

APPROVED
DECEMBER 12, 2017

Item #IV-9
December 12, 2017

**AMENDMENTS TO RULES:
APPROVAL OF NEW UNITS OF INSTRUCTION, RESEARCH AND PUBLIC
SERVICE AT PUBLIC INSTITUTIONS**

Submitted for: Action.

Summary: This item seeks final adoption of the amendments for the Approval of New Units of Instruction, Research and Public Service at Public Universities. Proposed amendments to this Part were approved by the Board at the June 13, 2017, meeting.

In accordance with the Illinois Administrative Procedures Act [5 ILCS 100], the proposed amendments were published in the *Illinois Register* on June 30, 2017, which initiated the 45-day public notice period. No comments were received during this time. The proposed amendments were then reviewed by the staff of the Joint Committee on Administrative Rules (JCAR). The proposed amendments will be considered at the December 12, 2017, meeting during which JCAR will likely require technical changes that are noted in the agenda item. Pending no objection from JCAR, the final rules will be ready for Board adoption.

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

Action Requested: That the Illinois Board of Higher Education adopt the amendments for the Approval of New Units of Instruction, Research and Public Service at Public Institutions (23 Ill. Adm. Code 1050) as contained in this item.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

**AMENDMENTS TO RULES:
APPROVAL OF NEW UNITS OF INSTRUCTION, RESEARCH AND PUBLIC
SERVICE AT PUBLIC INSTITUTIONS**

This item requests adoption by the Illinois Board of Higher Education (IBHE) of the amendments to the Approval of New Units of Instruction, Research and Public Service at Public Institutions (23 Ill. Adm. Code 1050) rules. IBHE staff engaged stakeholders in a series of meetings and opportunities to provide feedback prior to the Board approval of the proposed amendments at the June 13, 2017, meeting. In accordance with the Illinois Administrative Procedures Act [5 ILCS 100], the proposed amendments were published in the *Illinois Register* on June 30, 2017, which initiated the 45-day public notice period. No comments were received during this time.

The proposed amendments were subsequently reviewed by the staff for the Joint Committee on Administrative Rules (JCAR) and IBHE staff responded to their questions and concerns. It is anticipated that JCAR will require the following substantive change at the December 12, 2017, meeting:

- 1) Delete the proposed amendment to allow IBHE to seize and take possession of academic records when it appears that an institution is discontinuing its operation and records may be lost, hidden, destroyed or otherwise made unavailable. The reasoning is lack of statutory authority. See Section 1050.50(c)(7)(D)(iii)

The proposed amendments were subsequently reviewed by the staff for JCAR and IBHE staff responded to their questions and concerns. It is anticipated that JCAR will likely require changes to the proposed amendments to align with the style of Illinois administrative rules and/or to improve clarity. JCAR staff indicated the following changes will be considered at the JCAR meeting:

- 1) Replace “assure” with “ensure” in Section 1050.30(b)(1)(E).

Appropriate steps shall be taken to ensure ~~assure~~ that programmatic accreditation needed for licensure or entry into a profession as specified in the objectives of the unit will be sought in a reasonable amount of time and will be maintained throughout the life of the program.

- 2) Replace the phrase “now or hereafter” with “after December 31, 2017” in Section 1050.50(c)(7)(B)(i) for the teach-out plan.

After December 31, 2017, when ~~When~~ an educational institution ~~now or hereafter operating in this State~~ proposes to discontinue its operation, that institution shall cause to be created a teach-out plan acceptable to the

Board, which shall fulfill the institution's educational obligations to its students. Should the institution fail to deliver or act on the teach-out plan, the Board is in no way responsible for providing the teach-out.

Barring any additional changes by JCAR that may alter the substance of the proposed amendments, the rulemaking will be ready for Board adoption.

Attached are two copies of the rules for your convenience. Attachment 1 has only the administrative rule sections with proposed amendments in yellow highlight with text in ~~strikeout~~ and underline. Attachment 2 provides the entire administrative rule with the proposed amendments incorporated and without markups. Anticipated changes by JCAR are included.

Staff Recommendation

Staff recommends the adoption of the following resolution:

The Illinois Board of Higher Education hereby adopts the amendments to the rules for the Approval of New Units of Instruction, Research, and Public Service at Public Institutions (23 Ill. Adm. Code 1050) as provided in this agenda item. The Board authorizes the Executive Director to make any technical amendments as directed by the Joint Committee on Administrative Rules.

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

PART 1050
APPROVAL OF NEW UNITS OF INSTRUCTION, RESEARCH
AND PUBLIC SERVICE AT PUBLIC INSTITUTIONS

Section	
1050.10	Institutions Required to Receive Approval
1050.20	Definitions
1050.30	Criteria for Approval
1050.40	Procedures of Obtaining Approval
1050.50	Review of Existing Units of Instruction, Research and Public Service
1050.ILLUSTRATION A	Map of Regions

AUTHORITY: Implementing Section 7 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/7 and 9.05].

SOURCE: Amended and effective April 15, 1976; rules repealed and new rules adopted and codified at 8 Ill. Reg. 16907, effective September 4, 1984; amended at 23 Ill. Reg. 13074, effective October 13, 1999; amended at 33 Ill. Reg. 78, effective December 23, 2008; amended at 36 Ill. Reg. 6566, effective April 11, 2012; amended at 41 Ill. Reg. _____, effective _____.

Section 1050.20 Definitions

"Ability to benefit" means a standard for admission by which a student who does not possess a high school diploma or GED has demonstrated that he or she can profit materially or personally from a certain course of study through passage of an ability to benefit test or alternative pathways that have been approved by the U.S. Department of Education and administered in compliance with U.S. Department of Education guidelines related to ability to benefit test policies and procedures outlined in federal financial aid regulations. (See 34 CFR 668.145 and 668.152.)

"Annual listing of changes" mean the annual notification to the Board of one or more of the following:

Addition of an externally funded research or public service activity labeled as a center or institute because of grant requirements. The activity is temporary, not formally organized, and has no continuous mission.

Change in a degree title (e.g., the name of a discipline or major without changes in objectives or content such as the change from "medical technology" to "clinical laboratory sciences").

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Change in the name of an administrative (including departments), research, or public service unit.

Elimination, temporary suspension, or phase-down of an existing board-approved program.

Reorganization, restructuring, consolidation, elimination, and other changes of existing administrative (including departments), research, or public service units that does not result in an increase in subunits.

Creation of a certificate program in a field in which there is a previously approved degree program (e.g., undergraduate certificates at Levels 1 and 2 from a prior approved bachelor's program; post-baccalaureate certificates at Level 5 from a prior approved master's program.

Creation of a joint degree program from two previously approved programs.

"Board" refers to the Board of Higher Education.

"Board of Control" means one of the following:

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, the Illinois Community College Board, or the campuses under their governance or supervision.

"Certificate or degree program" means a formal award, which is included in an institution's catalog and completion of which is noted on students' official transcript certifying the satisfactory completion of undergraduate, post-baccalaureate, or graduate organized program of study at an institution.

"Credit hour" means an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:

One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately 15 weeks for one semester or trimester hour of credit, or 10 to 12 weeks for one quarter hour of credit, or the equivalent amount of work over a different period of time; or

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Documented student learning outcomes and evidence of student achievement resulting from a program provided through an alternative delivery method that demonstrates equivalency to those competencies achieved offered through traditional classroom delivery; or

At least an equivalent amount of student work as required to achieve intended learning outcomes or competencies as verified by evidence of student achievement for other academic activities as established by the institution, including prior learning assessment, laboratory work, internships, practica, studio work, and other academic work leading to the award of each credit hour.

"Degree" means any designation, appellation, series of letters or words, or other symbol that signifies or purports to signify that the recipient has satisfactorily completed an organized program of study of at least one year beyond the secondary school level. It shall include, but not be limited to, the following: certificate, associate, bachelor, post-baccalaureate certificate, master, post-master certificate, doctor's degree – professional practice (degree required for entry into specific profession such as law or medicine), and doctor's degree – research and scholarship.

"Dual credit" means an instructional arrangement in which an academically qualified student currently enrolled in high school enrolls in a college-level course and, upon successful course completion, concurrently earns both college credit and high school credit.

"Faculty" means any individual or group of individuals who are qualified by education and experience to give expert instruction and evaluation in their specialties, to supervise curricular experiences, and to evaluate learning for credit.

"General education" provides students with a broad foundation of study upon which to build an undergraduate education.

"Home campus" is also known as "in-region". Both "home campus" and "in-region" are defined as the Board approved region within which the institution's original campus would have been located had the regions existed at that time.

"Mediated instruction" means, for the purposes of this Part, the delivery of instruction at a distance facilitated by technology, such as via teleconferencing, video-conferencing, or internet.

"New branch" or "new campus" means a new site that houses a full range of instruction, as well as administrative and support services.

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A "branch" is an administrative unit of an institution that has a continuing educational mission and serves as a secondary instructional site for the institution.

A "campus" is an organized administrative unit of an institution that has a continuing educational mission and serves as a primary instructional site for the institution.

A "new branch" or "new campus" is characterized by the following criteria: the site offers courses in educational programs leading to a degree, certificate or other recognized educational credential; it is permanent in nature; it has its own faculty and administrative or supervisory organization; and has its own budgetary and hiring authority.

"New instructional location" means an additional out-of-region instructional site separate from a branch or campus at which 50 percent or more of a program is offered, but that otherwise does not meet the definition of a new branch or campus. A new location does not constitute a new branch or campus unless the site meets the other criteria in the definition of a branch or campus. For programs that are currently ~~have been previously~~ authorized by the Board, institutions may request a reasonable ~~Reasonable~~ and moderate extension ~~Moderate Extension~~ request to add the program to an out-of-region new instructional location.

"New geographical location" is also known as "out-of-region". Both "new geographical location" and "out-of-region" sites are those sites located outside of the region within which the institution's original campus would have been located had the regions existed at that time.

"New unit of instruction" means one or more of the following:

Any new organized program of study beyond the secondary school level that results in the formal award of a degree to a student.

Any organized program of study beyond the secondary school level that is offered at a new geographical location and results in the award to a student of an existing degree (i.e., one that is currently granted by the institution).

Any new formally organized administrative entity that would have a continuing instructional mission, including but not limited to a campus, branch, college, school, department or division.

"New unit of instruction, research or public service" includes the establishment of a college, school, division, institute, department or other unit in any field of instruction, research or public service not previously included in the program of the institution, and includes the establishment of any new branch or campus. The

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term does not include reasonable and moderate extensions of existing curricula, research, or public service programs that have a direct relationship to existing programs; the Board may, under its rulemaking power, define the character of reasonable and moderate extensions.[110 ILCS 205/7]

"New unit of public service" means any new formally organized administrative entity that would have a continuing public service mission, including but not limited to a school, department, division, institute or center.

"New unit of research" means any new formally organized administrative entity that would have a continuing research mission, including but not limited to a school, department, division, institute or center.

"Notice of intent" or "NOI" means the filing of intent for a new program or unit by the institution that is seeking certificate or degree granting authority. Notices of intent shall be publicly posted on the Board's website for no less than 30 days prior to any Board action on the application and shall remain active for one year after the public posting period has expired.

"Reasonable and moderate extension" or "RME" means one or more of the following:

An addition to or modification of an existing unit of instruction that has a direct relationship to the existing unit and that does not result in a significant change in curriculum, objectives or resources for the unit of instruction.

An addition of a unit supported primarily through external funding, including the establishment of a grant-funded center. When approved under this category, the unit would hold approval through the period of external funding and would not require additional approval unless the external funding was no longer available. The university would not commit to maintain the unit if the external funding was lost and the university would report elimination of the center through the annual listing process provided to the Board.

Creation of a new formally organized research or public service unit that has a temporary mission of up to five years. (Criteria for continuation and a date for submission and request for permanent approval should accompany the RME.)

Creation of a certificate program in a field or at a level in which there is not a previously approved degree program at that level or a higher level.

Creation of a new program that results from the reorganization or restructuring of the curricular elements of an existing program that have over time evolved into separate and distinct programs (e.g., split into two

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or more autonomous programs, or options have evolved into separate programs).

Reclassification of a program resulting from incremental changes or consolidation of two or more degree programs into a single program with a change of the Classification of Instructional Programs (CIP) developed by the National Center for Educational Statistics.

Changes in degree designation at the same level (e.g., B.A. to B.F.A., B.B.A. to B.S., M.A. to M.S., or D.B.A. to Ph.D.).

Creation of an out-of-region degree program. As much as possible the proposed program should be functionally equivalent to the existing program offered on campus, including curriculum, faculty qualifications, instructional technology, and library resources. The program must have effective student support systems. An addition of an out-of-region Board approved program of study at a new instructional location.

An addition to or modification of an existing unit of research or public service that has a direct relationship to an existing unit of instruction, research or public service; is consistent with the existing research or public service mission of the campus; and will be concluded within a well defined time frame.

A change in classification, title or degree designation of an existing unit of instruction, research or public service that more accurately reflects the content, objectives and programmatic activities for the unit.

An addition of a certificate program from one or more existing units of instruction.

"Region" refers to a geographical area within which an institution may operate a unit of instruction, research and public service and is not limited to the site within the region where the institution initially applied. A region consists of one or more coterminous community college districts. The community college districts are also property taxing districts established as provided in 110 ILCS 805/Art. III. The ten regions, described by community college district and community college district numbers, are as follows (see also Illustration A):

"North Suburban Region (1)" consists of the Lake County (532), Oakton (535), and William R. Harper (512) community college districts;

"Fox Valley Region (2)" consists of the Elgin (509), Kishwaukee (523), McHenry (528), Rock Valley (511), and Waubonsee (516) community college districts;

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"West Suburban Region (3)" consists of the DuPage (502), Morton (527), and Triton (504) community college districts;

"Western Region (4)" consists of the Black Hawk (503), Carl Sandburg (518), Highland (519), John Wood (539), Sauk Valley (506), and Spoon River (534) community college districts;

"Central Region (5)" consists of the Heartland (540), Illinois Central District (514), Illinois Valley (513), and Lincoln Land (526) community college districts;

"South Metro Region (6)" consists of the Joliet (525), Kankakee (520), Moraine Valley (524), Prairie State (515), and South Suburban (510) community college districts;

"Prairie Region (7)" consists of the Danville (507), Lake Land (517), Parkland (505), and Richland (537) community college districts;

"Southwestern Region (8)" consists of the Illinois Eastern (529), Kaskaskia (501), Lewis and Clark (536), and Southwestern Illinois (522) community college districts;

"Southern Region (9)" consists of the John A. Logan (530), Rend Lake (521), Shawnee (531), and Southeastern (533) community college districts; and

"Chicago Region (10)" consists of the City Colleges of Chicago (508) community college district.

"State Authorization Reciprocity Agreement" or "SARA" means the voluntary program that implements reciprocity agreements amongst states, institutions and the National Council for SARA for interstate offering of postsecondary distance education courses and programs, pursuant to the Higher Education Distance Learning Act [110 ILCS 145].

"Terminal degree" means the highest level of college degree available in a particular field.

"Upper-division instruction" means course content and teaching appropriate for junior- and senior-year students in a baccalaureate program or other students with expertise in the subject.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 1050.30 Criteria for Approval

The Board of Higher Education will evaluate new units of instruction, research or public service

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by applying the following criteria:

- a) Criteria Applicable to All Units of Instruction, Research and Public Service
 - 1) Mission and Objectives
 - A) The objectives of the unit of instruction, research or public service are consistent with the mission of the college or university.
 - B) The objectives of the unit of instruction, research or public service are consistent with what the unit title implies.
 - 2) Academic Control

The design, conduct and evaluation of the unit of instruction, research or public service are under the direct and continuous control of the sponsoring institution's established processes for academic planning and quality maintenance.
 - 3) Faculty and Staff
 - A) The academic preparation and experience of faculty and staff ensure that the objectives of the unit of instruction, research or public service are met.
 - B) The academic preparation and experience of the faculty and staff, as evidenced by level of degrees held, professional experience in the field of study and demonstrated knowledge of the field, ensure that they are able to fulfill their academic responsibilities. At a minimum, faculty shall have a degree from an institution accredited by a U.S. Department of Education and/or the Council for Higher Education Accreditation recognized accrediting body or a degree from another country evaluated for U.S. equivalency in the discipline they will teach or for which they will develop curricula at least one level above that of the courses being taught or developed.
 - i) Faculty providing undergraduate general education coursework shall possess, at a minimum, a master's degree with 18 graduate hours appropriate to the academic field or discipline in which they are teaching in the field of instruction.
 - ii) Faculty engaged in providing technical and career coursework at the associate degree level shall possess, at a minimum, at least 2,000 hours of work experience and the appropriate recognized credential depending on the

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specific field-a bachelor's degree in the field of instruction or equivalent training in the occupational field.

- iii) Faculty teaching in a baccalaureate degree program shall have, at a minimum, a master's in the field of instruction.
 - iv) Faculty teaching in a graduate program shall have a doctorate or terminal degree in the field of instruction.
 - v) Exceptions may be made by the Board for professional experience, equivalent training and other qualifications; however, except in extraordinary circumstances, these should prove the exception and not the rule in meeting faculty qualification requirements.
- C) The involvement of faculty in the unit of instruction, research or public service is sufficient to cover the various fields of knowledge encompassed by the unit, to sustain scholarship appropriate to the unit, and to assure curricular continuity and consistency in student evaluation.
- D) Faculty to student ratios and full time faculty to part time faculty ratios shall be factors in determining appropriate provision of qualified faculty. Institutions shall have policies in place that serve to ensure equivalency of instruction and program delivery across faculty members, including methods of measuring equivalency of student learning outcomes across faculty. The Board will establish minimum rates of success based on data for similar institutions. The ratios shall be, at a minimum, higher than those of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions, and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.
- E) Support personnel, including but not limited to counselors, administrators, clinical supervisors, and technical staff, that are directly assigned to the unit of instruction, research or public service, have the educational background and experience necessary to carry out their assigned responsibilities.
- 4) Support Services
- A) Facilities, equipment and instructional resources (e.g., laboratory

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supplies and equipment, instructional materials, computational equipment) necessary to support high quality academic work in the unit of instruction, research or public service are available and maintained.

- B) Clinical sites necessary to meet the objectives of the unit of instruction, research or public service.
- C) Library holdings and acquisitions, owned or contracted for by the institution, that are necessary to support high quality instruction and scholarship in the unit of instruction, research and public service, are conveniently available and accessible, and can be maintained.

5) Financial

- A) The financial commitments to support the unit of instruction, research or public service are sufficient to ensure that the faculty and staff and support services necessary to offer the unit of instruction, research or public service can be acquired and maintained.
- B) Projections of revenues necessary to support the unit of instruction, research or public service are based upon supportable estimates of state appropriations, local tax support, student tuition and fees, private gifts, and/or governmental grants and contracts.

6) Statewide Needs and Priorities

- A) The unit of instruction, research or public service is educationally and economically consistent with justified based on the educational priorities and needs of the State citizens of Illinois.
- B) The unit of instruction, research or public service meets a need that is not currently met by existing institutions and units of instruction, research or public service.

b) Criteria Applicable Only to Units of Instruction

1) Curriculum

- A) The caliber and content of the curriculum must assure that the objectives of the unit of instruction will be achieved.
- B) The breadth and depth of the curriculum must be consistent with

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what the title of the unit of instruction implies.

- C) The admission and graduation requirements for the unit of instruction must be consistent with the stated objectives of the unit of instruction.
- D) Institutions must show the capacity to develop, deliver and support academic programs. Procedures and policies that will assure the effective design, conduct and evaluation of the degree program under the academic control of the institution must be developed. Assessment plans must demonstrate that the institution has identified clear and appropriate program and student learning goals and has defined appropriate outcomes. Appropriate data must be collected and may be requested by the Board to show the level of student learning that has occurred as a result of participation in the institution's programs of study.
- E) Appropriate steps shall be taken to ensure assure that programmatic accreditation needed for licensure or entry into a profession as specified in the objectives of the unit will be sought in a reasonable amount of time and will be maintained throughout the life of the program. [NOTE: "Assure" will be changed to "ensure"]
- FE) Degree programs must meet the following credit hour requirements:
 - i) Associate degree requires at least 60 semester credit hours or 90 quarter credit hours.
 - ii) Baccalaureate degree requires at least 120 semester credit hours or 180 quarter credit hours and at least 40 semester credit hours (60 quarter credit hours) in upper-division courses.
 - iii) Master's degree requires at least 30 semester credit hours or 45 quarter credit hours of appropriate post-baccalaureate coursework.
 - iv) Doctor's degree – Professional Practice requires the completion of a program providing the knowledge and skills for the recognition, credential, or license for professional practice the academic requirements to begin practice in the profession; at least 60 semester hours of postsecondary credit required for admission to the program; and a total of at least six academic years of college work to complete the degree program, including

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prior required postsecondary work plus the length of the professional program itself.

- v) Doctor's degree – Research and Scholarship requires the completion of an organized program of study beyond the master's level. The program shall demonstrate full understanding of the level and range of doctoral scholarship; the function of a dissertation and its defense based on original research, or the planning and execution of an original project demonstrating substantial artistic or scholarly achievement; the nature of comprehensive examination; and other standards commonly held for these degrees; at least 2 full time years of advanced academic coursework beyond the master's degree; and an independent performance of basic or applied research at the level of the professional scholar, typically a dissertation, or to perform independently the work of a profession that involves the highest levels of knowledge and expertise. Research and Scholarship requires the completion of an organized program of study beyond the master's degree and requiring completion of an organized program of study. The program shall demonstrate full understanding of the level and range of doctoral scholarship, the function of a dissertation and its defense, the nature of comprehensive examination, and other standards commonly held for such degrees; at least 2 full time years of advanced academic coursework beyond the master's degree; and an independent performance of basic or applied research at the level of the professional scholar, typically a dissertation, or to perform independently the work of a profession that involves the highest levels of knowledge and expertise.

GF) Provision must be made for guidance and counseling of students, evaluations of student performance, continuous monitoring of progress of students toward their degree objectives and appropriate academic record keeping.

HG) Success in student progression and graduation across all existing approved programs, and success rates in programs preparing students for certification and licensure, shall be consistent with expectations in higher education and the appropriate related field of study. At a minimum the Board shall consider these factors based on results for similar institutions.

- i) Graduation rates, certificate and degree completion rates, retention rates, and pass rates for licensure and

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certification aligned with thresholds set by state or national regulatory bodies.

- ii) The success rate shall be, at a minimum, higher than those of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions, and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.

H) Additional student success measures shall be considered in the review of applications for authorization. The Board shall establish minimum rates of success based on results for similar institutions.

- i) At a minimum, these data shall include student loan default rates, student indebtedness rates, job placement rates, student learning measures and other success indicators.
- ii) The success rate shall be, at a minimum, higher than those of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions, and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.

J) Requirements for Technologically Mediated Instruction Offered at a Distance. In addition to meeting other requirements in this Part, programs offered through electronically mediated distance learning must, at a minimum, meet the following requirements:

- i) The institution assures adequacy of technical and physical plant facilities, including appropriate staffing and technical assistance, to support its electronically offered programs.
- ii) The institution provides students, faculty and staff with effective technical support and training for each educational technology hardware, software and delivery system required in a program. The institution provides adequate technical support to ensure students are able to complete coursework and make steady progress in their

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programs. The help desk function is available to students during hours when it is likely to be needed, at a minimum of 18 hours a day.

- iii) Appropriate measures for security of systems and adequacy of support are maintained. The selection of technologies is based on appropriateness for the students, faculty and curriculum.
- iv) Faculty are full participants in decisions regarding curricula and program oversight.
- v) Demonstration of student learning and program outcomes are appropriate to the field and degree level and consistent regardless of program delivery method.
- vi) Appropriate admission processes, policies and assessments are used to ensure that students are capable of succeeding in an on-line learning environment. Students shall be adequately informed of the nature and expectations of on-line learning.
- vii) Assessments of student learning, especially exams, take place in circumstances that include definite student identification and assurance of the integrity of student work.
- viii) Assessment of electronically offered programs by the institution occurs in the context of the regular evaluation of all academic programs.

2) Program Information

- A) The information the institution provides for students and the public shall include the following:
 - i) An accurate description of the unit of instruction, including its objectives, length and residency requirements if any;
 - ii) Schedule of tuition, fees, and all other charges and expenses necessary for completion of the unit of instruction, and cancellation and refund policies;
 - iii) Student rights and responsibilities;

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- iv) A statement regarding the transferability of college credits, including the fact that the decision to accept transfer credits is determined by the receiving institutions;
 - v) A statement as to how the institution will advise students on the nature of the transfer process, including the importance of consulting with institutions to which the student may seek to transfer;
 - vi) Evidence of arrangements for the transfer of courses or credits or both to institutional counterparts, when these arrangements exist; these arrangements are also known as articulation agreements;
 - vii) A statement of the institution's most recent graduation rates and the number of graduates and enrollments as provided by the institution to the Integrated Postsecondary Education Data System (IPEDS) and any submissions of data to satisfy Board reporting requirements; and
 - viii) Other material facts concerning the institution and the unit of instruction as are likely to affect the decision of the student to enroll.
- B) The information listed in subsection (b)(2)(A) shall be available to prospective students prior to enrollment and shall be included in the institution's catalog of programs.
- 3) **Accreditation and Licensure**
Appropriate steps shall be taken to assure that professional accreditation needed for licensure or entry into a profession as specified in the objectives of the unit of instruction is maintained or will be granted in a reasonable period of time.
- c) **Institutions Exempt from Approval**
- 1) Institutions offering a Board approved degree program at another site within the same region shall not be required to apply for additional Board approval.
 - 2) Institutions offering a degree program at the University Center of Lake County or the Quad-Cities Graduate Center shall not be required to apply for additional Board approval when offering degree programs approved for their home campus. For these institutions, center approval is required

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and the center shall be treated as part of their home campus, provided the center has notified the Board of its approval of the new degree program.

- 3) Institutions offering a Board approved degree program through mediated instruction shall not be required to apply for additional Board approval.
- 4) Institutions offering temporary programs meeting the following criteria shall not be required to apply for Board approval:
 - A) The unit of instruction is approved for offering in-region, and the academic standards of the in-region unit are maintained at the out-of-region site; and
 - B) The out-of-region unit of instruction is offered under contract to a single business, service organization, or government agency and enrollment is restricted to employees of the contracting business, employees or members of the organization or agency, or, in the case of a regional office of education, to the employees of public school districts within the region; and
 - C) The contractual arrangement assures that the out-of-region unit of instruction is self-supporting; that is, no State resources are required to support it; and
 - D) The out-of-region unit of instruction is offered to a single group of entering students for a single cycle not to exceed three years. Should the institution wish to continue the unit of instruction at the out-of-region site beyond the single cycle, the institution must submit an application for Board of Higher Education approval.
- 5) **Additional Board approval is not required for Board approved institutions offering programs:**
 - A) **Programs or courses on ~~On~~ federal military bases exclusively to base personnel and their family members;**
 - B) **Clinical ~~At clinical~~ or practice sites that are utilized as a part of Board approved degree programs;**
 - C) **Dual ~~Offering dual~~ credit courses to Illinois high school students. This does not exclude institutions from annual reporting and evidence of compliance with the Dual Credit Quality Act [110 ILCS 27] in high schools; or**
 - D) **Programs or courses ~~Offering courses~~ inside public correctional facilities.**

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(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 1050.50 Review of Existing Units of Instruction, Research and Public Service

The Board of Higher Education is authorized to review, periodically, all existing programs of instruction, research and public service at the State universities and colleges and to advise the appropriate board of control if the contribution of each program is not educationally and economically justified. [110 ILCS 205/7]

- a) Units of Instruction Approved after December 23, 2008
 - 1) Third Year Progress Report
Three years after approval of a new program, the institution shall provide a program progress report to the Board as part of the institution's annual report. The third year progress report shall describe the institution's performance in meeting program objectives and show where any improvements are necessary. The placement of a program in voluntary temporary suspension will not negate the requirement of submitting a third year progress report.
 - 2) Third Year Status as Determined by the Institution
 - A) Program in Good Standing: The institution is meeting the program objectives as outlined in the original application that was submitted during the program approval process.
 - B) Program Flagged for Review: The institution is not meeting the program objectives as outlined in the original application that was submitted during the program approval process. In that event, the institution shall flag the program for review and shall submit a plan for improvement. The plan will outline the steps to be taken, benchmarks indicating adequate progress, and a timeline indicating step completion and/or benchmark achievement points.
 - C) Additional Requirement for Programs in which State Licensure is Required for Employment in the Field: In the case of a program in which State licensure is required for employment in the field, a program can be found to be in good standing if the institution is able to provide evidence that program graduates are eligible to take the appropriate licensure examination and pass rates are maintained as specified in the objectives of the unit of instruction. If there is no such evidence, the institution shall report the program as flagged for review.

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- 3) Upon completion of the third year progress report or the annual interim report required for programs flagged for review:
 - A) If the program is in good standing, the institution will add the program to the eight-year program review cycle as provided in subsection (b).
 - B) If the program has been flagged for review, the institution shall submit annual interim reports until the status of good standing is achieved. A flagged program will no longer be considered a Board approved program beyond the fifth anniversary of its original approval. If no required annual interim report is submitted for a flagged program, the Board will interpret the absence of an annual interim report as an indication that the institution has terminated the program and the program will no longer be considered a Board approved program.
 - C) Annual interim reports on flagged programs shall:
 - i) Delineate actions taken to resolve the issues or improve the program;
 - ii) Identify areas for further action or improvement; and
 - iii) Describe how the program will be monitored to ensure continued improvement until the next review.
 - D) An institution may request approval to place a program in voluntary temporary suspension. That status does not negate the requirement for submitting annual interim reports and does not negate the limitation of five years duration as a program flagged for review.
- 4) Community Colleges
Community colleges may be deemed compliant with the program review process by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.
- b) Existing and newly approved units of instruction that have been identified as being in good standing will be reviewed on an eight-year cycle.
 - 1) Eight-year Program Review Process
Programs deemed to be in good standing will be reviewed by the institution on a staggered eight-year cycle, with the institution determining the schedule for individual programs, but requiring that each program be reviewed at least once every eight years. Each institution

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will implement a program review process that best meets its unique needs and that is consistent with Board requirements as contained in this subsection (b) for the eight-year cycle. Institutions have the discretion to use findings from specialized program accreditations and other reviews as the basis of the program review as long as the findings are not more than two years old. When an existing report or review is to be used, the institutions will inform the Board of the process prior to the review. While the institution is responsible for developing its unique program review procedures, it shall include, at a minimum, the following components:

- A) A statement of program goals and intended learning outcomes;
 - B) An end- or near-end-of-program assessment of student learning, in addition to course-by-course assessments;
 - C) Multiple performance measures, if necessary, that reflect the uniqueness of academic programs and disciplines;
 - D) Feedback from key stakeholders (e.g., current students, alumni, employers and graduate schools);
 - E) Evidence of a formal feedback or improvement mechanism (i.e., a regular review process in place) and that the results are used to improve curriculum, instruction and learning;
 - F) Improvements to its capacity to efficiently and effectively deliver programs using technological innovation and comprehensive data systems; and
 - G) Findings and recommendations for improvement, suspension or closure.
- 2) Status Report
- A) Upon the conclusion of the eight-year review, the institution shall provide to the Board a summary report that contains, at a minimum, the following:
 - i) Description and assessment of any major changes in the program, including changes in the discipline or field, student demand, societal needs, institutional context for offering the degree, and other elements appropriate to the discipline;

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- ii) Major findings and recommendations, including evidence of student learning outcomes and identification of opportunities for program improvement;
 - iii) Actions taken since the last review, including instructional resources and practices, and curricular changes; and
 - iv) Actions to be taken as a result of this review, including changes in instructional resources and practices, curriculum and assessment of student learning.
 - B) The institution shall determine the status of the program. A program may be in one of three categories: in good standing; flagged for review; or under temporary suspension.
- 3) Community Colleges
Community colleges may be deemed compliant with the eight-year program review cycle by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.
- c) Units of instruction that have been reviewed as part of an eight-year review process and are not considered to be in good standing will be reviewed annually beginning December 23, 2008.
- 1) Programs Flagged for Review
If the program has been flagged for review, the institution shall submit annual interim reports until the status of good standing is achieved, but the program will no longer be considered a Board approved program beyond the fifth anniversary of the year the program was flagged for review. If no required annual interim report is submitted for a flagged program, the Board will interpret the absence of an annual interim report as an indication that the institution has terminated the program and the program will no longer be considered a Board approved program.
Annual interim reports on flagged programs shall:
 - A) Delineate actions taken to resolve the issues or improve the program;
 - B) Identify areas for further action or improvement; and
 - C) Describe how the program will be monitored to ensure continued improvement until the next review.

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- 2) **Programs Placed in Temporary Suspension Status**
An institution may place any approved program on temporary suspension after receiving Board approval. The institution shall provide an annual status report to the Board on any program under temporary suspension status. The Board will consider a program placed on temporary suspension status to be terminated if an annual status report is not received or if no reinstatement request is received within the first five years after the program was placed on temporary suspension. An institution may petition for reinstatement during the five-year period.
- 3) **Community Colleges**
Community colleges may be deemed compliant with the review process by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.
- 4) **Annual Report**
Each authorized institution shall file annually with the Board its current catalogs. In addition, institutions must comply with any data requests to satisfy Board reporting requirements.
- 5) **Complaints Concerning Institutional Degree Practices**
The staff of the Board may initiate an investigation in response to written or oral information suggesting that changes have occurred in the conditions under which authorization to award degrees was given. During the investigation, there may be a temporary hold placed on the institution's applications to the Board for new program approvals and other programs. The hold will be for a specified period of time not to exceed six months, at which time the hold will continue until the Board decision is made.
- 6) **Voluntary Relinquishing of Approval**
 - A) Institutions may voluntarily relinquish their approvals for units of instruction, research or public service, and for reasonable and moderate extensions. The voluntary relinquishment shall be in writing and does not require a hearing or any other Board action to be effective.
 - B) Institutions relinquishing approval shall be required to provide for an appropriate repository of records and may be required to provide a student completion plan that must be approved by the Board.
- 7) **Institutional Closure and Teach-Out**
An institution that is closing one or more units shall send to the Board the following:

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A) Notice Required

- i) Notice of the closure immediately by email or certified mail;
- ii) The name, address, and telephone number of the person who will be responsible for closing arrangements;
- iii) A list of students affected and anticipated decisions regarding teach out for each student (e.g., graduation, transfer, remain at institution, and participate in teach out, etc.);
- iv) Information on the remaining credit and other requirements outstanding for each student to complete the program.
- v) Copies of the student-directed communication plan that includes the proposed timeline and methods for notifying students of teach-out options. Plans must include communication with any students who may be on approved leaves of absence or otherwise difficult to reach.
- vi) Copies of the communication plans for informing faculty, staff and other institutional constituents.

B) Teach-Out Plan

- i) When an educational institution now or hereafter operating in this State proposes to discontinue its operation, that institution shall cause to be created a teach-out plan acceptable to the Board, which shall fulfill the institution's educational obligations to its students. Should the institution fail to deliver or act on the teach-out plan, the Board is in no way responsible for providing the teach-out. [NOTE: "When an educational institution now or hereafter operating in the this State" may be changed to "After December 31, 2017, when an educational institution".]
- ii) A school shall have written plans designed to protect the contractual rights of its students and graduates in the event the school closes or undergoes a change of status (e.g., if the school changes location or if its authority is

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revoked), including the right to complete the course of instruction in which the students or graduates enrolled.

iii) If students are receiving instruction prior to the school's closing, the school shall file a plan to ensure that the school's students will continue to receive training of the same quality and content as that for which they contracted.

C) Arrangements for transferring students to a public or another approved private institution shall be filed with the Board prior to any student transfer. Prior to approving the school's arrangements for completing its teaching obligations to students, the Board shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.

D) Academic Records

In the event a school proposes to discontinue its operations, the chief administrative officer of the school shall arrange for all original or legible true copies of all such academic records of the institution to be maintained in a safe and suitable place as determined by the Board (such as a third party provider, a like institution, or the Board).

i) These records shall include, at a minimum, the academic records of each former student that is traditionally provided on an academic transcript, such as, but not limited to, courses taken, terms, grades, and other such information.

ii) The institution shall make students aware of how to obtain transcripts from either the closed institution and/or new institution permanently retaining the records.

iii) In the event it appears to the Board that any such records of an institution discontinuing its operations is in danger of being lost, hidden, destroyed, or otherwise made unavailable to the Board, the Board may seize and take possession of the records, on its own motion and without order of court. [NOTE: This subsection will likely be removed in the final rules because there is no statutory authority.]

iv) The institution must release any holds on student records before operation are discontinued and the records are transferred.

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(Source: Amended at 41 Ill. Reg. _____, effective _____)

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

PART 1050
APPROVAL OF NEW UNITS OF INSTRUCTION, RESEARCH
AND PUBLIC SERVICE AT PUBLIC INSTITUTIONS

Section	
1050.10	Institutions Required to Receive Approval
1050.20	Definitions
1050.30	Criteria for Approval
1050.40	Procedures of Obtaining Approval
1050.50	Review of Existing Units of Instruction, Research and Public Service
1050.ILLUSTRATION A	Map of Regions

AUTHORITY: Implementing Section 7 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/7 and 9.05].

SOURCE: Amended and effective April 15, 1976; rules repealed and new rules adopted and codified at 8 Ill. Reg. 16907, effective September 4, 1984; amended at 23 Ill. Reg. 13074, effective October 13, 1999; amended at 33 Ill. Reg. 78, effective December 23, 2008; amended at 36 Ill. Reg. 6566, effective April 11, 2012; amended at 41 Ill. Reg. _____, effective _____.

Section 1050.10 Institutions Required to Receive Approval

- a) *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 Illinois Community College Board, and the campuses under their governance or supervision shall not hereafter undertake the establishment of any new unit of instruction, research or public service without the approval of the Board.*
- b) *The term "new unit of instruction, research or public service" includes the establishment of a college, school, division, institute, department or other unit in any field of instruction, research or public service not theretofore included in the program of the institution, and includes the establishment of any new branch or campus. The term does not include reasonable and moderate extensions of existing curricula, research, or public service programs which have a direct relationship to existing programs; and the Board may, under its rulemaking power, define the character of such reasonable and moderate extensions. [110 ILCS 205/7]*

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(Source: Amended at 36 Ill. Reg. 6566, effective April 11, 2012)

Section 1050.20 Definitions

"Ability to benefit" means a standard for admission by which a student who does not possess a high school diploma or GED has demonstrated that he or she can profit materially or personally from a certain course of study through passage of an ability to benefit test or alternative pathways that have been approved by the U.S. Department of Education and administered in compliance with U.S. Department of Education guidelines related to ability to benefit policies and procedures outlined in federal financial aid regulations.

"Annual listing of changes" mean the annual notification to the Board of one or more of the following:

Addition of an externally funded research or public service activity labeled as a center or institute because of grant requirements. The activity is temporary, not formally organized, and has no continuous mission.

Change in a degree title (e.g., the name of a discipline or major without changes in objectives or content such as the change from "medical technology" to "clinical laboratory sciences").

Change in the name of an administrative (including departments), research, or public service unit.

Elimination, temporary suspension, or phase-down of an existing board-approved program.

Reorganization, restructuring, consolidation, elimination, and other changes of existing administrative (including departments), research, or public service units that does not result in an increase in subunits.

Creation of a certificate program in a field in which there is a previously approved degree program (e.g., undergraduate certificates at Levels 1 and 2 from a prior approved bachelor's program; post-baccalaureate certificates at Level 5 from a prior approved master's program).

Creation of a joint degree program from two previously approved programs.

"Board" refers to the Board of Higher Education.

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"Board of Control" means one of the following:

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, the Illinois Community College Board, or the campuses under their governance or supervision.

"Certificate or degree program" means a formal award, which is included in an institution's catalog and completion of which is noted on students' official transcript certifying the satisfactory completion of undergraduate, post-baccalaureate, or graduate organized program of study at an institution.

"Credit hour" means an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:

One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately 15 weeks for one semester or trimester hour of credit, or 10 to 12 weeks for one quarter hour of credit, or the equivalent amount of work over a different period of time; or

Documented student learning outcomes and evidence of student achievement resulting from a program provided through an alternative delivery method that demonstrates equivalency to those competencies achieved through traditional classroom delivery; or

At least an equivalent amount of student work as required to achieve intended learning outcomes or competencies as verified by evidence of student achievement for other academic activities established by the institution, including prior learning assessment, laboratory work, internships, practica, studio work, and other academic work leading to the award of each credit hour.

"Degree" means any designation, appellation, series of letters or words, or other symbol that signifies or purports to signify that the recipient has satisfactorily completed an organized program of study of at least one year beyond the secondary school level. It shall include, but not be limited to, the following: certificate, associate, bachelor, post-baccalaureate certificate, master, post-master certificate, doctor's degree – professional practice (degree required for entry into specific profession such as law or medicine), and doctor's degree – research and scholarship.

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“Dual credit” means an instructional arrangement in which an academically qualified student currently enrolled in high school enrolls in a college-level course and, upon successful course completion, concurrently earns both college credit and high school credit.

"Faculty" means any individual or group of individuals who are qualified by education and experience to give expert instruction and evaluation in their specialties, to supervise curricular experiences, and to evaluate learning for credit.

“General education” provides students with a broad foundation of study upon which to build an undergraduate education.

"Home campus" is also known as "in-region". Both "home campus" and "in-region" are defined as the Board approved region within which the institution's original campus would have been located had the regions existed at that time.

"Mediated instruction" means, for the purposes of this Part, the delivery of instruction at a distance facilitated by technology, such as via teleconferencing, video-conferencing, or internet.

"New branch" or "new campus" means a new site that houses a full range of instruction, as well as administrative and support services.

A "branch" is an administrative unit of an institution that has a continuing educational mission and serves as a secondary instructional site for the institution.

A "campus" is an organized administrative unit of an institution that has a continuing educational mission and serves as a primary instructional site for the institution.

A "new branch" or "new campus" is characterized by the following criteria: the site offers courses in educational programs leading to a degree, certificate or other recognized educational credential; it is permanent in nature; it has its own faculty and administrative or supervisory organization; and has its own budgetary and hiring authority.

"New instructional location" means an additional out-of-region instructional site separate from a branch or campus at which 50 percent or more of a program is offered, but that otherwise does not meet the definition of a new branch or campus. A new location does not constitute a new branch or campus unless the site meets the other criteria in the definition of a branch or campus. For programs that are currently authorized by the Board, institutions may request a reasonable and moderate extension request to add the program to an out-of-region new instructional location.

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"New geographical location" is also known as "out-of-region". Both "new geographical location" and "out-of-region" sites are those sites located outside of the region within which the institution's original campus would have been located had the regions existed at that time.

"New unit of instruction" means one or more of the following:

Any new organized program of study beyond the secondary school level that results in the formal award of a degree to a student.

Any organized program of study beyond the secondary school level that is offered at a new geographical location and results in the award to a student of an existing degree (i.e., one that is currently granted by the institution).

Any new formally organized administrative entity that would have a continuing instructional mission, including but not limited to a campus, branch, college, school, department or division.

"New unit of instruction, research or public service" includes the establishment of a college, school, division, institute, department or other unit in any field of instruction, research or public service not previously included in the program of the institution, and includes the establishment of any new branch or campus. The term does not include reasonable and moderate extensions of existing curricula, research, or public service programs that have a direct relationship to existing programs; the Board may, under its rulemaking power, define the character of reasonable and moderate extensions.[110 ILCS 205/7]

"New unit of public service" means any new formally organized administrative entity that would have a continuing public service mission, including but not limited to a school, department, division, institute or center.

"New unit of research" means any new formally organized administrative entity that would have a continuing research mission, including but not limited to a school, department, division, institute or center.

"Notice of intent" or "NOI" means the filing of intent for a new program or unit by the institution that is seeking certificate or degree granting authority. Notices of intent shall be publicly posted on the Board's website for no less than 30 days prior to any Board action on the application and shall remain active for one year after the public posting period has expired.

"Reasonable and moderate extension" or "RME" means one or more of the following:

An addition of a unit supported primarily through external funding,

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including the establishment of a grant-funded center. When approved under this category, the unit would hold approval through the period of external funding and would not require additional approval unless the external funding was no longer available. The university would not commit to maintain the unit if the external funding was lost and the university would report elimination of the center through the annual listing process provided to the Board.

Creation of a new formally organized research or public service unit that has a temporary mission of up to five years. (Criteria for continuation and a date for submission and request for permanent approval should accompany the RME).

Creation of a certificate program in a field or at a level in which there is not a previously approved degree program at that level or a higher level.

Creation of a new program that results from the reorganization or restructuring of the curricular elements of an existing program that have over time evolved into separate and distinct programs (e.g., split into two or more autonomous programs, or options have evolved into separate programs).

Reclassification of a program resulting from incremental changes or consolidation of two or more degree programs into a single program with a change of the Classification of Instructional Programs (CIP) developed by the National Center for Educational Statistics.

Changes in degree designation at the same level (e.g., B.A. to B.F.A., B.B.A. to B.S., M.A. to M.S., or D.B.A. to Ph.D.).

Creation of an out-of-region degree program. As much as possible the proposed program should be functionally equivalent to the existing program offered on campus, including curriculum, faculty qualifications, instructional technology, and library resources. The program must have effective student support systems.

"Region" refers to a geographical area within which an institution may operate a unit of instruction, research and public service and is not limited to the site within the region where the institution initially applied. A region consists of one or more coterminous community college districts. The community college districts are also property taxing districts established as provided in 110 ILCS 805/Art. III. The ten regions, described by community college district and community college district numbers, are as follows (see also Illustration A):

"North Suburban Region (1)" consists of the Lake County (532), Oakton (535), and William R. Harper (512) community college districts;

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"Fox Valley Region (2)" consists of the Elgin (509), Kishwaukee (523), McHenry (528), Rock Valley (511), and Waubensee (516) community college districts;

"West Suburban Region (3)" consists of the DuPage (502), Morton (527), and Triton (504) community college districts;

"Western Region (4)" consists of the Black Hawk (503), Carl Sandburg (518), Highland (519), John Wood (539), Sauk Valley (506), and Spoon River (534) community college districts;

"Central Region (5)" consists of the Heartland (540), Illinois Central District (514), Illinois Valley (513), and Lincoln Land (526) community college districts;

"South Metro Region (6)" consists of the Joliet (525), Kankakee (520), Moraine Valley (524), Prairie State (515), and South Suburban (510) community college districts;

"Prairie Region (7)" consists of the Danville (507), Lake Land (517), Parkland (505), and Richland (537) community college districts;

"Southwestern Region (8)" consists of the Illinois Eastern (529), Kaskaskia (501), Lewis and Clark (536), and Southwestern Illinois (522) community college districts;

"Southern Region (9)" consists of the John A. Logan (530), Rend Lake (521), Shawnee (531), and Southeastern (533) community college districts; and

"Chicago Region (10)" consists of the City Colleges of Chicago (508) community college district.

"State Authorization Reciprocity Agreement" or "SARA" means the voluntary program that implements reciprocity agreements amongst states, institutions and the National Council for SARA for interstate offering of postsecondary distance education courses and programs, pursuant to the Higher Education Distance Learning Act [110 ILCS 145].

"Terminal degree" means the highest level of college degree available in a particular field.

"Upper-division instruction" means course content and teaching appropriate for junior- and senior-year students in a baccalaureate program or other students with expertise in the subject.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

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Section 1050.30 Criteria for Approval

The Board of Higher Education will evaluate new units of instruction, research or public service by applying the following criteria:

- a) Criteria Applicable to All Units of Instruction, Research and Public Service
 - 1) Mission and Objectives
 - A) The objectives of the unit of instruction, research or public service are consistent with the mission of the college or university.
 - B) The objectives of the unit of instruction, research or public service are consistent with what the unit title implies.
 - 2) Academic Control

The design, conduct and evaluation of the unit of instruction, research or public service are under the direct and continuous control of the sponsoring institution's established processes for academic planning and quality maintenance.
 - 3) Faculty and Staff
 - A) The academic preparation and experience of faculty and staff ensure that the objectives of the unit of instruction, research or public service are met.
 - B) The academic preparation and experience of the faculty and staff, as evidenced by level of degrees held, professional experience in the field of study and demonstrated knowledge of the field, ensure that they are able to fulfill their academic responsibilities. At a minimum, faculty shall have a degree from an institution accredited by a U.S. Department of Education and/or the Council for Higher Education Accreditation recognized accrediting body or a degree from another country evaluated for U.S. equivalency in the discipline they will teach or for which they will develop curricula at least one level above that of the courses being taught or developed.
- i) Faculty providing undergraduate general education coursework shall possess, at a minimum, a master's degree with 18 graduate hours appropriate to the academic field or discipline in which they are teaching.

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- ii) Faculty engaged in providing technical and career coursework at the associate degree level shall possess, at a minimum, at least 2,000 hours of work experience and the appropriate recognized credential depending on the specific field.
 - iii) Faculty teaching in a baccalaureate degree program shall have, at a minimum, a master's in the field of instruction.
 - iv) Faculty teaching in a graduate program shall have a doctorate or terminal degree in the field of instruction.
 - v) Exceptions may be made by the Board for professional experience, equivalent training and other qualifications; however, except in extraordinary circumstances, these should prove the exception and not the rule in meeting faculty qualification requirements.
- C) The involvement of faculty in the unit of instruction, research or public service is sufficient to cover the various fields of knowledge encompassed by the unit, to sustain scholarship appropriate to the unit, and to assure curricular continuity and consistency in student evaluation.
- D) Faculty to student ratios and full time faculty to part time faculty ratios shall be factors in determining appropriate provision of qualified faculty. Institutions shall have policies in place that serve to ensure equivalency of instruction and program delivery across faculty members, including methods of measuring equivalency of student learning outcomes across faculty.
- E) Support personnel, including but not limited to counselors, administrators, clinical supervisors, and technical staff, that are directly assigned to the unit of instruction, research or public service, have the educational background and experience necessary to carry out their assigned responsibilities.
- 4) Support Services
- A) Facilities, equipment and instructional resources (e.g., laboratory supplies and equipment, instructional materials, computational equipment) necessary to support high quality academic work in the unit of instruction, research or public service are available and maintained.
 - B) Clinical sites necessary to meet the objectives of the unit of instruction, research or public service.

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- C) Library holdings and acquisitions, owned or contracted for by the institution, that are necessary to support high quality instruction and scholarship in the unit of instruction, research and public service, are conveniently available and accessible, and can be maintained.
- 5) Financial
 - A) The financial commitments to support the unit of instruction, research or public service are sufficient to ensure that the faculty and staff and support services necessary to offer the unit of instruction, research or public service can be acquired and maintained.
 - B) Projections of revenues necessary to support the unit of instruction, research or public service are based upon supportable estimates of state appropriations, local tax support, student tuition and fees, private gifts, and/or governmental grants and contracts.
 - 6) Statewide Needs and Priorities
 - A) The unit of instruction, research or public service is educationally and economically consistent with the educational priorities and needs of the State of Illinois.
 - B) The unit of instruction, research or public service meets a need that is not currently met by existing institutions and units of instruction, research or public service.
- b) Criteria Applicable Only to Units of Instruction
 - 1) Curriculum
 - A) The caliber and content of the curriculum must assure that the objectives of the unit of instruction will be achieved.
 - B) The breadth and depth of the curriculum must be consistent with what the title of the unit of instruction implies.
 - C) The admission and graduation requirements for the unit of instruction must be consistent with the stated objectives of the unit of instruction.
 - D) Institutions must show the capacity to develop, deliver and support academic programs. Procedures and policies that will

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assure the effective design, conduct and evaluation of the degree program under the academic control of the institution must be developed. Assessment plans must demonstrate that the institution has identified clear and appropriate program and student learning goals and has defined appropriate outcomes. Appropriate data must be collected and may be requested by the Board to show the level of student learning that has occurred as a result of participation in the institution's programs of study.

- E) Appropriate steps shall be taken to ensure that programmatic accreditation needed for licensure or entry into a profession as specified in the objectives of the unit will be sought in a reasonable amount of time and will be maintained throughout the life of the program. [NOTE: “Assure” will likely be changed to “ensure” in the final rules.]
- F) Degree programs must meet the following credit hour requirements:
- i) Associate degree requires at least 60 semester credit hours or 90 quarter credit hours.
 - ii) Baccalaureate degree requires at least 120 semester credit hours or 180 quarter credit hours and at least 40 semester credit hours (60 quarter credit hours) in upper-division courses.
 - iii) Master's degree requires at least 30 semester credit hours or 45 quarter credit hours of appropriate post-baccalaureate coursework.
 - iv) Doctor's degree – Professional Practice requires the completion of a program providing the knowledge and skills for the recognition, credential or license for professional practice; at least 60 semester hours of postsecondary credit required for admission to the program; and a total of at least six academic years of college work to complete the degree program, including prior required postsecondary work plus the length of the professional program itself.
 - v) Doctor's degree – Research and Scholarship requires the completion of an organized program of study beyond the master’s level. The program shall demonstrate full understanding of the level and range of doctoral scholarship; the function of a dissertation and its defense based on original research, or the planning and execution

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of an original project demonstrating substantial artistic or scholarly achievement; the nature of comprehensive examination; and other standards commonly held for these degrees; at least 2 full time years of advanced academic coursework beyond the master's degree; and an independent performance of basic or applied research at the level of the professional scholar, typically a dissertation, or to perform independently the work of a profession that involves the highest levels of knowledge and expertise.

- G) Provision must be made for guidance and counseling of students, evaluations of student performance, continuous monitoring of progress of students toward their degree objectives and appropriate academic record keeping.
- H) Success in student progression and graduation across all existing approved programs, and success rates in programs preparing students for certification and licensure, shall be consistent with expectations in higher education and the appropriate related field of study. At a minimum the Board shall consider these factors based on results for similar institutions.
 - i) Graduation rates, certificate and degree completion rates, retention rates, and pass rates for licensure and certification aligned with thresholds set by State or national regulatory bodies.
 - ii) The success rate shall be, at a minimum, higher than those of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions, and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.
- I) Additional student success measures shall be considered in the review of applications for authorization. The Board shall establish minimum rates of success based on results for similar institutions.
 - i) At a minimum, these data shall include student loan default rates, student indebtedness rates, job placement rates, student learning measures and other success indicators.

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- ii) The success rate shall be, at a minimum, higher than those of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions, and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.
- J) Requirements for Technologically Mediated Instruction Offered at a Distance. In addition to meeting other requirements in this Part, programs offered through electronically mediated distance learning must, at a minimum, meet the following requirements:
- i) The institution assures adequacy of technical and physical plant facilities, including appropriate staffing and technical assistance, to support its electronically offered programs.
 - ii) The institution provides students, faculty and staff with effective technical support and training for each educational technology hardware, software and delivery system required in a program. The institution provides adequate technical support to ensure students are able to complete coursework and make steady progress in their programs.
 - iii) Appropriate measures for security of systems and adequacy of support are maintained. The selection of technologies is based on appropriateness for the students, faculty and curriculum.
 - iv) Faculty are full participants in decisions regarding curricula and program oversight.
 - v) Demonstration of student learning and program outcomes are appropriate to the field and degree level and consistent regardless of program delivery method.
 - vi) Appropriate admission processes, policies and assessments are used to ensure that students are capable of succeeding in an on-line learning environment. Students shall be adequately informed of the nature and expectations of on-line learning.
 - vii) Assessments of student learning, especially exams, take place in circumstances that include definite student

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identification and assurance of the integrity of student work.

- viii) Assessment of electronically offered programs by the institution occurs in the context of the regular evaluation of all academic programs.

2) Program Information

- A) The information the institution provides for students and the public shall include the following:
 - i) An accurate description of the unit of instruction, including its objectives, length and residency requirements if any;
 - ii) Schedule of tuition, fees, and all other charges and expenses necessary for completion of the unit of instruction, and cancellation and refund policies;
 - iii) Student rights and responsibilities;
 - iv) A statement regarding the transferability of college credits, including the fact that the decision to accept transfer credits is determined by the receiving institutions;
 - v) A statement as to how the institution will advise students on the nature of the transfer process, including the importance of consulting with institutions to which the student may seek to transfer;
 - vi) Evidence of arrangements for the transfer of courses or credits or both to institutional counterparts, when these arrangements exist; these arrangements are also known as articulation agreements;
 - vii) A statement of the institution's most recent graduation rates and the number of graduates and enrollments as provided by the institution to the Integrated Postsecondary Education Data System (IPEDS) and any submissions of data to satisfy Board reporting requirements; and
 - viii) Other material facts concerning the institution and the unit of instruction as are likely to affect the decision of the student to enroll.

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- B) The information listed in subsection (b)(2)(A) shall be available to prospective students prior to enrollment and shall be included in the institution's catalog of programs.
- 3) Accreditation and Licensure
Appropriate steps shall be taken to assure that professional accreditation needed for licensure or entry into a profession as specified in the objectives of the unit of instruction is maintained or will be granted in a reasonable period of time.
- c) Institutions Exempt from Approval
 - 1) Institutions offering a Board approved degree program at another site within the same region shall not be required to apply for additional Board approval.
 - 2) Institutions offering a degree program at the University Center of Lake County or the Quad-Cities Graduate Center shall not be required to apply for additional Board approval when offering degree programs approved for their home campus. For these institutions, center approval is required and the center shall be treated as part of their home campus, provided the center has notified the Board of its approval of the new degree program.
 - 3) Institutions offering a Board approved degree program through mediated instruction shall not be required to apply for additional Board approval.
 - 4) Institutions offering temporary programs meeting the following criteria shall not be required to apply for Board approval:
 - A) The unit of instruction is approved for offering in-region, and the academic standards of the in-region unit are maintained at the out-of-region site; and
 - B) The out-of-region unit of instruction is offered under contract to a single business, service organization, or government agency and enrollment is restricted to employees of the contracting business, employees or members of the organization or agency, or, in the case of a regional office of education, to the employees of public school districts within the region; and
 - C) The contractual arrangement assures that the out-of-region unit of instruction is self-supporting; that is, no State resources are required to support it; and
 - D) The out-of-region unit of instruction is offered to a single group of entering students for a single cycle not to exceed three years.

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Should the institution wish to continue the unit of instruction at the out-of-region site beyond the single cycle, the institution must submit an application for Board of Higher Education approval.

- 5) Additional Board approval is not required for Board approved institutions offering:
 - A) Programs or courses on federal military bases exclusively to base personnel and their family members;
 - B) Clinical or practice sites that are utilized as a part of Board approved degree programs;
 - C) Dual credit courses to Illinois high school students. This does not exclude institutions from annual reporting and evidence of compliance with the Dual Credit Quality Act [110 ILCS 27]; or
 - D) Programs or courses inside public correctional facilities.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 1050.40 Procedures of Obtaining Approval

- a) Approval of the Board of Control
 - 1) Applications for new units of instruction, research and public service will be reviewed by the appropriate board of control. Upon approval by the appropriate board of control, the institution shall submit to the Board a completed notice of intent on the form provided by the Board. The notice of intent shall include the degree and program name, region located, description of the program, demographics of the intended students, estimated enrollment and contact person. The notice of intent may be submitted prior to or simultaneously with the request for approval. Notices of Intent shall be publicly posted by the Board for no less than 30 days prior to any Board action on the application.
 - 2) The institution requesting permission to offer new units of instruction, research or public service will complete the application as provided by the Board and submit the completed form to the Board.
 - 3) If the appropriate board of control determines that the proposed unit is a reasonable and moderate extension rather than a new unit, the institution will so inform the Board. If the Board does not concur in this determination, the institution shall submit an application requesting approval of the new unit of instruction, research or public service to the Board.

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- 4) Community colleges may be deemed compliant with subsections (a)(1), (2) and (3) by participating in a comparable approval process required by the Illinois Community College Board.
- b) **Approval by the Illinois Board of Higher Education**
Upon determining that the Criteria for Approval are met, the Board will approve the establishment of the new unit of instruction, research or public service, and will so inform the appropriate board of control by letter from its executive director. This letter shall constitute formal authority to establish the new unit of instruction, research or public service.

Section 1050.50 Review of Existing Units of Instruction, Research and Public Service

The Board of Higher Education is authorized to review, periodically, all existing programs of instruction, research and public service at the State universities and colleges and to advise the appropriate board of control if the contribution of each program is not educationally and economically justified. [110 ILCS 205/7]

- a) **Units of Instruction Approved after December 23, 2008**
 - 1) **Third Year Progress Report**
Three years after approval of a new program, the institution shall provide a program progress report to the Board as part of the institution's annual report. The third year progress report shall describe the institution's performance in meeting program objectives and show where any improvements are necessary. The placement of a program in voluntary temporary suspension will not negate the requirement of submitting a third year progress report.
 - 2) **Third Year Status as Determined by the Institution**
 - A) **Program in Good Standing:** The institution is meeting the program objectives as outlined in the original application that was submitted during the program approval process.
 - B) **Program Flagged for Review:** The institution is not meeting the program objectives as outlined in the original application that was submitted during the program approval process. In that event, the institution shall flag the program for review and shall submit a plan for improvement. The plan will outline the steps to be taken, benchmarks indicating adequate progress, and a timeline indicating step completion and/or benchmark achievement points.
 - C) **Additional Requirement for Programs in which State Licensure is Required for Employment in the Field:** In the case of a

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program in which State licensure is required for employment in the field, a program can be found to be in good standing if the institution is able to provide evidence that program graduates are eligible to take the appropriate licensure examination and pass rates are maintained as specified in the objectives of the unit of instruction. If there is no such evidence, the institution shall report the program as flagged for review.

- 3) Upon completion of the third year progress report or the annual interim report required for programs flagged for review:
 - A) If the program is in good standing, the institution will add the program to the eight-year program review cycle as provided in subsection (b).
 - B) If the program has been flagged for review, the institution shall submit annual interim reports until the status of good standing is achieved. A flagged program will no longer be considered a Board approved program beyond the fifth anniversary of its original approval. If no required annual interim report is submitted for a flagged program, the Board will interpret the absence of an annual interim report as an indication that the institution has terminated the program and the program will no longer be considered a Board approved program.
 - C) Annual interim reports on flagged programs shall:
 - i) Delineate actions taken to resolve the issues or improve the program;
 - ii) Identify areas for further action or improvement; and
 - iii) Describe how the program will be monitored to ensure continued improvement until the next review.
 - D) An institution may request approval to place a program in voluntary temporary suspension. That status does not negate the requirement for submitting annual interim reports and does not negate the limitation of five years duration as a program flagged for review.
- 4) Community Colleges
Community colleges may be deemed compliant with the program review process by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.

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- b) Existing and newly approved units of instruction that have been identified as being in good standing will be reviewed on an eight-year cycle.
- 1) **Eight-year Program Review Process**
Programs deemed to be in good standing will be reviewed by the institution on a staggered eight-year cycle, with the institution determining the schedule for individual programs, but requiring that each program be reviewed at least once every eight years. Each institution will implement a program review process that best meets its unique needs and that is consistent with Board requirements as contained in this subsection (b) for the eight-year cycle. Institutions have the discretion to use findings from specialized program accreditations and other reviews as the basis of the program review as long as the findings are not more than two years old. When an existing report or review is to be used, the institutions will inform the Board of the process prior to the review. While the institution is responsible for developing its unique program review procedures, it shall include, at a minimum, the following components:
- A) A statement of program goals and intended learning outcomes;
 - B) An end- or near-end-of-program assessment of student learning, in addition to course-by-course assessments;
 - C) Multiple performance measures, if necessary, that reflect the uniqueness of academic programs and disciplines;
 - D) Feedback from key stakeholders (e.g., current students, alumni, employers and graduate schools);
 - E) Evidence of a formal feedback or improvement mechanism (i.e., a regular review process in place) and that the results are used to improve curriculum, instruction and learning;
 - F) Improvements to its capacity to efficiently and effectively deliver programs using technological innovation and comprehensive data systems; and
 - G) Findings and recommendations for improvement, suspension or closure.
- 2) **Status Report**
- A) Upon the conclusion of the eight-year review, the institution shall provide to the Board a summary report that contains, at a minimum, the following:

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- i) Description and assessment of any major changes in the program, including changes in the discipline or field, student demand, societal needs, institutional context for offering the degree, and other elements appropriate to the discipline;
 - ii) Major findings and recommendations, including evidence of student learning outcomes and identification of opportunities for program improvement;
 - iii) Actions taken since the last review, including instructional resources and practices, and curricular changes; and
 - iv) Actions to be taken as a result of this review, including changes in instructional resources and practices, curriculum and assessment of student learning.
 - B) The institution shall determine the status of the program. A program may be in one of three categories: in good standing; flagged for review; or under temporary suspension.
- 3) **Community Colleges**
Community colleges may be deemed compliant with the eight-year program review cycle by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.
- c) Units of instruction that have been reviewed as part of an eight-year review process and are not considered to be in good standing will be reviewed annually beginning December 23, 2008.
 - 1) **Programs Flagged for Review**
If the program has been flagged for review, the institution shall submit annual interim reports until the status of good standing is achieved, but the program will no longer be considered a Board approved program beyond the fifth anniversary of the year the program was flagged for review. If no required annual interim report is submitted for a flagged program, the Board will interpret the absence of an annual interim report as an indication that the institution has terminated the program and the program will no longer be considered a Board approved program.
Annual interim reports on flagged programs shall:
 - A) Delineate actions taken to resolve the issues or improve the program;

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- B) Identify areas for further action or improvement; and
 - C) Describe how the program will be monitored to ensure continued improvement until the next review.
- 2) **Programs Placed in Temporary Suspension Status**
An institution may place any approved program on temporary suspension after receiving Board approval. The institution shall provide an annual status report to the Board on any program under temporary suspension status. The Board will consider a program placed on temporary suspension status to be terminated if an annual status report is not received or if no reinstatement request is received within the first five years after the program was placed on temporary suspension. An institution may petition for reinstatement during the five-year period.
- 3) **Community Colleges**
Community colleges may be deemed compliant with the review process by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.
- 4) **Annual Report**
Each authorized institution shall file annually with the Board its current catalogs. In addition, institutions must comply with any data requests to satisfy Board reporting requirements.
- 5) **Complaints Concerning Institutional Degree Practices**
The staff of the Board may initiate an investigation in response to written or oral information suggesting that changes have occurred in the conditions under which authorization to award degrees was given. During the investigation, there may be a temporary hold placed on the institution's applications to the Board for new program approvals and other programs. The hold will be for a specified period of time not to exceed six months, at which time the hold will continue until the Board decision is made.
- 6) **Voluntary Relinquishing of Approval**
- A) Institutions may voluntarily relinquish their approvals for units of instruction, research or public service, and for reasonable and moderate extensions. The voluntary relinquishment shall be in writing and does not require a hearing or any other Board action to be effective.
 - B) Institutions relinquishing approval shall be required to provide for an appropriate repository of records and may be required to

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provide a student completion plan that must be approved by the Board.

- 7) Institutional Closure and Teach-Out
An institution that is closing one or more units shall send to the Board the following:
 - A) Notice Required
 - i) Notice of the closure immediately by email or certified mail;
 - ii) The name, address, and telephone number of the person who will be responsible for closing arrangements;
 - iii) A list of students affected and anticipated decisions regarding teach out for each student (e.g., graduation, transfer, remain at institution, and participate in teach out, etc.);
 - iv) Information on the remaining credit and other requirements outstanding for each student to complete the program.
 - v) Copies of the student-directed communication plan that includes the proposed timeline and methods for notifying students of teach-out options. Plans must include communication with any students who may be on approved leaves of absence or otherwise difficult to reach.
 - vi) Copies of the communication plans for informing faculty, staff and other institutional constituents.
 - B) Teach-Out Plan
 - i) When an educational institution now or hereafter operating in this State proposes to discontinue its operation, that institution shall cause to be created a teach-out plan acceptable to the Board, which shall fulfill the institution's educational obligations to its students. Should the institution fail to deliver or act on the teach-out plan, the Board is in no way responsible for providing the teach-out. [NOTE: The first sentence will likely be changed in the final rules to "[a]fter

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December 31, 2017, when an educational institution proposes...”]

- ii) A school shall have written plans designed to protect the contractual rights of its students and graduates in the event the school closes or undergoes a change of status (e.g., if the school changes location or if its authority is revoked), including the right to complete the course of instruction in which the students or graduates enrolled.
 - iii) If students are receiving instruction prior to the school’s closing, the school shall file a plan to ensure that the school’s students will continue to receive training of the same quality and content as that for which they contracted.
- C) Arrangements for transferring students to a public or another approved private institution shall be filed with the Board prior to any student transfer. Prior to approving the school’s arrangements for completing its teaching obligations to students, the Board shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.
- D) Academic Records
In the event a school proposes to discontinue its operations, the chief administrative officer of the school shall arrange for all original or legible true copies of all such academic records of the institution to be maintained in a safe and suitable place as determined by the Board (such as a third party provider, a like institution, or the Board).
- i) These records shall include, at a minimum, the academic records of each former student that is traditionally provided on an academic transcript, such as, but not limited to, courses taken, terms, grades, and other such information.
 - ii) The institution shall make students aware of how to obtain transcripts from either the closed institution and/or new institution permanently retaining the records.
 - iii) In the event it appears to the Board that any such records of an institution discontinuing its operations is in danger of being lost, hidden, destroyed, or otherwise made unavailable to the Board, the Board may seize and take possession of the records, on its own motion and without

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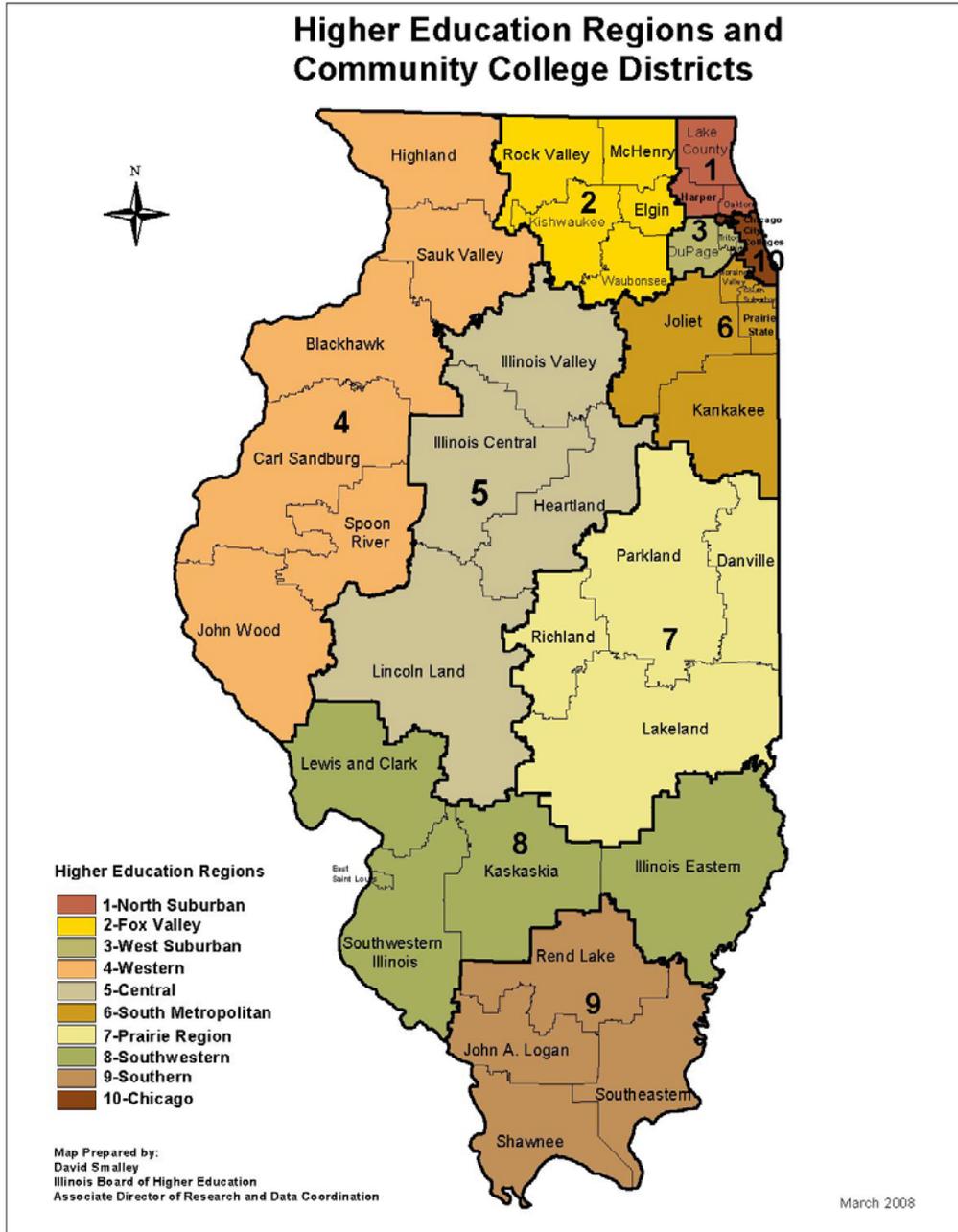
order of court. [NOTE: This subsection will likely be removed in the final rules because there is no statutory authority].

- iv) The institution must release any holds on student records before operation are discontinued and the records are transferred.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

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Section 1050.ILLUSTRATION A Map of Regions



(Source: Added at 33 Ill. Reg. 78, effective December 23, 2008)

