

**AGENDA ITEM 6**

**APPROVAL OF PROPOSED ADMINISTRATIVE PROGRAM RULES AMENDMENTS  
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

## AGENDA ITEM 6

### 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 five different Parts this year, and new rules were drafted as the result of the creation of a new program. Text of the proposed administrative program rules and amendments was published in the February 21, 2020 *Illinois Register*, initiating a 45-day public comment period, which expired on April 5, 2020. The full text of the proposed rules, amendments and Notices are included in this item. The Notices that precede each Part contain descriptions of the subjects and issues involved in the rulemaking process.

The proposed administrative program rules and amendments are being presented to the Commission for consideration now that the public comment period has expired. No public comments were received and no substantive changes were made after the initial publication.

Following acceptance of the proposed administrative program rules and amendments by the Commission, the Executive Director may direct staff to submit same to the Joint Committee on Administrative Rules (JCAR), initiating a second 45-day review period and the JCAR hearing, after which, if no 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 and, barring any unresolved objection by JCAR or material modification (unless the material modification is made to ensure compliance with any prospective amendments to the statute(s) governing these rules), the Commission authorizes the Executive Director to proceed with adopting the program rules as amended.”

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois National Guard (ING) Grant Program
- 2) Code Citation: 23 Ill. Adm. Code 2730
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2730.20	Amendment
2730.30	Amendment
2730.40	Amendment
- 4) Statutory Authority: Implementing Section 45 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/45 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to designate potential state benefits available via the Illinois National Guard (ING) Grant Program as the last payer for veterans with 100% Post-9/11 GI Bill eligibility who are concurrently drawing ING benefits. The proposed change is intended to maximize benefit preservation for veterans that qualify for both potentially available state benefits and the Post-9/11 GI Bill.
- 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

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NOTICE OF PROPOSED AMENDMENTS

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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 2020

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

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2730

ILLINOIS NATIONAL GUARD (ING) GRANT PROGRAM

Section

2730.10	Summary and Purpose
2730.20	Applicant Eligibility
2730.30	Program Procedures
2730.40	Institutional Procedures

AUTHORITY: Implementing Section 45 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/~~45 and 20(f)~~].

SOURCE: Adopted at 3 Ill. Reg. 4, p. 38, effective January 26, 1979; rules repealed at 6 Ill. Reg. 8239, effective June 30, 1982; new rules adopted at 6 Ill. Reg. 8413, effective June 30, 1982; codified at 7 Ill. Reg. 10877; amended at 8 Ill. Reg. 17016, effective September 5, 1984; amended at 9 Ill. Reg. 20827, effective January 1, 1986; amended at 11 Ill. Reg. 3202, effective January 29, 1987; amended at 12 Ill. Reg. 11531, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1730 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2730 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17857; amended at 14 Ill. Reg. 10567, effective July 1, 1990; amended at 16 Ill. Reg. 11254, effective July 1, 1992; amended at 17 Ill. Reg. 10563, effective July 1, 1993; amended at 18 Ill. Reg. 10303, effective July 1, 1994; amended at 20 Ill. Reg. 9187, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11119, effective July 18, 1997; amended at 22 Ill. Reg. 11100, effective July 1, 1998; amended at 24 Ill. Reg. 9148, effective July 1, 2000; amended at 25 Ill. Reg. 8406, effective July 1, 2001; amended at 26 Ill. Reg. 10013, effective July 1, 2002; amended at 27 Ill. Reg. 10338, effective July 1, 2003; amended at 29 Ill. Reg. 9904, effective July 1, 2005; amended at 30 Ill. Reg. 11623, effective July 1, 2006; amended at 32 Ill. Reg. 10305, effective July 1, 2008; amended at 36 Ill. Reg. 9408, effective July 1, 2012; amended at 37 Ill. Reg. 9504, effective July 1, 2013; emergency amendment at 37 Ill. Reg. 15439, effective September 3, 2013, for a maximum of 150 days; amended at 38 Ill. Reg. 2891, effective January 15, 2014; amended at 39 Ill. Reg. 8415, effective July 1, 2015; amended at 41 Ill. Reg. 8121, effective July 1, 2017; amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 2730.20 Applicant Eligibility**

- a) Students must file an application annually indicating the institution to be attended.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

No payment will be authorized for any applicant until a current application is on file. 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, and June 15 for consideration for the summer term only.

- 1) Qualified applicants will receive an eligibility letter from ISAC for each academic year following the filing of the application. Ineligible applicants will receive written notification from ISAC of their ineligibility to receive program benefits; and
  - 2) ISAC will verify application data in consultation with the Illinois Department of Military Affairs (DMAIL) when reviewing an application. Changes to a recipient's National Guard status must be reported to ISAC by DMAIL.
- b) A qualified applicant must:
- 1) be in active status in the Illinois Army or Air National Guard and have served for at least one year in the Illinois National Guard; or
  - 2) have been active in the Illinois National Guard for at least five consecutive years and had ~~his or her~~ studies interrupted by being called to federal active duty for at least six months and be within the 12 month period immediately following ~~his or her~~ discharge from the Illinois National Guard.
- c) Eligibility is not available to those persons who are members of the inactive Illinois National Guard.
- d) Recipients must maintain an acceptable grade point average as determined by the institution pursuant to a published policy.
- e) Changes of address, name, status with the Illinois National Guard or institution of attendance must be reported in writing to ISAC.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2730.30 Program Procedures**

- a) The recipient is exempt from paying the following:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) tuition;
  - 2) registration fees;
  - 3) graduation fees;
  - 4) general activity fees;
  - 5) matriculation fees; and
  - 6) term fees.
- b) The recipient is responsible for payment of other fees, including the following:
- 1) book rental fees;
  - 2) laboratory and supply fees;
  - 3) air flight fees;
  - 4) hospital and health insurance fees;
  - 5) room and board;
  - 6) parking fees;
  - 7) student union fees;
  - 8) athletic fees;
  - 9) proficiency or placement exam fees and other similar fees; and
  - 10) service fees.
- c) Benefits are applicable to both undergraduate and graduate enrollment. There is no minimum credit-hour enrollment requirement. Benefits are applicable for noncredit courses.
- d) Benefits are limited to use only at Illinois public senior universities and at any Illinois public community college.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- e) Within the constraints of appropriation levels, two semester or three quarter term payments and one summer term payment are made directly to the institution after it officially certifies to ISAC that the applicant has registered and is attending classes. No seminars or other special terms are covered under the grant. Summer term is considered the final term of the academic and fiscal year.
- f) Benefits for eligible recipients who have completed less than 10 years of active duty service in the Illinois National Guard are limited to the equivalent of four academic years of full-time enrollment.
- g) Benefits for eligible recipients who have completed 10 years of active duty service in the Illinois National Guard are limited to the equivalent of six academic years of full-time enrollment.
  - 1) Benefits for an academic year shall be determined on the basis of credit hours in which the qualified applicant enrolls. Each credit hour (and noncredit hour for which benefits are used) will be converted to "eligibility units" according to the following chart:

Number of Hours	Semester School	Quarter School
12 or more hours	12 units	8 units
9 - 11.99 hours	9 units	6 units
6 - 8.99 hours	6 units	4 units
3 - 5.99 hours	3 units	2 units
0 - 2.99 hours	1 unit	1 unit

- 2) When a qualified applicant becomes eligible to receive educational assistance under Section 2730.40(b), the number of units used will be calculated as follows:
  - A) Multiply the percentage of the tuition and fee charges exempted by the ING Grant by the number of credit hours attempted.
  - B) Convert the result to eligibility units, as described in the table in subsection (g)(1).
- 3) Eligible recipients who have completed less than 10 years of active duty service in the Illinois National Guard may continue to reapply and



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

accumulate up to 120 units. Eligible recipients who have completed 10 years of active duty service in the Illinois National Guard may continue to reapply and accumulate up to 180 units. Full program benefits may be extended for one additional term if the recipient has accumulated fewer than the maximum number of eligibility units but does not have enough units remaining for the number of hours in which the recipient~~she/he~~ is enrolled for the term.

- 4) If an eligible 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 has incurred charges in the amount of the claim.
  - 5) In the event that the recipient withdraws from a course or courses prior to the end of a term, a refund will be made according to the institution's refund withdrawal policy and eligibility units will be adjusted accordingly.
  - 6) The eligibility units used for a noncredit course shall be the same as the number of eligibility units used for a credit course having the same number of total faculty contact hours.
- h) If a current year applicant is discharged, transferred to the inactive Illinois National Guard, or has membership extended by the Illinois National Guard, ISAC will send a revised eligibility letter or ineligibility letter to the applicant. In the case of discharge, a copy of the letter will be sent to the institution of record.
  - i) Except as otherwise provided in this Part, if a recipient ceases to be an active status member of the Illinois National Guard during a term, benefits cease, and the student is responsible for the unpaid costs attributed to the remainder of the term. If an applicant becomes eligible during a term, in accordance with Section 2730.20(b), benefits will be prorated for that portion of the term for which the applicant is eligible, provided the application is submitted by the deadlines. Costs are prorated on the basis of the institution's scheduled days of instruction minus institutionally scheduled holidays and examination periods.

Calculation: Total tuition cost divided by total instructional days = cost per day x days of eligibility = total proration.

- j) If the recipient of a grant awarded under this Part ceases to be a member of the

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Illinois National Guard, but has been active in the Illinois National Guard for at least five consecutive years and had ~~his or her~~ studies interrupted by being called to federal active duty for at least six months, then that recipient shall continue to be eligible for a grant for one year after ~~his or her~~ discharge from the Illinois National Guard, provided that the recipient has not already received the exemption from tuition and fees for the equivalent of four years of full-time enrollment under this Part.

- k) Out-of-state residents will receive tuition and applicable fee benefits equivalent to those received by in-state residents at the Illinois institution; recipients attending out-of-district community colleges will receive tuition and applicable fee benefits equivalent to those at the in-district rate. Recipients shall not be responsible for paying the difference between in-state and out-of-state tuition nor will they be responsible for paying the difference between in-district and out-of-district tuition. Institutions are permitted to require documentation of residency in order to determine in-district or out-of-district payment.
- l) If a student is eligible for both an Illinois National Guard Grant and a MAP grant, the Illinois National Guard benefits must be used first. A student cannot decline an Illinois National Guard Grant in favor of using MAP.
- m) If a recipient of the grant fails to complete ~~the his or her~~ military obligation according to the agreement, all proceeds received must be repaid to the Illinois Department of Military Affairs. DMAIL will collect the funds, which will be used by ISAC for the purpose of this Part.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2730.40 Institutional Procedures**

- a) The institution must establish a qualified applicant's initial eligibility before requesting payment from ISAC. A valid Illinois National Guard Grant eligibility letter may be used for this purpose.
- b) If a student is eligible for, and has indicated to the institution ~~the intent that he/she has elected~~ to receive, educational assistance through the Post-9/11 GI Bill (38 USC, Chapter 33), ~~and that assistance is an amount described at 38 USC 3313(e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7), (net cost of tuition and fees)~~, the institution must first apply Post-9/11 GI Bill benefits to the student's financial aid award. ING Grant benefits can then be used to cover the remaining ING Grant eligible tuition

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

and fees.

- c) Institutions must report the total number of hours for which payment is being requested (including credit and noncredit hours) so that ISAC can accurately track the recipient's use of eligibility units.
- d) ING Grants are paid directly to the approved institution of record that certifies to ISAC that the applicant is an eligible recipient.
  - 1) ISAC will annually establish priority claim dates for the submission of payment requests and inform institutions of the required priority dates. For the fall term, the priority claim date will be during the month of December; for the spring term, the priority claim date will be during the last two weeks of March or the first two weeks of April; for the summer term, the priority claim date will be during the month of July.
  - 2) Late payment requests will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
  - 3) Institutions may submit payment requests beginning 10 days prior to the start of classes for the term for which payment is being requested.
- e) Claims will be paid as follows:
  - 1) first semester and first quarter claims received by the designated deadline date will be paid, or prorated if funding is insufficient to pay all claims in full;
  - 2) if funds remain after first semester and first quarter claims are paid, then second semester and second and third quarter claims received by the designated deadline date will be paid, or prorated if funds remaining are insufficient to pay all such claims in full;
  - 3) if funds still remain after the preceding claims are paid, summer term claims received by the designated deadline date will be paid, or prorated if remaining funds are insufficient to pay all summer claims in full;
  - 4) in the event that funds are not exhausted by summer term payments, claims received after the designated deadline dates will be paid or prorated; and

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 5) timely claims for the difference between in-district/state and out-of-district/state tuition for recipients who do not qualify for chargebacks 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 (e).
  
- f) Payments on behalf of a recipient will be made to only one institution per term. For any institution that has a concurrent registration opportunity, the same payment policy will be in effect as that used in the Monetary Award Program. (See: 23 Ill. Adm. Code 2735.40(h).)
  
- g) Institutions are required to reconcile payments, both payment data and actual funds, received through ING and, as applicable, submit all necessary corrections to student records on a timely basis.
  - 1) Within 30 days after and including the date of receiving payment of any ING funds claimed pursuant to this Section, the institution shall credit the ING funds against the recipients' tuition and eligible fee charges for the appropriate term.
  
  - 2) Within 30 days after the end of an academic term during which ING funds are credited to recipients' tuition and eligible 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:
    - A) The amount of the claim applied to a student's tuition and eligible 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 eligible 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 eligible fee charges equaled the amount that the student was eligible to

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

receive.

- 3) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory 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.
- 4) 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 regular school year. If the payment of claims is made after the end of the regular school year, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
- 5) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Veteran Grant (IVG) Program
- 2) Code Citation: 23 Ill. Adm. Code 2733
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2733.20	Amendment
2733.30	Amendment
2733.40	Amendment
- 4) Statutory Authority: Implementing Section 40 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/40 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to clarify the new 15-year Illinois residency requirement and to document a priority claim date that better aligns with program processing procedures. Additionally, revisions are being made to designate potential state benefits available via the Illinois Veteran Grant (IVG) Program as the last payer for veterans with 100% Post-9/11 GI Bill eligibility who are concurrently drawing IVG benefits. The proposed change is intended to maximize benefit preservation for veterans that qualify for both potentially available state benefits and the Post-9/11 GI Bill.
- 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:

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NOTICE OF PROPOSED AMENDMENTS

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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 2020

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

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

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; amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

**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~~~~he or she~~:
- 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 ~~he or she is serving~~ 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~~~~he or she~~:
- 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 since leaving federal active duty.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 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 his or her~~ service was characterized as honorable. 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.
- 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.

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ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) An applicant should submit a copy of ~~the his or her~~ 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.
- 2) If the applicant does not have a copy of the DD Form 214, ~~the applicant~~~~he/she~~ 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, ~~he or she shall submit~~ 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 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, ~~he/she may verify~~ 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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

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 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2733.30 Program Procedures**

- a) An applicant must apply to ISAC for assistance under this Part. ISAC will issue a Notice of Eligibility to each qualified applicant.
- b) To receive an Illinois Veteran Grant, a qualified applicant must notify the institution of the qualified applicant's ~~his or her~~ eligibility no later than the last scheduled day of classes for the term for which a grant is requested.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- c) Benefits are applicable to both undergraduate and graduate enrollment. There are no minimum credit hour enrollment requirements and benefits are applicable for noncredit courses.
- d) Benefits are limited to use only at Illinois public universities and Illinois public community colleges.
- e) Costs exempted by the IVG:
  - 1) The recipient is exempt from paying costs as follows:
    - A) tuition and fees that meet the definition of tuition (see 23 Ill. Adm. Code 2700.20);
    - B) mandatory fees (see 23 Ill. Adm. Code 2700.20).
  - 2) A qualified applicant who has previously received benefits under this Part for a non-mandatory fee shall continue to receive benefits covering ~~such~~ those fees while ~~he or she is~~ enrolled in a continuous program of study. The qualified applicant shall no longer receive a grant covering non-mandatory fees if the applicant ~~he or she~~ fails to enroll during an academic term, unless ~~he or she is serving on~~ is being served federal active duty. The non-mandatory fees include the following:
    - A) instructional fees not meeting the definition of tuition;
    - B) application fees;
    - C) graduation and transcript fees;
    - D) proficiency exam, College Level Exam Program (CLEP), placement exam and similar fees;
    - E) off-campus and other extension course fees;
    - F) air flight instructor and athletic fees; and
    - G) matriculation, service and other registration type fees.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- f) Recipients attending out-of-district community colleges receive tuition and fee benefits equivalent to those at the in-district rate. Recipients shall not be responsible for paying the difference between in-district and out-of-district tuition. Institutions are permitted to require documentation of residency in order to determine in-district or out-of-district payment.
- g) Benefits are limited to the equivalent of four academic years of full-time enrollment, which is measured in eligibility units. Recipients may accumulate up to 120 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	Quarter Term
12 or more hours	12 units	8 units
9 - 11.99 hours	9 units	6 units
6 - 8.99 hours	6 units	4 units
3 - 5.99 hours	3 units	2 units
up to 2.99 hours	1 unit	1 unit

- 2) When a qualified applicant becomes eligible to receive educational assistance under Section 2733.40(b), the number of units used will be calculated as follows:
  - A) Multiply the percentage of the tuition and mandatory fee charges covered by the IVG by the number of credit hours attempted.
  - B) Convert the result to eligibility units, as described in the table in subsection (g)(1).
- 3) Full program benefits may be extended for one additional term if the recipient has accumulated fewer than 120 eligibility units but does not have enough units remaining for the number of hours in which ~~the recipient~~she is enrolled for the term.
- 4) In the event that a recipient withdraws from a course prior to the end of a term, a refund will be made according to the institution's refund withdrawal policy and eligibility units will be adjusted accordingly.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 5) The eligibility units used for a noncredit course shall be the same as the number of eligibility units used for a credit course having the same number of faculty contact hours.
- 6) If, for any reason, the U.S. Department of Veteran Affairs (VA) terminates or suspends a veteran educational benefits program, assistance under this Part shall cease six months following this action. This does not include veterans who have begun receiving educational benefits under this Part. In the event that the VA resumes terminated or suspended educational benefits, all current rules will be enforced.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2733.40 Institutional Procedures**

- a) If a student is eligible for both an IVG and a Monetary Award Program (MAP) grant, the IVG benefits must be used first. A student cannot decline IVG benefits in favor of using MAP.
- b) If a student is eligible for, and has indicated to the institution ~~the intent that he/she has elected~~ to receive educational assistance through, the Post-9/11 GI Bill (38 USC, Chapter 33), ~~and that assistance is an amount described at 38 USC 3313(e)(2), (e)(3), (e)(4), (e)(5), (e)(6) or (e)(7) (net cost of tuition and fees)~~, the institution must first apply Post-9/11 GI Bill benefits to the student's financial aid award. IVG benefits can then be used to cover the remaining IVG eligible tuition and mandatory fees.
- c) A notice of eligibility from ISAC must be used by the institution to establish a qualified applicant's initial eligibility.
- d) Institutions shall submit a payment request to ISAC.
- e) Institutions must report the total number of hours for which payment is being requested (including credit and noncredit hours) so that ISAC can accurately track the recipient's use of eligibility units.
- f) ISAC will annually establish priority claim dates for the submission of payment requests and inform institutions of the required priority dates. For the summer term, the priority claim date will be during the month of September; for the fall term, the

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

priority claim date will be during the month of December; for the spring term, the priority claim date will be during the ~~month of May last two weeks of March or the first two weeks of April.~~

- g) The reimbursement to institutions for Illinois Veteran Grants is contingent upon available funding. Should General Assembly appropriations be insufficient to pay all claims, institutions will be reimbursed in accordance with this subsection:
  - 1) summer term claims received by the deadline date designated in subsection (f) will be paid, or prorated if funding is insufficient to pay all claims in full;
  - 2) if funds remain after summer term claims are paid, first semester and first quarter claims received by the designated deadline date will be paid, or prorated if funding is insufficient to pay all claims in full;
  - 3) if funds remain after first semester and first quarter claims are paid, then second semester/second and third quarter claims received by the designated deadline date will be paid, or prorated if funds remaining are insufficient to pay all such claims in full;
  - 4) if funds remain after second semester/second and third quarter claims are paid, claims received by ISAC after the designated deadline dates will be paid or prorated; and
  - 5) timely claims for the difference between in-district/state and out-of-district/state tuition for recipients who do not qualify for chargebacks 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 (g).
  
- h) Institutions are required to reconcile payments, both payment data and actual funds, received through IVG and, as applicable, submit all necessary corrections to student records on a timely basis.
  - 1) Within 30 days after and including the date of receiving payment of any IVG funds claimed pursuant to this Section, the institution shall credit the IVG funds against the recipient's tuition and mandatory fee charges for the appropriate term.
  - 2) Within 30 days after the end of an academic term during which IVG funds



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

are credited to recipient's tuition and mandatory 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:

- A) The amount of the claim applied to a student's tuition and mandatory 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 mandatory 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 mandatory fee charges equaled the amount that the student was eligible to receive.
- 3) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory 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.
  - 4) 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.
  - 5) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.

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ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Monetary Award Program (MAP)
- 2) Code Citation: 23 Ill. Adm. Code 2735
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2735.30	Amendment
2735.35	Amendment
2735.40	Amendment
- 4) Statutory Authority: Implementing Section 35 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/35 and 20(f)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to more accurately reflect the award announcement process and to update the name of the Workforce Innovation and Opportunity Act.
- 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, 3<sup>rd</sup> Floor

ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Springfield, IL 62704

217.782.5161

jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

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

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2735

MONETARY AWARD PROGRAM (MAP)

Section

2735.10	Summary and Purpose
2735.20	Applicant Eligibility
2735.30	Program Procedures
2735.35	Dislocated Workers
2735.40	Institutional Procedures
2735.50	Advance Payment Option
2735.60	Contractual Agreement Requirements (Repealed)
2735.APPENDIX A	Advance Payment Formula

AUTHORITY: Implementing Section 35 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/~~35 and 20(f)~~].

SOURCE: Adopted at 9 Ill. Reg. 20857, effective January 1, 1986; amended at 11 Ill. Reg. 3225, effective January 29, 1987; amended at 11 Ill. Reg. 14134, effective August 10, 1987; amended at 12 Ill. Reg. 11546, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1735 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2735 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17864; amended at 14 Ill. Reg. 7242, effective May 1, 1990, amended at 16 Ill. Reg. 11296, effective July 1, 1992; emergency amendment at 16 Ill. Reg. 19237, effective November 23, 1992, for a maximum of 150 days; emergency expired on April 22, 1993; emergency amendment at 17 Ill. Reg. 6672, effective April 15, 1993, for a maximum of 150 days; emergency expired on September 18, 1993; amended at 17 Ill. Reg. 10596, effective July 1, 1993; amended at 17 Ill. Reg. 22576, effective January 1, 1994; amended at 19 Ill. Reg. 8369, effective July 1, 1995; amended at 20 Ill. Reg. 9227, effective July 1, 1996; old Part repealed, new Part adopted at 21 Ill. Reg. 11184, effective July 18, 1997; amended at 22 Ill. Reg. 11149, effective July 1, 1998; amended at 23 Ill. Reg. 7592, effective July 1, 1999; amended at 24 Ill. Reg. 9187, effective July 1, 2000; amended at 25 Ill. Reg. 8424, effective July 1, 2001; amended at 26 Ill. Reg. 10024, effective July 1, 2002; amended at 27 Ill. Reg. 10349, effective July 1, 2003; amended at 28 Ill. Reg. 10043, effective July 15, 2004; amended at 29 Ill. Reg. 9920, effective July 1, 2005; amended at 30 Ill. Reg. 11654, effective July 1, 2006; amended at 36 Ill. Reg. 9432, effective July 1, 2012; amended at 37 Ill. Reg. 9528, effective July 1, 2013; amended at 39 Ill. Reg. 8434, effective July 1, 2015; amended at 43 Ill. Reg. 7281, effective July 1, 2019; amended at 43 Ill. Reg. 15025, effective January 1, 2020; amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

**Section 2735.30 Program Procedures**

- a) An application for a MAP grant must be submitted annually. An applicant uses the Free Application for Federal Student Aid (FAFSA).
- b) Applicants, spouses and the parents of applicants are required to submit financial information on the application that will be kept confidential, regarding income, asset value and non-taxable income.
- c) **Priority Deadline Date for Renewing Applicants**  
No later than September 30, the Commission will annually publish a priority deadline date for renewing applicants. *In this subsection (c), renewing applicant means a student attending an institution of higher learning who received a MAP grant during the prior academic year.* [110 ILCS 947/35] Subject to appropriation, a renewing applicant who files by the published priority deadline date shall receive a grant if ~~he or she continues to meet~~ the program's eligibility requirements under this Section continue to be met. A renewing applicant's failure to apply by the priority deadline date would not disqualify an applicant from receiving a grant if sufficient funding is available to provide awards after that date.
- d) Awards will be announced concurrently, both ~~forte~~ students who had not received a MAP award the previous regular school year and ~~forte~~ students who did receive a MAP award during the previous regular school year. Award announcements will be made concurrently through the date of suspension of award announcements.
- e) If it becomes necessary to suspend the processing of award announcements in order to remain within appropriated funding levels, the suspension will be applied concurrently to students who had not received a MAP award for the previous regular school year and to students who did receive a MAP award the previous regular school year.
- f) Corrections to applications received prior to the final suspension of award announcements will be processed and announced up to 2 months after the final suspension date or until the completion of the processing cycle, whichever comes first.
- g) When an application is incomplete, a notice will be sent to the applicant. The applicant then has an opportunity to furnish the missing information; however, depending on processing schedules, the applicant may be considered only for

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

subsequent term awards.

- h) Applicants are informed that they are MAP recipients on the basis of application data supplied to ISAC. ISAC will recalculate awards for those applicants whose applications are not in basic agreement with their financial records, after receipt of corrected data. All announced MAP recipients are subject to verification.
- i) The Commission shall annually establish and publicize guidelines for the release of or increase in MAP awards as additional funds become available.
- j) MAP grants are applicable only toward tuition and mandatory fees. MAP grants may not exceed the:
  - 1) maximum award specified at Section 35(c) of the Higher Education Student Assistance Act [110 ILCS 947]; or
  - 2) institution's tuition and mandatory fee charges on file with ISAC.
- k) The maximum MAP grant available to a recipient attending a public community college is limited to the in-district tuition and mandatory fees. It is the recipient's responsibility to make arrangements to pay the additional costs incurred as an out-of-district student.
- l) For each credit hour of MAP benefits paid on behalf of the recipient, the recipient will be assessed one MAP paid credit hour toward ~~the~~his or her maximum usage. For each credit hour used, payment will be made to the school on behalf of the recipient in an amount equal to  $\frac{1}{15}$  of the student's calculated term award amount, with a minimum of 3 hours and a maximum of 15 hours paid per term.
- m) A recipient may receive the equivalent of 135 semester credit hours of MAP benefits paid. Eligibility may be extended for one additional term if the recipient has accumulated fewer than 135 MAP paid credit hours but does not have enough credit hours of payment remaining for the number of hours for which the recipient~~the or she~~ is enrolled for the term.
- n) A recipient may use more than 75 MAP paid credit hours while enrolled at the freshman or sophomore level, although doing so may leave the student with insufficient remaining MAP eligibility to apply to all remaining credit hours required for the completion of a baccalaureate degree.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- o) The MAP grant shall not pay for academic programs intended to prepare a student for the high school equivalency certificate or for a high school diploma.
- p) The MAP grant shall not pay for audit courses, credit-by-examination and/or life experience, graduate-level courses leading to a degree above the baccalaureate level, or noncredit course offerings (except qualifying remedial courses). Remedial courses shall be eligible for MAP payment provided the student has been accepted into an eligible degree/certificate program and is taking the remedial courses as part of that program. Payment shall not be made for more than the equivalent of one year of remedial course work (i.e., 30 semester hours or 45 quarter hours).
- q) The MAP grant may be used by students repeating previously passed courses for the first time. The MAP grant may not be used for courses that a student has previously passed 2 or more times.
- r) If a recipient withdraws from enrollment after the expiration of the tuition refund/withdrawal adjustment period, the recipient shall receive MAP grant payment for tuition and mandatory fee costs incurred up to the term award provided the institution's tuition refund policy indicates the recipient has incurred charges in the amount of the claim.
- s) MAP paid credit hours are assessed to a recipient whenever MAP funds are disbursed on behalf of the recipient.
- t) MAP grant payment is subject to the limits of dollars appropriated to ISAC by the General Assembly.
- u) It is the responsibility of MAP recipients to gain admission to approved Illinois institutions of higher learning. Illinois institutions of higher learning are not obligated to admit MAP recipients. The institution is obligated to provide MAP recipients the same facilities and instruction, on the same terms, as are provided to other students.
- v) If a recipient's academic program involves out-of-state and/or foreign study, subsection (j) applies and enrollment must be in accordance with the following provisions:
  - 1) The recipient must be enrolled at the ISAC-approved institution of higher learning, and the out-of-state/foreign study must be applicable to the student's degree or certificate program at the student's institution of record.



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 2) The ISAC-approved institution of higher learning must record the course credits on the official academic transcript as institutionally earned credit and not as transfer credit.
- 3) An institution shall not request more than 2 semesters/3 quarters of MAP assistance for any one qualified applicant enrolled on a full-time basis, or 4 semesters/6 quarters of MAP for an applicant-enrolled on a half-time basis.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2735.35 Dislocated Workers**

- a) Dislocated workers, as defined by the federal Workforce Innovation and Opportunity Investment Act ~~of 1998 (29 USC 3102 P.L. 105-220)~~, shall receive additional and specific MAP consideration.
- b) Dislocated workers must meet all the MAP applicant eligibility requirements established by Section 2735.20.
- c) For the 2015-16 and 2016-17 academic years:
  - 1) A dislocated worker applicant will be considered for MAP assistance, even if the application date is after the suspension of award announcements for the general pool of applicants.
  - 2) In determining the number of grants to be offered, ISAC shall consider the financial resources needed to serve dislocated worker applicants who apply after the suspension of award announcements for the upcoming regular academic year, but prior to the beginning of that academic year. Dislocated worker applicants shall be considered until estimated financial resources are exhausted, but no later than August 15.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2735.40 Institutional Procedures**

- a) MAP recipients must report to the institution all additional gift assistance that applies toward tuition and mandatory fees, such as tuition waivers and scholarships.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- b) In order for applicants to receive additional and specific consideration as a dislocated worker, as defined by the federal Workforce Innovation and Opportunity Act (~~29 USC 3102~~), the institution shall:
- 1) Verify that the applicant indicated on the FAFSA ~~that he or she~~ is a dislocated worker; and
  - 2) Ensure that the applicant certifies to the institution that the applicant~~he or she~~ is a dislocated worker as defined by the federal Workforce Innovation and Opportunity Act.
- c) If a MAP recipient receives other assistance targeted specifically for tuition and fees, the combined assistance shall not exceed the total tuition and fee expenses incurred.
- d) If an applicant is eligible for assistance under the Illinois National Guard (ING) Grant Program or the Illinois Veteran Grant (IVG) Program (23 Ill. Adm. Code 2730 and 2733), the applicant is not eligible for a full MAP grant because ING and IVG must be factored into the financial aid packaging prior to awarding MAP gift assistance. The institution may request payment of a partial MAP grant to finance fee expenses not covered by the programs listed in this subsection.
- e) If an applicant is eligible to receive tuition or fee benefits through a prepaid or reimbursable tuition plan other than the Illinois Prepaid Tuition Program (23 Ill. Adm. Code 2775), or through a payment to the institution of higher learning by the applicant's employer, the institution of higher learning shall request MAP payment in accordance with this subsection:
- 1) A prepaid tuition plan is any program that exempts a student from tuition charges because of a payment to the institution at a time prior to the student's enrollment. A reimbursable tuition plan is a program that reimburses a student for tuition costs after satisfactory completion of course work.
  - 2) The institution of higher learning shall recalculate the applicant's MAP eligibility by decreasing the applicant's tuition and fee charges by the amount of benefits the applicant is eligible to receive from the sources in subsection (e)(1). The institution of higher learning shall report the applicant's reduced grant award on the payment request.
- f) The provisions of this Section shall not apply to benefits derived from the

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Baccalaureate Savings Act [110 ILCS 920] and 23 Ill. Adm. Code 2771.

- g) Notwithstanding the provisions of other ISAC-administered programs, the total amount of a student's gift assistance may not exceed the cost of attendance. Any excess gift assistance is considered an overaward and the institution of higher learning is required to reduce the MAP award and/or other gift assistance to prevent such an overaward. For the purposes of this calculation, federal veterans benefits are not counted as gift assistance.
- h) The institution shall announce MAP eligibility, including the estimated award amount, using ISAC-provided award notification language. The institution shall also provide notification to affected students of any change in award eligibility that may occur during the academic year.
- ih) Institutions of higher learning shall submit payment requests to ISAC.
- ji) For any institution of higher learning that has concurrent registration opportunities, the following policy pertains:
  - 1) The recipient must indicate ~~thehis/her~~ institution of record on the MAP application.
  - 2) The payment of the term award by ISAC will require the institution of record to receive MAP payment on behalf of any other institutions and the institution of record shall distribute the appropriate share of the award to the other institutions. Payment by ISAC will not be made to more than one institution.
  - 3) The amount paid cannot exceed the maximum term award for students at the institution of record, or the tuition and mandatory fee costs at the institution of record if the costs are less than the maximum term award.
  - 4) Concurrent registration is limited to ISAC-approved institutions of higher learning.
  - 5) The recipient's academic records at the institution of record must document the total number of credit hours for which the student is enrolled.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- kj) If an Illinois institution operates an out-of-state center, residents of Illinois enrolled in classes at the out-of-state center may receive MAP benefits in accordance with Section 2735.30(v).
- lk) If an announced recipient's credit hour enrollment decreases before the expiration of the tuition refund/withdrawal adjustment period, the institution shall only request payment up to the tuition and mandatory fee amount based on the number of credit hours enrolled.
- ml) Upon receipt of a payment request from the institution of record, ISAC remits MAP grant funds to the institution of record on behalf of the recipient. The institution of record shall credit these funds to the recipient's account.
- nm) MAP grants are paid directly to the approved institution of record that certifies to ISAC that the applicant is an eligible recipient.

  - 1) ISAC will annually establish priority claim dates for the submission of payment requests and inform schools of the required priority dates.
  - 2) Late payment requests will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
  - 3) Institutions may submit their payment requests beginning 10 days prior to the start of classes for the term for which they are requesting payment.
- on) Institutional Processing of Payments

  - 1) Within 30 days after and including the date of receiving payment of any MAP funds claimed or advanced pursuant to this Section, the institution shall credit the MAP funds against the recipients' tuition and mandatory fee charges for the appropriate term.
  - 2) Within 30 days after the end of an academic term during which MAP funds were credited to recipients' tuition and mandatory 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

NOTICE OF PROPOSED AMENDMENTS

- A) The amount of the claim applied to a student's tuition and mandatory 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;
  - B) The amount of the claim applied to a student's tuition and mandatory 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 mandatory fee charges equaled the amount that the student was eligible to receive.
- 3) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory 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.
  - 4) 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 institutions regular school year unless the payment is received after the end of the regular school year. If the payment of claims are made after the end of the regular school year, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
  - 5) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.
  - 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.
  - 7) Payment requests received after August 1 for the prior academic year will be processed as time and available funds permit; however, final action may

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ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

require institutions to go to the Illinois Court of Claims to obtain payment for approved claims. (See the Court of Claims Act [705 ILCS 505].)

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Adult Vocational Community College Scholarship Program
- 2) Code Citation: 23 Ill. Adm. Code 2745
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2745.10	New Section
2745.20	New Section
2745.30	New Section
2745.40	New Section
- 4) Statutory Authority: Implemented and authorized by Section 65.105 of the Higher Education Student Assistance Act [110 ILCS 947/65.105]
- 5) A Complete Description of the Subjects and Issues Involved: P.A. 101-0315, signed into law on August 9, 2019, established the Adult Vocational Community College Scholarship Program. As required by the legislation, this rulemaking establishes the necessary rules to implement the program.
- 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 REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

Illinois Student Assistance Commission  
500 West Monroe, 3<sup>rd</sup> Floor  
Springfield, IL 62704

217.782.5161  
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

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



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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2745

ADULT VOCATIONAL COMMUNITY COLLEGE SCHOLARSHIP PROGRAM

Section

2745.10	Summary and Purpose
2745.20	Applicant Eligibility
2745.30	Program Procedures
2745.40	Institutional Procedures

AUTHORITY: Implemented and authorized by Section 65.105 of the Higher Education Student Assistance Act [110 ILCS 947/~~65.105~~].

SOURCE: Adopted at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 2745.10 Summary and Purpose**

- a) The Adult Vocational Community College Scholarship Program provides grant assistance for attendance at a Community College, subject to appropriation, to unemployed students who are 30 years of age or older and who are actively searching for employment.
- b) This Part governs the Adult Vocational Community College Scholarship Program. Additional rules and definitions are contained in General Provisions, 23 Ill. Adm. Code 2700.

**Section 2745.20 Applicant Eligibility**

- a) A qualified applicant shall:
  - 1) be a citizen of the United States or eligible noncitizen;
  - 2) be a resident of Illinois;
  - 3) be over 30 years of age;

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

- 4) have been unemployed and actively searching for employment, including being enrolled on the Department of Employment Security's job-search website for at least 6 months prior to the date the application is submitted by the applicant;
- 5) be enrolled or accepted for enrollment at the local community college organized under the Public Community College Act;
- 6) be able to identify:
  - A) the specific training certificate, credential, or associate degree that is being sought;
  - B) the specific career that the certificate, credential, or degree will help create; and
  - C) how long it will take the applicant to reach this goal.
- b) Applicants may re-apply if they can demonstrate continual progress, in terms of grades and attendance, toward the desired certificate, credential, or degree.

**Section 2745.30 Program Procedures**

- a) An applicant must:
  - 1) file a FAFSA by June 1 prior to the academic year for which assistance is being requested; and,
  - 2) provide proof that the applicant is unemployed and has been actively searching for employment, including being enrolled on the Department of Employment Security's job-search website for at least 6 months prior to the date the application is submitted by the applicant.
- b) The scholarship shall be sufficient to cover the cost of tuition and fees to attend the community college, but in no event shall the scholarship exceed \$2,000 per scholarship recipient per academic year.
- c) Scholarship funds are applicable toward 2 semesters of enrollment within an academic year.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

- d) The total amount of a scholarship awarded by the Commission under this Part to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the community college at which the student is enrolled.
- e) The scholarship will be disbursed in installments depending on the number of terms financed by the grant.
- f) The scholarship payment is subject to the availability of funds and the amounts appropriated to ISAC by the General Assembly. If funds appropriated for the program are insufficient to provide scholarships to each eligible applicant, the Commission will prioritize the distribution of scholarships based on factors that include an applicant's financial need, duration of unemployment, prior level of educational attainment and the FAFSA filing date.
- g) It is the responsibility of applicants to gain admission to their local approved Illinois community college. ~~and~~ Institutions are not obligated to admit them.

**Section 2745.40 Institutional Procedures**

- a) The institution shall submit eligibility information for qualified applicants in sufficient time for ISAC to make award announcements.
- b) The institution shall submit its request for payment within the time frame requested by ISAC, which shall be no sooner than 30 days unless a more rapid response is necessary to expend appropriated funds prior to the end of the academic year.
- c) By submitting a payment request, an institution is certifying that the qualified applicants meet the requirements of Section 2745.20.
- d) Funds shall be remitted by ISAC to institutions on behalf of the recipients.
- e) Upon receipt of ~~S~~scholarship funds, the institution shall verify the qualified applicant's enrollment status, the program the student is enrolled in, and the length of time necessary to complete the program.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED RULES

- f) If the applicant is enrolled in a program that meets the eligibility requirements in Section 2745.20, the institution may credit the scholarship funds to the student's account for cost of tuition and fees due and payable.
- g) Upon receipt of the scholarship, if the qualified applicant has withdrawn from enrollment for the terms for which the award was intended, the institution shall return the amount of the scholarship payment to ISAC.
- h) Assistance received by a student under this Program must not be reduced by the receipt of other financial aid from any source. Other aid must be reduced when the total amount of gift assistance received would exceed the cost of attendance used to calculate Title IV aid for that student.
- i) 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.
- j) Payment requests received after those dates for the award year will be processed as time and available funds permit; however, final action may require institutions to go to the Illinois Court of Claims to obtain payment for approved claims. (See the Court of Claims Act [705 ILCS 505].)

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Golden Apple Scholars of Illinois Program
- 2) Code Citation: 23 Ill. Adm. Code 2764
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2764.30	Amendment
2764.40	Amendment
- 4) Statutory Authority: Implementing Section 52 of the Higher Education Student Assistance Act [110 ILCS 947/52] and authorized by Sections 20(f) and 52(h) of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 52(h)].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to more accurately reflect the institution's role in certifying recipient eligibility.
- 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, 3<sup>rd</sup> Floor  
Springfield, IL 62704

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ILLINOIS STUDENT ASSISTANCE COMMISSION

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 2020

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 2764

GOLDEN APPLE SCHOLARS OF ILLINOIS PROGRAM

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

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

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

**Section 2764.30 Program Procedures**

- a) Qualified applicants shall have completed and filed an application for program participation with the Foundation prior to becoming eligible for scholarship assistance under this Section. Applications shall be made available to qualified applicants by and submitted to the Foundation before a qualified applicant may be designated as a Golden Apple Scholar by the Foundation.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- b) The Foundation shall designate Golden Apple Scholars as defined in their established selection protocol.
- c) Each year, the Foundation shall identify Golden Apple Scholars eligible to receive scholarship assistance from ISAC under this Part by submitting to ISAC any necessary data related to the qualified applicant and, at such time, by certifying that:
  - 1) Students selected to receive scholarship assistance under this Part meet the eligibility requirements described in Section 2764.20(a) or in the Higher Education Student Assistance Act [110 ILCS 947/52];
  - 2) Students selected to receive scholarship assistance under this Part have entered into a Program Agreement and Promissory Note with the Foundation that satisfies the requirements listed in this Part; and
  - 3) Thirty percent of students selected to receive scholarship assistance under this Part in a given fiscal year will be awarded to students residing in counties having a population of fewer than 500,000.
- d) In order to receive scholarship assistance under this Part, a Golden Apple Scholar must have signed a program agreement and promissory note with the Foundation on behalf of ISAC that includes the following stipulations:
  - 1) the recipient pledges to teach, on a full time basis, for a period of not less than five years and in accordance with any additional commitment to teach in a teacher shortage discipline, which shall include early childhood education;
  - 2) the recipient shall begin teaching within two years following completion of the postsecondary education degree or certificate program for which the scholarship was awarded, and shall teach on a continuous basis for the required period of time;
  - 3) the teaching requirement will be fulfilled at a nonprofit Illinois public, private or parochial preschool, or an Illinois public elementary or secondary school that qualifies for teacher loan cancellation under section 465(a)(2)(A) of the HEA (20 USC 1087ee (a)(2)(A));
  - 4) if the teaching requirement is not fulfilled, the scholarship assistance provided under this Part converts to a loan and the recipient must repay the



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

entire amount of the scholarship prorated according to the fraction of the teaching obligation not completed, plus interest at a rate equal to five percent and, if applicable, reasonable collection fees;

- 5) the recipient agrees to provide the Foundation or ISAC with evidence of compliance with program requirements (e.g., responses to annual follow-up questionnaires, etc.); and
  - 6) the recipient promises to use the proceeds of the scholarship for educational expenses.
- e) All amounts collected on a scholarship that converts to a loan under this Part, less any portion of those funds that equals the amount in expenses that ISAC has incurred in collecting the debt, shall be remitted to the Comptroller for deposit in the General Revenue Fund.
- f) A recipient of a scholarship awarded under this Part shall not be in violation of the program agreement and promissory note for failing to begin teaching within two years after graduation if, during that period, the recipient:
- 1) serves, for not more than three years, as a member of the United States Armed Forces; or
  - 2) is enrolled full-time in a graduate course of study related to the field of teaching at an institution of higher learning; or
  - 3) is temporarily totally disabled, for not more than three years, as established by the sworn affidavit of a qualified physician; or
  - 4) is actively seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (d)(3) for one continuous period not to exceed two years, and is able to provide evidence of that fact; or
  - 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 requirements~~~~he or she~~ cannot be concurrently

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

fulfilled~~ed-them~~ in a period of time equal to the length of the teaching commitment; or

- 7) is participating in a program established by Executive Order 10924 of the President of the United States or the National Community Service Act of 1990 (42 USC 12501 et seq., as amended).

- g) If a recipient is required to repay any portion of the scholarship, the repayment period shall be completed within 10 years. The Commission shall grant a period of forbearance or deferment during repayment of the loan that shall not be counted toward the 10-year repayment period, if the recipient:

- 1) serves, for not more than three years, as a member of the United States Armed Forces; or
- 2) is temporarily disabled, for not more than three years, as established by the sworn affidavit of a licensed physician; or
- 3) is pursuing a graduate course of study and is enrolled on a full-time basis for one continuous period of time not to exceed three years; or
- 4) is seeking and unable to find full-time employment for one continuous period not to exceed two years and is able to provide evidence of that fact; or
- 5) withdraws from a course of study leading to licensure/approval in a teacher shortage discipline, but is enrolled at least half-time as an undergraduate for one continuous period of time not to exceed three years.

- h) During the time a recipient qualifies for periods of deferment or forbearance described in subsection (g), ~~he or she shall not be required to make~~ payments shall not be required and interest shall not accrue.

- i) 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 licensure as a teacher, but not until six months have elapsed after the cessation of at least half-time enrollment in such a course of study;

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 2) the date the Foundation informs ISAC or ISAC otherwise learns that a recipient of scholarship assistance has not fulfilled the teaching obligation; or
  - 3) the day after the latest date upon which the recipient must have begun teaching after completing the postsecondary education for which the scholarship was awarded.
- j) A recipient shall not be required to repay the amount of the scholarship received if ~~the recipient~~~~he or she~~ becomes permanently and totally disabled, so as to be unable to perform the essential function of a teacher with or without accommodation as determined by a licensed physician, or if ~~a recipient's~~~~his or her~~ representative provides ISAC with a death certificate or other evidence that the recipient has died.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2764.40 Institutional Procedures**

- a) The institution shall ~~certify~~~~submit~~ eligibility information for selected recipients ~~in sufficient time for ISAC to make award announcements.~~
- b) The institution shall submit its request for payment, within the time frame requested by ISAC, which shall be no sooner than 30 days unless a more rapid response is necessary to expend appropriated funds prior to the end of the academic year.
- c) ISAC shall disburse scholarship funds in two or three installments, depending on the number of terms financed by the scholarship, except that multiple disbursements shall not be required in cases where the applicant's eligibility is not determined until the final term of the academic year for which the scholarship is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.
- d) Funds shall be remitted by ISAC to institutions on behalf of the recipients.
- e) Upon receipt of scholarship funds, the institution shall verify the recipient's enrollment status for the term for which the award was intended. If enrolled, the institution may credit the scholarship funds to the recipient's account for expenses due and payable. The balance of the disbursement shall be released to the recipient.
- f) Upon receipt of the scholarship funds, if the recipient has withdrawn from

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

enrollment for the terms for which the award was intended, the institution shall return the amount of the scholarship payment to ISAC.

- g) Scholarship assistance provided under this Part shall be subject to the following conditions:
- 1) A recipient may receive up to 8 semesters or 12 quarters of scholarship assistance under this program.
  - 2) Scholarship funds are applicable toward two semesters or three quarters of half-time and full-time study within an academic year.
  - 3) The total number of scholarships awarded in a given fiscal year is contingent upon available funding.
  - 4) Program scholarships are applicable only toward tuition, fees and room and board charges or commuter allowances, if applicable.
  - 5) The annual scholarship amount shall be computed by the institution and be the lesser of:
    - A) tuition and fees plus room and board expenses charged by the institution;
    - B) tuition and fees plus the institution's standard cost of living allowance for students living off-campus;
    - C) an amount not to exceed \$5,000 unless otherwise authorized by this Section.
  - 6) The total amount of scholarship assistance awarded under this Section to a recipient of scholarship assistance under this Part in a given academic year, when added to the other financial aid available to the qualified applicant for that year, cannot exceed the cost of attendance.
  - 7) A recipient of scholarship assistance under this Part may receive grant assistance under the Monetary Award Program only up to the amount by which the qualified applicant's cost of attendance exceeds the amount of the scholarship assistance awarded under this Section.

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- h) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests must be received by ISAC no later than July 1.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
2766.10	Amendment
2766.15	Amendment
2766.20	Amendment
2766.40	Amendment
2766.50	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 65.100 of the Higher Education Student Assistance Act [110 ILCS 947/65.100].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being revised to incorporate a clarification from P.A. 101-613 that defines the period of time used to determine a university's baseline award amount that is used to meet the Maintenance of Effort requirement.
- 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

ILLINOIS REGISTER

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

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

217.782.5161  
jackie.eckley@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2766

AIM HIGH GRANT PILOT PROGRAM

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

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

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

**Section 2766.10 Summary and Purpose**

- a) In an effort to increase enrollment of Illinois residents at Illinois public universities, increase overall retention of Illinois college students in Illinois, and encourage Illinois residents to attain a college degree, State appropriated funds are to be used to enable Illinois public universities to establish a merit-based, means-tested award program known as the Aspirational Institutional Match Helping Illinois Grow Higher Education Grant Pilot Program (AIM HIGH) to make college more affordable at their campuses while reducing the amount of student loan debt. Each eligible public university campus must match those funds with non-loan financial aid for eligible students and maintain or exceed levels of financial aid given to its Illinois residents from the 2017-18 academic year, not including the summer term~~fiscal year 2018~~. ISAC is responsible for administering the distribution of AIM HIGH grant funds to the public universities in compliance with this Part and the AIM HIGH Grant Agreement.



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

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

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2766.15 Definitions**

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

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

“Maintenance of Effort” or “MOE” - a requirement that in the academic year AIM HIGH funds are received by the public university campus, the total amount of qualifying non-loan financial aid the public university campus awards to its Illinois resident undergraduate students must be at least as much as its baseline~~those same~~ awards ~~in fiscal year 2018~~ and shall not include AIM HIGH funded awards or matching requirement awards made in that academic year.

“Matching Requirement” - a requirement that the public university campus use its own funds in the academic year for which the AIM HIGH funds are used:

to equally match those AIM HIGH funds allocated to it; and

to award non-loan financial aid; ~~and~~ to its students who meet at least the qualifications described in Section 2766.50(b).

*“Public University” - any public 4-year university in Illinois. [110 ILCS 947/101]*

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

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

“Resident of Illinois” or “Illinois Resident” - defined by the laws governing eligibility for

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

in-state tuition at the public university campus.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2766.20 Institutional Applicant Eligibility**

- a) A public university applicant is eligible to apply for and receive an allocation of an appropriation of AIM HIGH funds if it:
  - 1) submits a timely and complete application that includes a description of the award to be funded with AIM HIGH funds that meet program eligibility criteria in Section 2766.50(a), (b) and (c) to be used solely for non-loan financial aid at that university or university campus during the academic year, not including the summer term;
  - 2) certifies in good faith that it shall use its own funds, in the academic year for which the AIM HIGH funds are requested, to equally match those AIM HIGH funds allocated to it and award non-loan financial aid to its students who meet at least the qualifications described in Section 2766.50(b);
  - 3) certifies the total amount of ~~qualifying non-loan financial aid it awarded to its Illinois resident undergraduate students in fiscal year 2018, which shall serve as a~~its baseline ~~awards~~for its MOE going forward;
  - 4) certifies that, during the academic year for which the AIM HIGH funds are requested, it shall, in addition to awards made for the matching requirement, make a good faith effort to award qualifying non-loan financial aid to its Illinois resident undergraduate students, not including AIM HIGH funded awards, in an amount:
    - A) that is at least equal to ~~the amount of aid awarded to its Illinois resident undergraduate students at that public institution in fiscal year 2018~~its baseline awards; or
    - B) if enrollment is less than in ~~academic~~fiscal year 2017~~8-18~~, not including the summer term, that total amount calculated on a per student basis;
  - 5) has met all information reporting requirements in Section 2766.40(c);

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

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

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2766.40 Institutional Procedures**

- a) In addition to complying with Section 2766.30, the public university campus shall be responsible for administering and making awards to students in compliance with

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

this Section, Section 2766.50 and the policies of the university campus. For its own awards using its AIM HIGH allocation, a public university campus shall:

- 1) *establish the amount of the award based on an individual or broad basis in compliance with Section 2766.50; [110 ILCS 947/65.100];*
- 2) establish reasonable criteria consistent with eligibility criteria in Section 2766.50;
- 3) use grant funds solely to fund awards of non-loan financial aid at that university campus during the academic year, not including summer terms;
- 4) renew the award each year for each student who meets the renewal criteria established by the public university campus, consistent with the renewal eligibility criteria in Section 2766.50, in amounts not less than the amount provided in the student's first year at that university campus;
- 5) give preference to eligible renewal applicants in any academic year funding is insufficient to award to all eligible applicants;
- 6) use its best efforts to delegate grant funds amongst a racially diverse range of students and not use a student's race, color, religion, sex (including gender identity, sexual orientation, or pregnancy), national origin, age, disability, or genetic information to disqualify ~~a student~~*him or her* from receiving an AIM HIGH award (see P.A. 100-587 and P.A. 100-1015);
- 7) post on its website the criteria and eligibility requirements and the amount of the AIM HIGH award and provide that information to ISAC and the Illinois Board of Higher Education (IBHE) to post on their respective websites ([www.isac.org](http://www.isac.org) and [www.ibhe.org](http://www.ibhe.org));
- 8) indicate in each initial student award application the renewal criteria for each academic year and not change those criteria for that recipient;
- 9) make each renewal award contingent upon the availability of funding for the academic year in which the award is used; and
- 10) reconcile the amount of claimed and unexpended AIM HIGH funds that were retained but not used for awards in the academic year for which funds

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

were granted before receiving the distribution of its allocation for the next academic year.

- b) Each institution shall be responsible for meeting its statutorily-mandated matching requirement and MOE to remain eligible for its allocation. (See Sections 2766.15 and 2766.20.)
  
- c) Annually, on or about the end of each academic year, in a format determined by ISAC, each participating public university campus shall report the following information to ISAC:
  - 1) *the Program's impact on tuition revenue and enrollment goals and increase in access and affordability at the public university campus;*
  - 2) *total funds received by the public university campus under the Program;*
  - 3) *total non-loan financial aid awarded to undergraduate students attending the public university campus;*
  - 4) *total amount of funds matched by the public university campus;*
  - 5) *total amount of claimed and unexpended funds retained by the public university campus;*
  - 6) *the percentage of total financial aid, including awards made with matching funds, distributed under the Program by the public university campus; and*
  - 7) *the total number of students receiving awards from the public university campus under the Program including awards made with matching funds and those students' name, date of birth, grade level, race, ethnicity, gender, income level, family size, Monetary Award Program eligibility, Pell Grant eligibility, ZIP code of residence, and the amount of each award and the total cost of attendance for each student after non-loan financial aid. This information shall include unit record data on those students regarding variables associated with the parameters of the public university campus' Program, including, but not limited to, a student's ACT or SAT college admissions test score, high school or university cumulative grade point average, or program of study. [110 ILCS 947/65.100]*

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

**Section 2766.50 Student Applicant and Recipient Eligibility**

- a) An eligible student applicant for funding from an AIM HIGH allocation shall:
  - 1) have attended an Illinois high school;
  - 2) be engaged in a program of study (i.e., course) that in due course will be completed by the end of the school year;
  - 3) complete an application for the award no later than 12 months from the last date of the school year within which the coursework was completed;
  - 4) apply to be enrolled for the first time at the public university campus where the award will be used; and
  - 5) meet all the student eligibility qualifications and requirements under subsection (b) before receiving an award.
  
- b) In order to meet the eligibility qualifications and requirements, an award recipient shall:
  - 1) *be a resident of Illinois and a citizen or eligible noncitizen of the United States;*
  - 2) *file a Free Application for Federal Student Aid (FAFSA) and demonstrate financial need with a household income no greater than 6 times the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC 9902(2);*
  - 3) *meet the minimum cumulative grade point average or ACT or SAT college admissions test score, as determined by the public university campus;*
  - 4) *be enrolled in a participating public university campus as an undergraduate student on a full-time basis;*
  - 5) *have not yet received a baccalaureate degree or the equivalent of 135 semester credit hours;*
  - 6) *not be incarcerated;*

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 7) *not be in default on any student loan nor owe a refund or repayment on any State or federal grant or scholarship; and*
- 8) *meet any other reasonable criteria, as determined by the public university campus. [110 ILCS 947/65.100]*
- c) An AIM HIGH funded award recipient who meets the eligibility criteria for renewals shall be eligible for an AIM HIGH renewal award in subsequent academic years, the criteria for which shall be determined by the public university campus consistent with the criteria in this Section. AIM HIGH funded award renewal amounts shall be in an amount not less than the AIM HIGH funded amount from the renewal applicant's first year of attendance at the university campus, unless there is a reduction due to changes in the student's cost of attendance, including, but not limited to:
  - 1) a reduction in credit hours in which ~~a student~~the or she is enrolled, but remains a full time student; or
  - 2) switching to a course of study with a lower tuition rate.
- d) An AIM HIGH funded award recipient under subsection (a) or a renewal applicant shall be eligible for non-loan financial aid in the amount determined by the public university campus during the academic year, not including summer terms, and shall be eligible to receive other financial aid.
- e) The total amount of the AIM HIGH funds awarded to a qualified recipient in a given academic year, when added to other financial aid available to the qualified recipient for that year, shall not exceed the cost of attendance.
- f) Applicants eligible for an award using matching requirement funds must meet the criteria in subsection (b). Renewal availability and eligibility criteria shall be determined by the public university campus as required by subsection (b).

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)