

**ADOPTED AMENDMENTS TO RULES:
APPROPRIATION TRANSFERS**

Submitted for: Action.

Summary: The State Finance Act requires Board approval of appropriation transfers for Illinois' public universities, the Illinois Mathematics and Science Academy, and the Board of Higher Education. Proposed technical amendments to update this Part were approved by the Board at the March 27, 2007 meeting. This item seeks final adoption of amendments for Appropriation Transfers.

Action Requested: That the Board adopt the amendments for Appropriation Transfers (23 Ill. Adm. Code 1060) as contained in this item.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

**ADOPTED AMENDMENTS TO RULES:
APPROPRIATION TRANSFERS**

The State Finance Act [30 ILCS 105/13.2] requires Board approval of appropriation transfers among line items from the same fund for Illinois' public universities, the Illinois Mathematics and Science Academy, and the Board of Higher Education. Proposed technical amendments to update this Part were approved by the Board at the March 27, 2007 meeting. This item seeks final adoption of amendments for Appropriation Transfers.

In accordance with the Illinois Administrative Procedures Act [5 ILCS 100], the proposed amendments were published in the *Illinois Register* on April 13, 2007, which initiated the 45-day public notice period. No comments were received during this time. The proposed amendments were then reviewed by the staff and members of the Joint Committee on Administrative Rules (JCAR). There were no objections or suggested changes issued by JCAR during their meeting on July 10, 2007.

Upon Board action, the adopted amendments will be filed with the Secretary of State and become effective immediately.

Staff Recommendation

Staff recommends the adoption of the following resolution:

The Illinois Board of Higher Education hereby adopts the amendments for Appropriation Transfers (23 Ill. Adm. Code 1060) as detailed in the attached document.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1060
APPROPRIATION TRANSFERS

Section	
1060.10	Purpose
1060.15	Definitions
1060.20	Criteria for Approval

AUTHORITY: Implementing Section 13.2 of the State Finance Act [30 ILCS 105/13.2] and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/9.05].

SOURCE: Amended and effective April 15, 1976; repealed at 8 Ill. Reg. 16816, effective August 19, 1984; new rules adopted at 9 Ill. Reg. 1071, effective January 16, 1985; amended at 31 Ill. Reg. _____, effective _____.

Section 1060.10 Purpose

The State Finance Act ~~An Act in relation to State finance (Ill. Rev. Stat. 1983, ch. 127, par. 149.2)~~ requires that *transfers among appropriations made to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Mathematics and Science Academy* ~~the several universities and colleges under the governance of the Board of Governors of State Colleges and Universities, the several Regency Universities under the jurisdiction of the Board of Regents, and the Board of Higher Education~~ require the approval of the Board of Higher Education and the Governor [30 ILCS 105/13.2(d)]. This Part implements the Board's responsibility to approve such transfers.

(Source: Amended at 31 Ill. Reg. _____, effective _____)

Section 1060.15 Definitions

“Board” means the Board of Higher Education.

“Governing Board” means the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University or the Board of Trustees of the Illinois Mathematics and Science Academy.

(Source: Added at 31 Ill. Reg. _____, effective _____)

Section 1060.20 Criteria for Approval

The following criteria will form the basis for Board approval of transfers among line item appropriations:

- a) Sufficient funds must be available to cover the amount of the transfer.
- b) Transfers requests must have governing board approval. ~~(See definition of governing board in 23 Ill. Adm. Code 1040.20.)~~
- c) A rationale for the transfer must be provided. Transfers will be approved if the requirements of the State Finance Act [30 ILCS 105/13.2] ~~Section 13.2 of Ill. Rev. Stat. 1983, ch. 127, par. 149.2~~ are met.

(Source: Amended at 31 Ill. Reg. _____, effective _____)