

## AGENDA ITEM 4.

### ADOPTED RULES AMENDMENTS

**Submitted for:** Action

**Summary:** This item reports on the agency's proposed rules amendments for the Robert C. Byrd Honors Scholarship Program and the Illinois Prepaid Tuition Program, the text of which was published in the **Illinois Register** on September 24, 2010. Information regarding these proposed rules amendments was previously presented to the Commission as part of the Executive Director's report at its September 24, 2010 meeting.

Amendments to the Robert C. Byrd Honors Scholarship Program were sought during the fall of 2010 in order for changes to be in effect prior to the selection of the 2011-12 Byrd Honors scholars in late winter/early spring of 2011. Amendments include: the component of the formula regarding class size and rank was modified to achieve more equity when selecting scholars within each geographic district; a student who ranks first in his/her class and has a perfect GPA and standardized test score will be given first priority for a scholarship through the at-large category if not already selected; and the geographic districts used to determine the number of scholarships awarded across the state are being updated with more current population data.

The Illinois Prepaid Tuition Program (College Illinois!<sup>®</sup> Prepaid Tuition Program) was amended to address the expanded definition of eligible institution as authorized in Public Act 96-1282. The definition of eligible institution was modified such that it now matches the definition of an institution of higher learning found in the Higher Education Student Assistance Act. Furthermore, the Commission is allowed to judge out-of-state and for-profit schools to ensure that they qualify as long as they meet standards—such as accreditation and maintenance of degree-granting programs—that are substantially equivalent to those for an eligible institution located in Illinois.

Initial publication of the proposed amendments triggered a 45-day public comment period that ended on November 8, 2010. No public comments were received, and staff initiated the second 45-day review period by submitting the proposed rules amendments to the Joint Committee on Administrative Rules (JCAR), the legislative support services agency responsible for reviewing all rulemaking action of state agencies. JCAR voted "no objection" to the proposed amendments at its December 14, 2010 meeting.

While some technical changes have been made in response to JCAR staff suggestions and to conform to the Illinois Administrative Procedure Act, there have been no substantive changes from the amendments as originally published. The anticipated effective date is February 16, 2011. The full text of the rules amendments is provided under separate cover.

Following approval and adoption of these 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 rules amendments. Once adopted, they will be communicated to ISAC's clients through publication in the **Illinois Register** and various client communications, as well as being posted to ISAC's Web site.

**Action requested:** That the Commission approve the following resolution:

**“BE IT RESOLVED** that the Commission approves and adopts the Robert C. Byrd Honors Scholarship Program and the Illinois Prepaid Tuition Program rules amendments, as modified during the rulemaking process, so that they can be effective February 16, 2011.”