

AGENDA ITEM 11.

ADOPTED RULES AMENDMENTS

Submitted for: Action

Summary: This item reports on the agency's proposed rules amendments for the Illinois Future Teacher Corps (IFTC) Program. At its September 19, 2003 meeting, the Commission was presented with emergency and proposed rules amendments for this program. As provided for in the Administrative Procedure Act, emergency rules remain in effect for a limited time and further action is necessary to make the rules permanent.

The text of these proposed amendments was originally published in the Illinois Register on September 19, 2003. Initial publication of the proposed amendments triggered a 45-day public comment period which ended on October 31, 2003. No letters of public comment were received during this period. A number of minor technical changes were made in order to comply with the codification requirements of the Illinois Secretary of State and to respond to JCAR staff suggestions. At its November 14, 2003 meeting, the Commission accepted the revised proposed amendments as modified during the rulemaking process. Following this action, the Executive Director authorized staff to initiate the second 45-day review period by submitting the revised proposed amendments to the Joint Committee on Administrative Rules (JCAR), the legislative support services agency responsible for reviewing agency rulemaking, for its consideration. At its December 16, 2003 meeting, JCAR voted "no objection" to the amendments. While some technical changes have been made, the amendments presented today contain no substantive changes from those approved by the Commission at its November, 2003 meeting. The anticipated effective date of these rules is January 25, 2004.

The full text of the amendments is included in this item, as is the Notice of Adopted Amendments.

Following approval and adoption of the amendments by the Commission, the Executive Director will authorize staff to submit them to the Administrative Code Division of the Secretary of State for publication as final adopted amendments. The full text of the adopted amendments will be made available to the public on ISAC's web site following publication in the Illinois Register.

Action requested: That the Commission approve the following resolution:

"BE IT RESOLVED that the Commission approves and adopts the amendments for the Illinois Future Teacher Corps (IFTC) Program, as modified during the rulemaking process."

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- 1) The Heading of the Part: Illinois Future Teacher Corps (IFTC) Program
- 2) Code Citation: 23 Ill. Adm. Code 2764
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2764.10	Amendment
2764.20	Amendment
2764.30	Amendment
2764.40	Amendment
- 4) Statutory Authority: Implementing Section 52 of the Higher Education Student Assistance Act [110 ILCS 947/52] and authorized by Sections 20(f) and 52 of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 52].
- 5) Effective Date of Amendments: January 25, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of these adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: September 19, 2003, 27 Ill. Reg. 14797
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposed and final version: The only changes made were technical in nature.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: ISAC annually reviews its rules in order to respond to market changes and client suggestions, to implement State and federal statutory amendments, to codify improvements due to technological advances, and to clarify issues that have arisen during the previous year. We also are continuing an initiative to increase the level of standardization in procedures, format and terminology throughout our programmatic rules, in order to make them easier for our clients to use. In addition to making minor technical and grammatical changes throughout this Part, ISAC proposes the following substantive amendments:

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These amendments implement Public Act 93-0021, which modified the existing ITEACH Teacher Shortage Scholarship Program to create the Illinois Future Teacher Corps (IFTC) Program. The rulemaking sets forth the applicant eligibility requirements, program procedures, and institutional procedures.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Thomas A. Breyer
Deputy Program Officer
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015
(847) 948-8500
email: tbreyer@isac.org

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2764

ILLINOIS FUTURE TEACHER CORPS (IFTC)~~ITEACH TEACHER SHORTAGE SCHOLARSHIP~~
PROGRAM

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

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

SOURCE: Emergency rules adopted at 19 Ill. Reg. 976, effective February 1, 1995, for a maximum of 150 days; emergency expired on June 30, 1995; adopted at 19 Ill. Reg. 11367, effective August 1, 1995; amended at 20 Ill. Reg. 9141, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11029, effective July 18, 1997; amended at 22 Ill. Reg. 11043, effective July 1, 1998; amended at 24 Ill. Reg. 9095, effective July 1, 2000; amended at 27 Ill. Reg. 10395, effective July 1, 2003; emergency amendment at 27 Ill. Reg. 14860, effective September 10, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. _____, effective _____.

Section 2764.10 Summary and Purpose

- a) ~~*The Illinois Future Teacher Corps (IFTC) Program encourages academically talented Illinois students, especially minority students, to pursue teaching careers, especially in teacher shortage disciplines or at hard-to-staff schools [110 ILCS 947/52]*~~ ~~The ITEACH Teacher Shortage Scholarship encourages academically talented students to pursue careers as public, private or parochial preschool, elementary and secondary school teachers in disciplines that have been designated as teacher shortage disciplines in the State of Illinois with a priority given to minority students.~~
- b) This Part establishes the rules ~~that~~which govern the ~~IFTC~~ITEACH Program. Additional rules and definitions are contained in General Provisions; ~~(23 Ill. Adm. Code 2700).~~

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2764.20 Applicant Eligibility

- a) ~~*A qualified applicant shall be*~~ *A qualified applicant shall be:*

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- 1) ~~*a United States citizen or eligible noncitizen*~~ ~~United States citizen or eligible noncitizen~~;
- 2) ~~*a resident of Illinois*~~ ~~resident of Illinois~~;
- 3) ~~*a high school graduate or a person who has received a General Educational Development (GED) Certificate*~~ ~~a high school graduate or a person who has received a General Educational Development (GED) Certificate~~;
- 4) ~~*enrolled, or accepted for enrollment, at or above the junior level, on at least a half-time basis at an Illinois institution of higher learning*~~ ~~enrolled, or accepted for enrollment, on at least a half-time basis at an institution of higher learning~~; ~~and~~
- 5) ~~*pursuing a postsecondary course of study leading to initial teacher certification or taking additional courses needed to gain Illinois State Board of Education (ISBE) approval to teach, including alternative teacher certification [110 ILCS 947/52]*~~ ~~pursuing a postsecondary course of study leading to initial certification in a teacher shortage discipline or taking additional courses needed to gain Illinois State Board of Education (ISBE) approval to teach, including alternative teacher certification, in an approved specialized teacher shortage program.~~

- b) In any academic year in which the qualified applicant accepts or receives financial assistance through the Paul Douglas Teacher Scholarship Program (23 Ill. Adm. Code 2762), the Minority Teachers of Illinois Scholarship Program (23 Ill. Adm. Code 2763), or the Special Education Teacher Tuition Waiver Program (23 Ill. Adm. Code 2765), the qualified applicant shall not be eligible for scholarship assistance under this Part.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2764.30 Program Procedures

- a) All applicants must complete and file the form which the U.S. Department of Education (ED) designates as an application for federal student financial aid for the purpose of determining the Expected Family Contribution (EFC) which is used as a selection criterion for this award. (See Section 483 of the Higher Education Act of 1965, as amended (20 USCA 1070a).)
- b) A completed ISAC application for the ~~IFTC/TEACH Teacher Shortage Scholarship~~ Program must be postmarked on or before March 1 immediately preceding the academic year for which the scholarship is being requested, in order to receive priority consideration for an award.

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- 1) ISAC applications are available from qualified institutions of higher learning, State legislative and Congressional offices, and ISAC's Springfield, Deerfield and Chicago offices.
 - 2) ISAC will make renewal applications available to all qualified students who received ~~assistance under this PartITEACH Teacher Shortage Scholarships~~ during the preceding academic year.
 - 3) If the student section of an ISAC application is incomplete, ISAC will notify the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will be considered for processing as of the date when the application is complete and received at ISAC's Deerfield office.
- c) ISAC shall select the recipients from among qualified applicants who filed timely applications based on a combination of the following criteria:
- 1) cumulative grade point averages, prioritized from the highest to the lowest. All grade point averages will be converted to a four-point scale;
 - 2) Expected Family Contribution (EFC), from the lowest to the highest;
 - 3) minority students shall receive priority consideration; and
 - 4) recipients of assistance under ~~this PartITEACH~~ during the previous academic year shall receive first priority consideration provided the student:
 - A) continues to maintain a cumulative grade point average of no less than 2.5 on a 4.0 scale;
 - B) maintains his or her status as a qualified applicant, as outlined in Section 2764.20(a) of this Part, Applicant Eligibility;
 - C) maintains satisfactory academic progress as determined by the institution; and
 - D) has submitted an application on a timely basis.
 - 5) Preference may also be given to qualified applicants enrolled ~~in teacher shortage disciplines, which shall include early childhood education or above the junior level.~~
- d) If all other criteria are equal, priority consideration will be given to the qualified applicant who submitted his or her completed application to ISAC on the earliest date.

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- e) A recipient may receive up to ~~64~~ 48 semesters/~~64~~ quarters of scholarship assistance under this program.
- f) Scholarship funds are applicable toward two semesters/three quarters of half-time and full-time study within an academic year.
- g) The total number of scholarships awarded in a given fiscal year is contingent upon available funding.
- h) To the extent necessary to administer this program within the limits of the State appropriation, the Commission may adjust the priority consideration factors and scholarship amounts established by this Section.
- i) ISAC shall publish guidelines for the awarding of IFTC scholarships~~ITEACH Teacher Shortage Scholarships~~.
- j) Notice of eligibility shall be sent by ISAC to each qualified applicant who is selected to receive an IFTC scholarship~~ITEACH Scholarship~~. A notice will be sent by ISAC to each qualified applicant who is not selected to receive an IFTC scholarship~~ITEACH Scholarship~~.
- k) Prior to receiving scholarship assistance for any academic year, the qualified applicant must sign a Teaching Agreement/Promissory Note that is submitted to ISAC. The Teaching Agreement/Promissory Note shall include the following stipulations:
 - 1) the recipient pledges to teach, on a full-time basis, ~~in a teacher shortage discipline~~ for a period of not less than five years and in accordance with any additional commitment to teach in a teacher shortage discipline and/or at a hard-to-staff school, as applicable one year for each year of scholarship aid received or for any portion of a year for which aid was received, under this Part;
 - 2) the recipient shall begin teaching within one year following completion of the postsecondary education degree or certificate program for which the scholarship was awarded, and shall teach on a continuous basis for the required period of time;
 - 3) the teaching requirement will be fulfilled at an Illinois public, private or parochial preschool, or an Illinois public elementary or secondary school and if the award made under this Part was for teaching at a hard-to-staff school, the school must qualify for teacher loan cancellation under Section 465(a)(2)(A) of the HEA (see 20 USCA 1087ee);
 - 4) if the teaching requirement is not fulfilled, the scholarship converts to a loan and the recipient must repay the entire amount of the scholarships prorated according to the fraction of the teaching obligation not completed, plus interest at a rate

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equal to five percent and, if applicable, reasonable collection fees;

- 5) the recipient agrees to provide ISAC with evidence of compliance with program requirements (e.g., responses to annual follow-up questionnaires, etc.); and
 - 6) the recipient promises to use the proceeds of the scholarship for educational expenses.
- l) A recipient of a scholarship awarded under this Part shall not be in violation of the agreement entered into pursuant to Section 2764.30(k) during period in which the recipient:
- 1) serves, for not more than three years, as a member of the United States Armed Forces; or
 - 2) is enrolled full-time in a graduate course of study related to the field of teaching at an institution of higher learning; or
 - 3) is temporarily totally disabled, for not more than three years, as established by the sworn affidavit of a qualified physician; or
 - 4) is actively seeking but unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (k)(3) of this Section for one continuous period not to exceed two years, and is able to provide evidence of that fact;~~;~~ ~~or~~
 - ~~5) is taking additional courses, on at least a half-time basis, needed to gain ISBE approval to teach in a specialized teacher shortage discipline.~~
- m) If a recipient is required to repay any portion of the scholarship, the repayment period shall be completed within ten years after the scholarship converts to a loan. This ten-year period may be extended if the recipient:
- 1) serves, for not more than three years, as a member of the United States Armed Forces; or
 - 2) is temporarily disabled, for not more than three years, as established by the sworn affidavit of a licensed physician; or
 - 3) is pursuing a graduate course of study and is enrolled on a full-time basis for one continuous period of time not to exceed three years; or
 - 4) is seeking and unable to find full-time employment for one continuous period not to exceed two years and is able to provide evidence of that fact; or
 - 5) withdraws from a course of study leading to certification/approval in a teacher

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shortage discipline, but is enrolled at least half-time as an undergraduate for one continuous period of time not to exceed three years.

- n) During the time a recipient qualifies for any of the extensions listed in subsection (m) of this Section, he or she shall not be required to make payments and interest shall not accrue.
- o) A recipient shall enter repayment status on the earliest of the following dates:
 - 1) the first day of the first calendar month after the recipient has ceased to pursue a course of study leading to certification as a teacher ~~in a designated teacher shortage discipline~~, but not until six months have elapsed after the cessation of at least half-time enrollment in such a course of study;
 - 2) the date the recipient informs ISAC that ~~he or she~~/he does not plan to fulfill the teaching obligation; or
 - 3) the day after the latest date upon which the recipient must have begun teaching after completing the postsecondary education for which the scholarship was awarded.
- p) A recipient shall not be required to repay the amount of the ~~scholarships~~scholarship(s) received if ~~he or she~~/he becomes permanently totally disabled, as established by the sworn affidavit of a licensed physician (see, e.g., 34 CFR 653.42(k)(1)), or if his or her representative provides ISAC with a death certificate or other evidence that the recipient has died.
- q) Renewal recipients may receive a subsequent award even if their discipline is no longer on the approved list of teacher shortage disciplines.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2764.40 Institutional Procedures

- a) The institution shall submit eligibility information for qualified applicants in sufficient time for ISAC to make award announcements.
- b) The institution shall submit a certification of eligibility for qualified applicants with its request for payment.
- c) ISAC shall disburse scholarship funds in two or three installments, depending on the number of terms financed by the scholarship, except that multiple disbursements shall not be required in cases where the applicant's eligibility is not determined until the final term of the academic year for which the scholarship is being awarded or when a student is attending only one term and the maximum award does not exceed the student's cost of attendance.

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- d) Funds shall be remitted by ISAC to institutions on behalf of the recipients.
- e) Upon receipt of scholarship funds, the institution shall verify the recipient's enrollment status for the term for which the award was intended. If enrolled, the institution may credit the scholarship funds to the recipient's account for expenses due and payable. The balance of the disbursement shall be released to the recipient.
- f) Upon receipt of the scholarship funds, if the recipient has withdrawn from enrollment for the terms for which the award was intended, the institution shall return the amount of the scholarship payment to ISAC.
- g) Scholarship Amount
- 1) ~~IFTC scholarships~~~~ITEACH Teacher Shortage Scholarships~~ are applicable only toward tuition, fees and room and board charges or commuter allowances, if applicable.
 - 2) The annual scholarship amount shall be computed by the institution and be the lesser of:
 - A) tuition and fees plus room and board expenses charged by the institution;
 - B) tuition and fees plus the institution's standard cost of living allowance for students living off-campus; ~~or~~
 - C) an amount not to exceed \$5000;-
 - D) an amount not to exceed \$10,000, subject to appropriation, if the student is pursuing a course of study necessary to teach in a teacher shortage discipline in which he or she commits to teach, or has made a commitment to teach at a hard-to-staff school; or
 - E) an amount not to exceed \$15,000, subject to appropriation, if the student is pursuing a course of study necessary to teach in a teacher shortage discipline in which he or she commits to teach, and has also made a commitment to teach at a hard-to-staff school.
 - 3) The total amount of ~~IFTC scholarship~~~~ITEACH Teacher Shortage Scholarship~~ assistance awarded to a qualified applicant in a given academic year, when added to the other financial aid available to the qualified applicant for that year, cannot exceed the cost of attendance.
 - 4) A qualified applicant may receive grant assistance under the Monetary Award Program only up to the amount by which the qualified applicant's cost of

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attendance exceeds the amount of the IFTC scholarship~~TEACH Teacher Shortage Scholarship~~.

(Source: Amended at 28 Ill. Reg. _____, effective _____)