

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

PART 2731
GRANT PROGRAM FOR DEPENDENTS OF CORRECTIONAL OFFICERS

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

SOURCE: Adopted at 9 Ill. Reg. 20780, effective January 1, 1986; transferred from Chapter IX, 23 Ill. Adm. Code 1731 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2731 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17853; amended at 14 Ill. Reg. 10534, effective July 1, 1990; amended at 17 Ill. Reg. 10559, effective July 1, 1993; amended at 18 Ill. Reg. 10299, effective July 1, 1994; amended at 20 Ill. Reg. 10183, effective July 15, 1996; Old Part repealed and New Part adopted at 21 Ill. Reg. 11100, effective July 18, 1997; amended at 30 Ill. Reg. 11632, effective July 1, 2006.

Section 2731.10 Summary and Purpose

- a) If a correctional officer employed by the Illinois Department of Corrections in a security position is killed or sustains an injury resulting in a permanent disability in the line of duty, the correctional officer's spouse and children may receive grant assistance under this Program, without regard to financial need.
- b) This Part establishes rules which govern the Grant Program for Dependents of Correctional Officers. Additional rules and definitions are contained in General Provisions, 23 Ill. Adm. Code 2700.

Section 2731.20 Applicant Eligibility

- a) A qualified applicant shall be:
 - 1) either:

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- A) the natural child, legally adopted child, or child in the legal custody of a correctional officer at the time the officer was permanently disabled or killed in the line of duty; or
 - B) the husband or wife of a correctional officer at the time the officer was permanently disabled or killed in the line of duty; and
- 2) a United States citizen or an eligible noncitizen; and
 - 3) enrolled on at least a half-time basis at an institution that is approved for participation in the Monetary Award Program (MAP) (see 23 Ill. Adm. Code 2735); and
 - 4) making satisfactory academic progress toward a degree or certificate.
- b) An applicant need not be a resident of Illinois at the time of enrollment.
 - c) An applicant does not have to demonstrate financial need to receive this grant.
 - d) A spouse who remarries after a correctional officer is killed in the line of duty, or divorces a permanently disabled officer, is not eligible. Common law partners are not eligible.
 - e) A step-child who was not in the legal custody of a correctional officer at the time the officer died or sustained a permanently disabling injury in the line of duty is not eligible.

Section 2731.30 Program Procedures

- a) All first-time applicants shall complete an application which includes biographical information regarding the deceased or disabled correctional officer (e.g., name, where employed, position title, date of death or disability, etc.) and the application shall be accompanied by a certified death certificate or the certified statement of a licensed physician.
 - 1) The physician's statement must certify that there is a mental or physical condition that is reasonably certain to continue throughout the lifetime of the correctional officer, resulting in a 90% to 100% incapacity from performing substantial and material duties previously discharged.
 - 2) Documentation must be submitted to prove that the death or disability occurred in the line of duty.

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- b) Once eligibility has been established for one member of a family, it is established for all qualified applicants in the family. Thereafter, a simplified application will be required from each student on an annual basis. Also, students must indicate the institution to be attended.
- c) The deadline for applications will be October 1 for consideration for all terms, March 1 for consideration for second semester/second and third quarter and summer term, and June 15 for consideration for summer term only.
- d) If an application is incomplete, notice will be sent to the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date it was completed and received in ISAC's Deerfield office.
- e) Grants are applicable toward tuition and mandatory fees.
 - 1) A recipient attending a public institution in Illinois shall receive a grant that shall not exceed the cost of tuition and mandatory fees at that institution. This includes the difference between in-district and out-of-district tuition.
 - 2) A recipient attending a private institution in Illinois may receive a grant sufficient to pay the cost of tuition and mandatory fees, provided the award does not exceed the maximum grant payable to a student enrolled in the most expensive comparable program of study at a public institution.
- f) Notice of the grant award shall be sent to each recipient. Applicants not receiving awards will also be notified.
- g) Benefits are limited to the full-time enrollment equivalent of eight semesters or twelve quarters of payment for undergraduate or graduate study.
- h) A student who receives a grant under this program and who is subsequently determined to be ineligible shall repay the institution the total amount of the funds received during the period in which he or she was ineligible.
- i) Recipients receive payment through their institution of record.
- j) If a recipient withdraws from enrollment after the expiration of the tuition refund/withdrawal adjustment period, the recipient shall receive a grant for costs incurred up to the term award provided the institution's tuition refund policy indicates the recipient had incurred such charges.

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- k) A recipient shall agree to notify ISAC, in writing, within 15 days of any change affecting his/her enrollment status, name or address.
- l) ISAC pays grant funds directly to the institution of record in the name of the recipient.
- m) ISAC will disburse grant funds in multiple installments, depending upon the number of terms financed by the grant; except that multiple disbursements will not be required in cases where the applicant's eligibility is not determined until the final term of the academic year for which the grant is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.
- n) Grant payment is subject to the limits of dollars appropriated for this program by the General Assembly.
- o) In the event that funds are insufficient to make awards to all eligible applicants, ISAC will make award determinations on the basis of the dates that the completed applications were received and the following:
 - 1) first semester and first quarter awards will be paid, or prorated if funding is insufficient to pay all grants in full;
 - 2) if funds remain after first semester and first quarter awards are paid, then second semester/second and third quarter awards will be paid, or prorated if funds remaining are insufficient to pay all grants in full;
 - 3) if funds remain after second semester/second and third quarter awards are paid, summer term awards will be paid, or prorated if funding is insufficient to pay all grants in full; and
 - 4) timely claims for the difference between in-district and out-of-district tuition for recipients who do not qualify for charge backs will be considered for payment at the same time and in the same priority order as all other timely claims, in accordance with the provisions of this subsection (o).

(Source: Amended at 30 Ill. Reg. 11632, effective July 1, 2006)

Section 2731.40 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.

- 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 grant 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 grant for Dependents of Correctional Officers 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) When submitting payment requests, the institution shall verify that the recipient meets the requirements of Section 2731.20(a)(3) and (4), Applicant Eligibility.

 - 2) Within 30 days after and including the date of receiving payment, the institution shall credit the award toward the recipient's tuition and mandatory fee charges for the appropriate term.

 - 3) Institutions are required to reconcile payments received through this program. Any payments received by the institution that are determined in the reconciliation to be refunds payable to ISAC are to be processed and returned to ISAC no later than 60 days following the end of the academic term. Should the payment arrive after the end of the term, the institution

will have 60 days following receipt of payment to complete the reconciliation process and return any refunds to ISAC.

- 4) 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.
- 5) If the institution does not submit refunds as required, ISAC will deduct outstanding refunds from subsequent payments to the institution.
- 6) 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.

(Source: Amended at 30 Ill. Reg. 11632, effective July 1, 2006)