

**IBHE ADMINISTRATIVE RULES:
JULY 2011 REGULATORY AGENDA**

Submitted for: Action.

Summary: This item presents two additions to the Board's 2011 Regulatory Agenda, as required by the *Illinois Administrative Procedure Act*, to be published in the *Illinois Register*. The Regulatory Agenda serves as a planning mechanism for the agency and as a public communication of the Board's intent to review specific rules during the calendar year.

Action Requested: That the Illinois Board of Higher Education adopt the proposed July Regulatory Agenda for publication in the *Illinois Register*.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

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JULY 2011 REGULATORY AGENDA**

This item submits for Board action two additions to the Regulatory Agenda, as required by the *Illinois Administrative Procedure Act*, to be published in the *Illinois Register*. The Regulatory Agenda serves as a planning mechanism for the Board and a public communication of the Board's intent to review specific rules during the calendar year. The attached July Regulatory Agenda highlights the additional rules to be reviewed, amended, and proposed (as needed) during 2011:

- **Approval of Noninstructional Capital Projects (23 Ill. Adm. Code 1040).** The Board plans to amend the existing rules if Senate Bill 1883 or similar legislation is passed by the 97th Illinois General Assembly and becomes law. This legislation limits the Board's oversight to noninstructional capital projects in excess of \$2 million.
- **Approval of Private Business and Vocational Schools (new rules).** The Board proposes the adoption of new IBHE rules if Senate Bill 1795 or similar legislation is passed by the 97th Illinois General Assembly and becomes law. This legislation repeals the existing act, enacts the Private Business and Vocation Schools Act of 2012, and transfers the oversight process from the State Board of Education to the Board on February 1, 2012

Staff Recommendation

The staff recommends that the Illinois Board of Higher Education adopt the following resolution:

The Illinois Board of Higher Education hereby adopts the proposed July 2011 Regulatory Agenda as contained in this item to be published in the Illinois Register.

**ILLINOIS BOARD OF HIGHER EDUCATION
JULY 2011 REGULATORY AGENDA**

- a) Part(s) (Heading and Code Citations): Approval of Noninstructional Capital Projects, 23 Ill. Adm. Code 1040

1) Rulemaking:

- A) Description: The Board plans to amend the existing rules if Senate Bill 1883 or similar legislation is passed by the 97th Illinois General Assembly and becomes law. This legislation limits the Board's oversight to noninstructional capital projects in excess of \$2 million.
- B) Statutory Authority: Implementing Section 8 and 9.11 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/8, 9.05 and 9.11].
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: None.
- F) Agency contact person for information:
- Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, IL 62701-1404
217/557-7358
- G) Related rulemakings and other pertinent information: None.

- b) Part(s) (Heading and Code Citations): Approval of Private Business and Vocational Schools

1) Rulemaking:

- A) Description: The Board proposes the adoption of new IBHE rules if Senate Bill 1795 or similar legislation is passed by the 97th Illinois General Assembly and becomes law. This legislation repeals the existing act, enacts the Private Business and Vocation Schools Act of 2012, and transfers the oversight process from the State Board of Education to the Board on February 1, 2012.

- B) Statutory Authority: Section 20 of the Private Business and Vocational Schools Act of 2012.
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: The rules will continue oversight for approximately 300 postsecondary institutions offering instruction in business, vocational, and allied health fields but which do not result in the completion of a college degree. Students earn a diploma or certificate. Oversight of these schools is transferred from the State Board of Education to the Board. Fees will increase (current rates were set in 1984) to help make the oversight function self-sustaining.
- F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, IL 62701-1404
217/557-7358
- G) Related rulemakings and other pertinent information: None.

