# TABLE OF CONTENTS

December 3, 2021   Volume 45, Issue 49

## PROPOSED RULES
CORRECTIONS, DEPARTMENT OF
Work Release Programs
  20 Ill. Adm. Code 455................................................................................................15174

PUBLIC HEALTH, DEPARTMENT OF
Hospital Licensing Requirements
  77 Ill. Adm. Code 250................................................................................................15183
Skilled Nursing and Intermediate Care Facilities Code
  77 Ill. Adm. Code 300................................................................................................15216
Sheltered Care Facilities Code
  77 Ill. Adm. Code 330................................................................................................15250
Illinois Veterans’ Homes Code
  77 Ill. Adm. Code 340................................................................................................15270

STATE BOARD OF INVESTMENT, ILLINOIS
State (of Illinois) Employees’ Deferred Compensation Plan
  80 Ill. Adm. Code 2700..........................................................................................15285

## ADOPTED RULES
STUDENT ASSISTANCE COMMISSION, ILLINOIS
Minority Teachers of Illinois (MTI) Scholarship Program
  23 Ill. Adm. Code 2763..........................................................................................15332

## EMERGENCY RULES
EDUCATION, ILLINOIS STATE BOARD OF
Public Schools Evaluation, Recognition and Supervision (Emergency Amendment to Emergency Rule)
  23 Ill. Adm. Code 1..............................................................................................15344
Voluntary Registration and Recognition of Nonpublic Schools
  (Emergency Amendment to Emergency Rule)
  23 Ill. Adm. Code 425..........................................................................................15362

PUBLIC HEALTH, DEPARTMENT OF
Hospital Licensing Requirements
  77 Ill. Adm. Code 250..........................................................................................15375
Sexual Assault Survivors Emergency Treatment Code (Effective Through 12/31/21)
  77 Ill. Adm. Code 545..........................................................................................15387

## JCAR REVIEW OF EXISTING RULES STATEMENT OF RECOMMENDATIONS
HUMAN SERVICES, DEPARTMENT OF
Child Care
  89 Ill. Adm. Code 50..........................................................................................15393
Supplemental Nutrition Assistance Program (SNAP) (Recommendation
to Proposed Rulemaking)
89 Ill. Adm. Code 121.................................................................15394
Supplemental Nutrition Assistance Program (SNAP) (Recommendation
to Peremptory Rulemaking)
89 Ill. Adm. Code 121.................................................................15395

JCAR REVIEW OF EXISTING RULES STATEMENT OF OBJECTIONS
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS
Homeowner Assistance Fund Programs
47 Ill. Adm. Code 302..........................................................................15396

SECOND NOTICES RECEIVED
JOINT COMMITTEE ON ADMINISTRATIVE RULES
Second Notices Received.......................................................................15398

EXECUTIVE ORDERS AND PROCLAMATIONS
EXECUTIVE ORDERS
Executive Order 2021-31 (COVID-19 Executive Order No. 95)
2021-31............................................................................................15399
ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Minority Teachers of Illinois (MTI) Scholarship Program

2) **Code Citation:** 23 Ill. Adm. Code 2763

3) **Section Numbers:**
   - 2763.20
   - 2763.30
   - 2763.40

   **Adopted Actions:**
   - Amendment

4) **Statutory Authority:** Implementing Section 50 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/50 and 20(f)].

5) **Effective Date of Rule:** January 1, 2022

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** No

8) **A copy of this adopted rulemaking, 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 the Illinois Register:** 45 Ill. Reg. 10269; August 13, 2021

10) **Has JCAR issued a Statement of Objection to this rulemaking?** No

11) **Differences between Proposed and Final Version:** In addition to minor formatting and grammatical changes, a change was made in Section 2763.30, Program Procedures, to put in place a March 31 annual application priority consideration date.

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 this rulemaking replace an emergency rule currently in effect?** No

14) **Are there any rulemakings pending on this Part?** No

15) **Summary and Purpose of Rulemaking:** This Part was revised to incorporate necessary program changes from P.A. 101-654, signed into law on March 8, 2021.
ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding this adopted rule shall be directed to:

Jackie Eckley
Agency Rules Coordinator
Illinois Student Assistance Commission
500 West Monroe, 3rd Floor
Springfield IL 62704

217/782.5161
jackie.eckley@illinois.gov

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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2763
MINORITY TEACHERS OF ILLINOIS (MTI) SCHOLARSHIP PROGRAM

Section
2763.10 Summary and Purpose
2763.20 Applicant Eligibility
2763.30 Program Procedures
2763.40 Institutional Procedures

AUTHORITY: Implementing Section 50 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/50 and 20(f)].


Section 2763.20 Applicant Eligibility

a) A qualified applicant shall:

1) be a minority student or a qualified bilingual minority applicant;
2) be a resident of Illinois;

3) be a citizen or eligible noncitizen of the United States;

4) be a high school graduate or a high school equivalency certificate recipient;

5) be enrolled or accepted for enrollment on at least a half-time basis at an institution of higher learning and;

6) be a student at an institution of higher learning;

7A) be enrolled or accepted for enrollment in a course of study which, upon completion, qualifies the student to be licensed as a preschool, elementary or secondary school teacher by the Illinois State Board of Education, including alternative teacher licensure; or

B) if the applicant is already licensed to teach, be enrolled or accepted for enrollment in a course of study leading to an additional teaching endorsement or a master's degree in an academic field in which the applicant is teaching or plans to teach or has received one or more College and Career Pathway Endorsements (pursuant to Section 80 of the Postsecondary and Workforce Readiness Act) and commits to enrolling in a course of study leading to teacher licensure, including alternative teacher licensure. [110 ILCS 947/50]

78) if enrolled at the sophomore, junior, senior or graduate level, have earned a cumulative grade point average of 2.5 on a 4.0 scale; and

79) be maintaining satisfactory academic progress as determined by the institution.

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), Golden Apple Scholars of Illinois Program (23 Ill. Adm. Code 2764), the Special Education Teacher Tuition Waiver Program (23 Ill. Adm. Code
ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

2765), or the Teach Illinois Scholarship Program (23 Ill. Adm. Code 2768), the qualified applicant shall not be eligible for scholarship assistance under this Part.

(Source: Amended at 45 Ill. Reg. 15332, effective January 1, 2022)

Section 2763.30 Program Procedures

a) An application for an MTI scholarship must be submitted annually and an applicant must also complete the Free Application for Federal Student Aid® (FAFSA). An A completed ISAC application for the MTI Scholarship Program and a FAFSA must be postmarked on or before March 1st immediately preceding the regular school year for which the scholarship is being requested, in order to receive priority consideration for an award.

1) Applications are available from qualified institutions of higher learning on ISAC's website and ISAC's Springfield, Deerfield and Chicago offices.

2) ISAC will make renewal applications available to all qualified students who were awarded MTI Scholarships during the preceding regular school year.

3) If the MTI application is incomplete, ISAC will notify the applicant. The applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date when the application is complete and received by ISAC's Deerfield office.

b) When an appropriation for the MTI Scholarship Program for a given fiscal year is insufficient to provide scholarships to all qualified students, ISAC will allocate the available scholarship funds for that fiscal year to qualified students who submit a complete timely application, as specified in subsection (a) based on the following order of priority:

1) Funds will first be awarded to students who received the MTI scholarship in the prior academic year and who remain eligible for the MTI scholarship.

2) If funds remain after the awarding of scholarships under subsection (b)(1),
ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

At least 35-40 percent of the funds appropriated for scholarships awarded under this Section in each fiscal year shall be reserved for male qualified applicants. If ISAC the Commission does not receive enough applications from qualified male minorities on or before January 1 of each fiscal year to award 35-40% of the funds appropriated for these scholarships to qualified male minority applicants, then ISAC the Commission may award a portion of the reserved funds to qualified female minority applicants. [110 ILCS 947/50]

3) When at least $2,850,000, but less than $4,200,000 is appropriated in a given fiscal year for MTI scholarships, then to the extent allowed by the amount of funding that remains, at least 10% of the funds appropriated shall be reserved for qualified bilingual minority applicants, with priority being given to qualified bilingual minority applicants who are enrolled in an educator preparation program with a concentration in bilingual, bicultural education.

4) When at least $4,200,000 is appropriated in a given fiscal year for MTI scholarships, then to the extent allowed by the amount of funding that remains, at least 30% of the funds appropriated shall be reserved for qualified bilingual minority applicants, with priority being given to qualified bilingual minority applicants who are enrolled in an educator preparation program with a concentration in bilingual, bicultural education. [110 ILCS 947/50]

5) To the extent allowed by the amount of funding that remains after awarding to those applicants in the priority categories in subsections (b)(1) through (4), ISAC may award the remaining funds to other qualified applicants.

c) When an appropriation for the MTI scholarship in any given fiscal year is insufficient to provide scholarships to all qualified applicants within any of the categories in subsection (b), ISAC shall prioritize awards within that category in the following order:

1) to students that demonstrate the most financial need;

2) to students with the earliest date of received completed applications; and
NOTICE OF ADOPTED AMENDMENTS

3) to qualified applicants enrolled at or above the junior level. Notwithstanding the provisions of subsection (b), awards will be made first to renewing applicants.

d) No recipient may receive more than 8 semesters/12 quarters of scholarship assistance under this program.

e) Scholarship funds are applicable towards up to two semesters/three quarters of study within a regular school year.

f) The total number of scholarships awarded in a given fiscal year is contingent upon available funding. If appropriated funds are insufficient to provide all qualified applicants with a scholarship, available funds shall be allocated in accordance with subsections (b) and (e) and on the basis of the dates that the completed applications are received in ISAC's Deerfield office. However, preference may be given to qualified applicants enrolled at or above the junior level.

gh) Qualified applicants may be required to furnish the postsecondary institution at which they are enrolled with a copy of their high school transcripts, any other documentation verifying high school graduation, or a copy of their high school equivalency certificates.

gh) Prior to receiving scholarship assistance under this Part, 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 equivalent basis, for 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 the completion of the program for which the recipient received assistance under this Part, and shall teach on a continuous basis for the required period of time;

3) the teaching requirement will be fulfilled at a nonprofit Illinois public, private or parochial preschool, elementary school or secondary school at which no less than 30 percent of the enrolled students are minority
ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

students, as certified by the Illinois State Board of Education (ISBE). If a recipient received an MTI scholarship as a qualified bilingual minority applicant, the recipient may instead fulfill the teaching obligation in a transitional bilingual education program (as defined by Article 14 C of the School Code) or in a school in which at least 20 English learner students in the same language classification are enrolled;

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 of interest 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.

A recipient of a scholarship awarded under this Part shall not be in violation of the agreement entered into pursuant to subsection (h) during periods in which the recipient:

1) serves, for not more than three years, as a member of the United States Armed Forces;

2) is enrolled on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning;

3) is temporarily totally disabled, for not more than three years, as established by the sworn affidavit of a licensed physician;

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 (h)(3) for one continuous period not to exceed two years, and is able to provide evidence of that fact;

5) is taking additional courses, on at least a half-time basis, needed to obtain
ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

licensure as a teacher in Illinois; or

6) is fulfilling teaching requirements associated with other programs administered by ISAC if the recipient cannot concurrently fulfill them in a period of time equal to the length of the teaching obligation.

ji) If a recipient is required to repay any portion of the scholarship, the repayment period shall be completed within 10 years after the scholarship converts to a loan. This 10 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;

2) is temporarily disabled, for not more than three years, as established by the sworn affidavit of a licensed physician;

3) 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;

4) withdraws from a course of study leading to licensure as a teacher but is enrolled full-time in another academic discipline; or

5) 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.

jk) During the time a recipient qualifies for any of the extensions listed in subsection (j), the recipient shall not be required to make payments and interest shall not accrue.

kl) 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 licensure as a teacher at the preschool, elementary or secondary level, but not before 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 the recipient does not plan to
ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

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.

A recipient shall not be required to repay the amount of the scholarships received if the recipient becomes permanently totally disabled as established by the sworn affidavit of a qualified physician (see, e.g., 34 CFR 682.402(c)), or if the recipient's representative provides ISAC with a death certificate or other evidence that the recipient has died.

m) If the MTI Program does not expend at least 90% of the appropriated amount in a given fiscal year for three consecutive years and ISAC does not receive enough applications by January 1 each year from the groups identified for reserved funds, then up to 3% of appropriated funds for the next three fiscal years shall be allocated to increase awareness of the program and for the recruitment of Black males. ISAC will make a recommendation to the General Assembly by January 1 of the following fiscal year regarding whether the amount allocated to increasing awareness and recruitment should continue beyond the three-year period. [110 ILCS 947/50]

(Source: Amended at 45 Ill. Reg. 15332, effective January 1, 2022)

Section 2763.40 Institutional Procedures

a) The institution shall submit eligibility information for qualified applicants in sufficient time for ISAC to make award announcements.

b) MTI awards are paid directly to the approved institution of record that certifies to ISAC that the applicant is an eligible recipient.

1) ISAC will annually establish priority claim dates for the submission of payment requests and inform schools of the required priority dates.

2) Late payment requests will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
3) Institutions may submit their payment requests beginning 10 days prior to the start of classes for the term for which payment is being requested.

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 regular school 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.

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) MTI scholarships are applicable only toward tuition and fees and room and board charges or commuter allowances, if applicable.

2) The annual scholarship amount shall be computed by the institution and must be the lesser of:

   A) tuition and fees plus room and board expenses charged by the institution;

   B) tuition and fees plus the standard commuter allowance for students living off-campus; or

   C) $5000; unless at least $2,850,000 is appropriated in a given fiscal year for the MTI Program, then, $7,500 in that year and in each fiscal year thereafter.
3) The total amount of MTI scholarship assistance awarded to a qualified applicant in a given regular school 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 MTI Program only up to the amount by which the qualified applicant's cost of attendance exceeds the amount of the Monetary Award Program grant (23 Ill. Adm. Code 2735).

h) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests must be received by ISAC no later than July 1.

i) Each institution that participates in the MTI Program shall host an annual information session about the program for teacher candidates of color and require that each program recipient enrolled at the institution meet with an academic advisor at least once per academic year in an effort to facilitate on-time completion of the student's educator preparation program. [110 ILCS 947/50]

(Source: Amended at 45 Ill. Reg. 15332, effective January 1, 2022)