not to exceed \$5,000.
- d) Proceeds will be remitted directly to the holder of the loans to be repaid when the beneficiary designates ISAC as ~~the~~his or her disbursing agent for this purpose. Otherwise, the recipient is responsible for paying the holder.
- e) The borrower may reapply each year that ~~he or she receives~~ a portion of ~~the~~borrower's~~his or her~~ loans is forgiven under Section 428K of the HEA, but no more than a total of \$5,000 may be awarded to an individual borrower.
- f) The total number of grants awarded in a given fiscal year is contingent upon available funding.
- g) If funding is insufficient to pay all eligible applicants, awarding will be based on the date the complete application, with all required documentation, is received ~~by~~in ISAC's ~~Deerfield office~~.

(Source: Amended at 46 Ill. Reg. _____, effective _____)