

**APPROVED
DECEMBER 2,
2014**

Item #IV-16
December 2, 2014

**IBHE ADMINISTRATIVE RULES:
JANUARY 2015 REGULATORY AGENDA**

Submitted for: Action.

Summary: This item presents for Board approval the proposed 2015 Regulatory Agenda. 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 coming year. Upon approval, the IBHE's Regulatory Agenda will be published in the *Illinois Register* pursuant to the Illinois Administrative Procedure Act. (5 ILCS 100)

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

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

**IBHE ADMINISTRATIVE RULES:
JANUARY 2015 REGULATORY AGENDA**

The January 2015 Regulatory Agenda serves as a planning mechanism for the Board and a public communication of the Board's intent to adopt new rules and review existing rules during the upcoming year. The attached Regulatory Agenda highlights the following rules to be reviewed and amended (as needed) during 2015:

- a) **Dual Credit Courses.** The Board may propose the adoption of new IBHE rules to further implement the provisions of the Dual Credit Quality Act (Public Act 96-164). The IBHE is responsible for oversight and review of dual credit programs offered jointly by high schools and institutions, except for community colleges.
- b) **Performance Metrics for Budget Recommendations.** Pursuant to Public Act 97-320, performance metrics designed to promote and measure student success in degree and certificate completion must be adopted by the Board by rule. The first set of metrics was developed in accordance with principles defined in the Act for the Board's FY 2013 budget recommendations for higher education. The Board intends to adopt new rules in 2015.
- c) **Annual Public University Performance Report.** The Board may propose the adoption of new IBHE rules to implement Public Act 97-610. Pursuant to the Act, the Board will compile and submit an annual report with information on new programs created, existing programs that have been closed or consolidated, and programs that exhibit low performance or productivity. Rules may be used to define terms and timelines for the report.
- d) **Private Colleges and Universities Capital Distribution Formula (23 Ill. Adm. Code 1039).** Public Act 98-674 (effective June 30, 2014) changed the grant period and Public Act 98-715 (effective July 16, 2014) added provisions to address changes in ownership between eligible grantees. The Board will review the existing rules and may propose amendments in 2015.
- e) **Higher Education Distance Learning.** Pursuant to Public Act 98-792 (effective January 1, 2015), the IBHE will propose rules for the execution of the powers and duties delegated to it by the Act, including, but not limited to, minimum standards for institutions of higher education. This Act authorizes the IBHE to participate in a state authorization reciprocity agreement (a.k.a. SARA) on behalf of Illinois and to be the lead agency in coordinating interstate reciprocity for distance learning for participating institutions in Illinois.
- f) **Grow Your Own Teacher Grants (23 Ill. Adm. Code 1085).** Public Act 98-1036 (effective January 1, 2015) amended the provisions concerning potential candidates for

the program. The Board will review the existing rules and may propose amendments in 2015.

- g) **Private Business and Vocational Schools (23 Ill. Adm. Code 1095).** The Board adopted rules in 2012 pursuant to the Private Business and Vocation Schools Act of 2012. The Board may review in 2015 and may subsequently amend the rules.
- h) **Nursing School Grant Program (23 Ill. Adm. Code 1100).** The Board adopted rules in 2006 and may review the rules in 2015 to ensure that the program continues to increase the number of nurses graduating from Illinois institutions of higher education.
- i) **Nurse Educator Fellowship Program (23 Ill. Adm. Code 1105).** The Board adopted rules in 2006 and may review the rules in 2015 to ensure the retention of well-qualified nursing faculty at institutions of higher learning that award degrees in nursing.

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 2015 Regulatory Agenda as contained in this item to be published in the Illinois Register.

BOARD OF HIGHER EDUCATION
JANUARY 2015 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Dual Credit Courses, 23 Ill. Adm. Code 1009
- 1) Rulemaking:
- A) Description: The Board proposes the adoption of new IBHE rules pursuant to Public Act 96-164.
- B) Statutory Authority: Section 8 of the Board of Higher Education Act (110 ILCS 205/8).
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect 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
Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548
- G) Related rulemakings and other pertinent information: None.
- b) Part(s) (Heading and Code Citation): Performance Metrics for Budget Recommendations, 23 Ill. Adm. Code 900
- 1) Rulemaking:
- A) Description: The Board proposes the adoption of new IBHE rules to provide the performance metrics for the higher education budget recommendations pursuant to Public Act 97-320.
- B) Statutory Authority: Section 8 of the Board of Higher Education Act (110 ILCS 205/8)
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.

- E) Effect on small businesses, small municipalities or not for profit corporations: None.
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None.
- c) Part(s) (Heading and Code Citation): Annual Public University Performance Report, 23 Ill. Adm. Code 1032
- 1) Rulemaking:
 - A) Description: The Board may propose the adoption of new IBHE rules to implement Public Act 97-610. Pursuant to the Act, the Board will compile and submit an annual report with information on new programs created, existing programs that have been closed or consolidated, and programs that exhibit low performance or productivity. Rules may be used to define terms and timelines for the report.
 - B) Statutory Authority: Section 7 of the Board of Higher Education Act (110 ILCS 205/7)
 - C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
 - D) Date agency anticipates First Notice: Undetermined.
 - E) Effect on small businesses, small municipalities or not for profit corporations: None.
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None.

- d) Part(s) (Heading and Code Citation): Private Colleges and Universities Capital Distribution Formula, 23 Ill. Adm. Code 1039
- 1) Rulemaking:
- A) Description: The Board proposes the review of existing rules and possible amendment in 2015.
- B) Statutory Authority: Section 8 of the Board of Higher Education Act [110 ILCS 205/8]
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: None.
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: None.
- e) Part(s) (Heading and Code Citation): Higher Education Distance Learning, 23 Ill. Adm. Code 1033
- 1) Rulemaking:
- A) Description: The Board proposes the adoption of new IBHE rules pursuant to Public Act 98-0792.
- B) Statutory Authority: Section 8 of the Board of Higher Education Act [110 ILCS 205/8]
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: None.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None.

f) Part(s) (Heading and Code Citations): Grow Your Own Teacher Grants, 23 Ill. Adm. Code 1085

1) Rulemaking:

A) Description: The Board proposes the adoption of amendments to the existing rules pursuant to Public Act 98-1036.

B) Statutory Authority: Section 90 of the Grow Your Own Teacher Education Act [110 ILCS 48/90]

C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.

D) Date agency anticipates First Notice: Undetermined.

E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None.

g) Part(s) (Heading and Code Citations): Private Business and Vocational Schools, 23 Ill. Adm. Code 1095

1) Rulemaking:

- A) Description: The Board may review this part to consider if additional rules are needed for oversight of the schools. Findings of this review may result in proposed amendments to the rules.
 - B) Statutory Authority: Private Business and Vocational School Act of 2012 [105 ILCS 426].
 - C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
 - D) Date agency anticipates First Notice: Undetermined.
 - E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None.
- h) Part(s) (Heading and Code Citations): Nursing School Grant Program, 23 Ill. Adm. Code 1100
- 1) Rulemaking:
 - A) Description: The Board may review this grant program in 2015. Findings of the review may result in proposed amendments to the rules.
 - B) Statutory Authority: Board of Higher Education Act [110 ILCS 205/9.31].
 - C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
 - D) Date agency anticipates First Notice: Undetermined.
 - E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.
 - F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None.

i) Part(s) (Heading and Code Citations): Nurse Educator Fellowship Program, 23 Ill. Adm. Code 1105

1) Rulemaking:

A) Description: The Board may review this grant program in 2015. Findings of the review may result in proposed amendments to the rules.

B) Statutory Authority: Board of Higher Education Act [110 ILCS 205/9.32].

C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.

D) Date agency anticipates First Notice: Undetermined.

E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None.