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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2017

Issue#	Rules Due Date	Date of Issue
1	December 27, 2016	January 6, 2017
2	January 3, 2017	January 13, 2017
3	January 9, 2017	January 20, 2017
4	January 17, 2017	January 27, 2017
5	January 23, 2017	February 3, 2017
6	January 30, 2017	February 10, 2017
7	February 6, 2017	February 17, 2017
8	February 14, 2017	February 24, 2017
9	February 21, 2017	March 3, 2017
10	February 27, 2017	March 10, 2017
11	March 6, 2017	March 17, 2017
12	March 13, 2017	March 24, 2017
13	March 20, 2017	March 31, 2017
14	March 27, 2017	April 7, 2017
15	April 3, 2017	April 14, 2017
16	April 10, 2017	April 21, 2017
17	April 17, 2017	April 28, 2017
18	April 24, 2017	May 5, 2017
19	May 1, 2017	May 12, 2017
20	May 8, 2017	May 19, 2017

21	May 15, 2017	May 26, 2017
22	May 22, 2017	June 2, 2017
23	May 30, 2017	June 9, 2017
24	June 5, 2017	June 16, 2017
25	June 12, 2017	June 23, 2017
26	June 19, 2017	June 30, 2017
27	June 26, 2017	July 7, 2017
28	July 3, 2017	July 14, 2017
29	July 10, 2017	July 21, 2017
30	July 17, 2017	July 28, 2017
31	July 24, 2017	August 4, 2017
32	July 31, 2017	August 11, 2017
33	August 7, 2017	August 18, 2017
34	August 14, 2017	August 25, 2017
35	August 21, 2017	September 1, 2017
36	August 28, 2017	September 8, 2017
37	September 5, 2017	September 15, 2017
38	September 11, 2017	September 22, 2017
39	September 18, 2017	September 29, 2017
40	September 25, 2017	October 6, 2017
41	October 2, 2017	October 13, 2017
42	October 10, 2017	October 20, 2017
43	October 16, 2017	October 27, 2017
44	October 23, 2017	November 3, 2017
45	October 30, 2017	November 13, 2017
46	November 6, 2017	November 17, 2017
47	November 13, 2017	November 27, 2017
48	November 20, 2017	December 1, 2017
49	November 27, 2017	December 8, 2017
50	December 4, 2017	December 15, 2017
51	December 11, 2017	December 26, 2017
52	December 18, 2017	December 29, 2017

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED REPEALER

1) Heading of the Part: Illinois Consortium for Educational Opportunity Program

2) Code Citation: 23 Ill. Adm. Code 2400

3)

Section Numbers:	Proposed Actions:
2400.10	Repealed
2400.20	Repealed
2400.30	Repealed
2400.40	Repealed
2400.50	Repealed
2400.60	Repealed

4) Statutory Authority: Implementing and authorized by the Illinois Consortium for Educational Opportunity Act as amended by PA 93-862 effective July 1, 2004 [110 ILCS 930].

5) A Complete Description of the Subjects and Issues Involved: The rulemaking would repeal the entire part. The original implementing and authorizing legislation, the Illinois Consortium for Educational Opportunity Act, has been substantially amended and a new program created, the Diversifying Higher Education Faculty in Illinois Program (23 Ill. Adm. Code 1080). There are no recipients of awards from this program who would continue to be governed by this rule.

6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None

7) Will this proposed repealer replace an emergency rule currently in effect? No

8) Does this repealer contain an automatic repeal date? No

9) Does this proposed repealer contain incorporations by reference? No

10) Are there any other rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: The proposed rulemaking neither creates nor expands any State mandate as defined in Section 3 of the State Mandates Act [30 ILCS 805/3].

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED REPEALER

12) Time, Place, and Manner in which interested persons may comment on this rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register* with:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
1 N. Old State Capitol Plaza, Suite 333
Springfield IL 62701-1377

217/557-7358
email: helland@ibhe.org
fax: 217/782-8548

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Board did not anticipate the need for this rulemaking at that time.

The full text of the Proposed Repealer begins on the next page:

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED REPEALER

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XV: ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY

PART 2400
ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY PROGRAM
(REPEALED)

Section

2400.10 Purpose
2400.20 Definitions
2400.30 ICEOP Program Guidelines
2400.40 Determining and Administering Awards
2400.50 Fulfillment of the Conditions of the Award
2400.60 Application Procedures

AUTHORITY: Implementing and authorized by The Illinois Consortium for Educational Opportunity Act (Ill. Rev. Stat. 1989, ch. 144, pars. 2301 et seq.).

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 13402, effective July 28, 1986 for a maximum of 150 days; emergency expired December 25, 1986; adopted at 11 Ill. Reg. 4674, effective March 6, 1987; amended at 14 Ill. Reg. 12262, effective July 16, 1990; amended at 14 Ill. Reg. 19178, effective November 27, 1990; amended at 15 Ill. Reg. 10069, effective June 24, 1991; repealed at 41 Ill. Reg. _____, effective _____.

Section 2400.10 Purpose

This Part provides for the administration of Illinois Consortium for Educational Opportunity Act (Ill. Rev. Stat. 1989, ch. 144, pars. 2301 et seq.) and the program of financial aid under this Act called the Illinois Consortium for Educational Opportunity Program (ICEOP).

Section 2400.20 Definitions

"Academic Year" means the period of time beginning with fall term in one calendar year and running through the end of summer term in the following calendar year.

"Act" means the Illinois Consortium for Educational Opportunity Act.

"Board" means the Board of Higher Education.

"Consortium Board" means the representatives of the institutions of higher education participating in the Consortium established under the Act.

"Illinois Resident" means any United States citizen or lawful permanent resident alien of the United States who meets as least one of the following requirements:

Has earned an educational diploma at an institution of education located in this State, or

Is a registered voter in the State of Illinois and *has lived in Illinois for a period of at least three years prior to applying for a grant.*

The status of the Illinois residency of the student at the time of initial matriculation in this program will hold for his or her entire time in his or her graduate or professional study at the ICEOP institution.

"Institution of higher learning" means an educational institution of any kind which offers a postsecondary education and credential upon completion, titled a "degree."

"Traditionally underrepresented minority group" means any of the racial minority groups designated in the Act which are represented in Illinois postbaccalaureate enrollment at a percentage rate less than the percentage of the racial minority group's representation in the total Illinois population. The Board shall annually determine which racial groups are underrepresented based upon census data and annual graduate enrollment reports from Illinois institutions of higher education.

Section 2400.30 ICEOP Program Guidelines

a) An ICEOP participating institution shall:

1) be an institution of higher education as defined in the Act;

2) actively recruit students who will be eligible for ICEOP awards and verify to the Consortium Board that applicants for ICEOP financial assistance meet all eligibility requirements;

3) maintain records for award recipients including program application materials, contracts and records of award payments;

4) provide award recipients with academic and support services, such as mentoring, counseling, and other activities that would enhance the chances for degree completion and success in achieving the goals of the program;

5) supervise payment of awards from the funds awarded by the Consortium Board;

6) collect, process and forward to the Consortium Board by March 1 of each year all new applications and renewal forms from eligible students; and

7) assist award recipients who complete their program of study in seeking a position in teaching or administration in an Illinois institution of higher learning or on an Illinois higher education governing board staff or a position as an employee of this State in an education related capacity which the Consortium Board determines to be education related. Such positions may include but shall not be limited to administrative positions in State elementary/secondary and higher education agencies.

b) For the applicant student to be eligible to participate in the ICEOP, the student shall establish and the applicable institution shall verify that the student applicant meets the following criteria:

1) *he or she is an Illinois resident;*

2) *he or she is a citizen or lawful permanent resident alien of the United States;*

3) *he or she is a member of a racial minority identified in the Act;*

4) *he or she has earned a baccalaureate degree from an institution of higher learning;*

5) he or she has been admitted as a student pursuing a doctoral, master's, or postbaccalaureate professional degree and will pursue this degree objective at least as a half-time student, as defined by the institution;

6) he or she has signed an agreement to meet the Act's employment conditions if an ICEOP award is accepted;

7) *his or her financial resources are such that in the absence of a ICEOP grant the individual will be prevented from pursuing a graduate or professional degree at the institution; and*

8) *he or she has above-average academic ability to pursue a graduate or professional degree,* as evidenced by the following:

A) *completion of a baccalaureate degree from an institution of higher learning* (Section 7 of the Illinois Consortium for Educational Opportunity Act (the Act), Ill. Rev. Stat. 1989, ch. 144, par. 2307);

B) minimum grade point average of C+ (2.75 on a grade scale of 4.00 = A) in the last 60 hours of undergraduate work; and

C) admission to a post-baccalaureate degree program at an ICEOP participating institution.

c) In order to maintain eligibility in the program and in order to be considered for subsequent ICEOP grants, an awardee must meet scholastic requirements and eligibility for financial assistance as required by the institution in which she or he is enrolled as an ICEOP participant.

Section 2400.40 Determining and Administering Awards

a) In determining the recipients of the awards, the Consortium Board shall consider:

1) whether students are enrolled full-time in doctoral programs or admitted to other traditionally recognized terminal degree programs, i.e., programs leading to career positions for which no further degree is necessary such as the Master of Fine Arts degree;

2) for master's degree programs nominees, whether students express the clear intent to pursue doctoral education or enroll in programs leading to careers in higher education; and

3) the disciplines and fields of study, other financial aid programs that are

available to minority students and the number of years normally required for the graduate or professional program in which the student is enrolled.

b) In determining the recipients of awards, the Consortium Board shall:

1) consider only members of traditionally underrepresented minority groups who are underrepresented in particular fields of study;

2) favor recipients who received awards in previous years who maintain conditions of eligibility as enumerated in Section 2400.30(b), and have made satisfactory academic progress toward a degree, as determined by each institution, provided that no student shall receive assistance for more than four years.

c) A full-time student is eligible for the maximum annual award. A student enrolled at least half-time but less than full-time is eligible for one-half of the maximum annual award.

d) In administering the award, the Consortium Board shall:

1) direct the Board to deliver the awards to the institution to disburse to the recipients, conditioned upon the recipients' satisfactory academic progress; and

2) attempt to achieve distribution of the awards among participating institutions so that the awards are distributed equitably within fields of study and geographic locations in the State of Illinois and between public and private institutions of higher education.

e) Grant funds shall be distributed by participating institutions to grantees in equal monthly payments during the period of ICEOP enrollment, not to exceed 12 months per award.

Section 2400.50 Fulfillment of the Conditions of the Award

a) *As a condition for acceptance of the award, the recipient shall agree to accept one of the following:*

1) *A teaching or nonteaching full-time appointment at an Illinois institution*

of higher learning*; or*

2) *A position at one of the higher education governing boards; or*

3) *A position as an employee of this State in an education related capacity* which the Consortium Board determines to be education related. Such positions may include but shall not be limited to administrative positions in State elementary/secondary and higher education agencies.

b) *The recipient shall accept such position or positions for a period equal to the number of years that he or she was a participant in the ICEOP* (Section 10 of the Act).

c) Failure of the recipient to fulfill the award conditions as provided for in subsections (a) or (b) above shall require the recipient to repay 20 percent of the total amount of the award on a ten-year repayment schedule.

d) All grants shall be subject to the provisions of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, pars. 2206 et seq.).

Section 2400.60 Application Procedures

a) The Board shall provide information about the ICEOP to institutions of higher education for distribution.

b) Application materials shall be distributed by participating institutions of higher education.

c) A student shall apply directly to the institution of higher education which he or she plans to attend, and the applications shall be forwarded with the institution's verification and endorsement to the Consortium Board.

d) A student who received an award in a previous year shall reapply for the next year's award directly to the institution in which he or she is enrolled or intends to enroll. The renewal form shall be forwarded with the institution's verification and endorsement to the Consortium Board.

e) Each participating institution of higher education shall request awards annually from the Consortium Board on behalf of those students recruited and admitted.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED REPEALER

f) Institutions shall submit their requests for awards to the Consortium Board by March 1 each year prior to the start of the academic year in which awards are funded.

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Access To Records of the Department of Human Rights

2) Code Citation: 2 Ill. Adm. Code 926

3) Section Number: 926.220 — Proposed Action: Amendment

4) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15] and the Freedom of Information Act [5 ILCS 140], and authorized by Section 7-101(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A)].

5) A Complete Description of the Subjects and Issues Involved: The proposed amendment modifies the Illinois Department of Human Rights' regulations regarding the cost for on-site training by the Training Institute in that on-site training for non-governmental, for–profit entities with more than 50 employees and not-for-profit entities with more than 50 employees will be $1,050 for a 3-hour training session for up to 35 attendees, plus reimbursement for travel expenses, while the cost for on-site training for non-governmental, for-profit entities with 50 employees or less, will be $500 for a 3-hour training session for up to 35 attendees, plus reimbursement for travel expenses.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

7) Will this rulemaking replace any emergency rule currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: The proposed amendment will not affect any other unit of State or local government in Illinois.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments in writing within 45 days after publication to:

Ngozi C. Okorafor

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

Chief Legal Counsel/Ethics Officer
Illinois Department of Human Rights – Legal Division
100 W. Randolph St., Suite 10-100
Chicago IL 60601

312/814-6262
TTY: 866/740-3953 (TTY)

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: The proposed amendment affects small businesses with 50 employees or less in that it reduces the cost for a 3-hour training session by the Training Institute for up to 35 attendees from $1,050 to $500, plus reimbursement for travel expenses.

B) Reporting, bookkeeping or other procedures required for compliance: No changes

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not contained in the regulatory agenda for January 2017 because the rulemaking was not anticipated.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE D: CODE DEPARTMENTS
CHAPTER X: DEPARTMENT OF HUMAN RIGHTS

PART 926
ACCESS TO RECORDS OF THE DEPARTMENT OF HUMAN RIGHTS

SUBPART A: INTRODUCTION

Section
926.110 Summary and Purpose
926.120 Definitions

SUBPART B: GENERAL PROVISIONS

926.210 Investigation Records and Files
926.220 Training
926.230 Access by Government Agencies
926.240 Copies

SUBPART C: CLASSIFICATION OF RECORDS

Section
926.310 Records that Will Be Disclosed
926.320 Records that Will Be Withheld from Disclosure
926.330 Statutory Exemptions

SUBPART D: PROCEDURES FOR REQUESTING
RECORDS FROM THE AGENCY

Section
926.410 Submittal of Requests for Records
926.420 Information To Be Provided in Requests for Records
926.430 Requests for Records for Commercial Purposes

SUBPART E: AGENCY RESPONSE TO REQUESTS FOR RECORDS

Section
926.510 Timeline for Agency Response

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

926.520 Requests for Records that the Agency Considers Unduly Burdensome
926.530 Recurrent Requesters
926.540 Requests for Records that Require Electronic Retrieval
926.550 Denials of Requests for Records
926.560 Requests for Review of Denials − Public Access Counselor
926.570 Circuit Court Review
926.580 Administrative Review

SUBPART F: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section
926.610 Inspection and Copying of Records
926.620 Fees for Records
926.630 Reduction and Waiver of Fees

926.APPENDIX A Fee Schedule for Duplication and Certification of Records

AUTHORITY: Implementing and authorized by Section 3(h) of the Freedom of Information Act [5 ILCS 140], implementing Section 7-101(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A)] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Access to Records rules adopted November 17, 1975, by the Fair Employment Practices Commission; transferred to the Department of Human Rights by P.A. 81-1216, effective July 1, 1980; emergency amendment at 4 Ill. Reg. 39, p. 335, effective September 17, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 1627, effective February 9, 1981; amended at 7 Ill. Reg. 7940, effective July 1, 1983; repealed by operation of law October 1, 1984; new rules adopted at 8 Ill. Reg. 20678, effective October 10, 1984; amended at 18 Ill. Reg. 512, effective January 4, 1994; expedited correction at 20 Ill. Reg. 7559, effective January 4, 1994; amended at 22 Ill. Reg. 1346, effective December 29, 1997; amended at 26 Ill. Reg. 17212, effective November 18, 2002; amended at 33 Ill. Reg. 16809, effective November 25, 2009; amended at 34 Ill. Reg. 16393, effective October 8, 2010; old Part repealed at 39 Ill. Reg. 9327 and new Part adopted at 39 Ill. Reg. 9330, effective June 24, 2015; amended at 41 Ill. Reg. _____, effective _____.

SUBPART B: GENERAL PROVISIONS

Section 926.220 Training

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

a) Illinois Department of Human Rights Institute for Training and Development (Training Institute) provides training to governmental as well as to non-governmental entities. The Training Institute course offerings may be found at www2.Illinois.gov/dhr.

b) A request for training may be submitted by telephone, via mail or via e-mail to the Department's Training Institute. The request should state the course desired, the number of anticipated participants in the training and the name of the contact person. The Department's Training Institute will respond to the request for training by providing the cost of training and dates when Department staff is available.

c) The~~Effective January 1, 2010, the~~ cost for on-site training for non-governmental, for-profit entities with more than 50 employees~~, regardless of the number of employees,~~ and not-for-profit entities with more than 50 employees will be $1,050 for a 3-hour training session for up to 35 attendees, plus reimbursement for travel expenses. The cost for on-site training for non-governmental, for-profit entities with 50 employees or fewer will be $500 for a 3-hour training session for up to 35 attendees, plus reimbursement for travel expenses. The Training Institute will charge $5 for each person over 35 attendees. The entity seeking training shall send its payment in the form of certified check, money order or cashier's check payable to "Illinois Department of Human Rights", along with confirmation of the scheduled training date to Illinois Department of Human Rights, Institute for Training and Development, 100 West Randolph Street, Suite 10-100, Chicago IL 60601. The Department may cancel the training if payment is not received 5 business days prior to the scheduled training date.

d) Open-to-the-public training sessions, training for governmental entities and training for not-for-profit entities with 50 or fewer employees are each provided free of charge.

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Procedures of the Department of Human Rights

2) Code Citation: 56 Ill. Adm. Code 2520

3)

Section Numbers:	Proposed Actions:
2520.40	Amendment
2520.573	Amendment

4) Statutory Authority: Implementing Articles 1 through 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 1 through 7B] and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A) and 7-105(A)].

5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking will allow the Department to develop a pilot project providing procedures for the initiation of electronic filing of documents concerning the Department's charges and investigation of charges.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

7) Will this rulemaking replace any emergency rule currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: The proposed amendments will not affect any other unit of State or local government in Illinois.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments in writing within 45 days after publication to:

Ngozi C. Okorafor
Chief Legal Counsel/Ethics Officer
Illinois Department of Human Rights – Legal Division
100 W. Randolph St., Suite 10-100

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

Chicago IL 60601

312/814-6262
TTY: 866/740-3953

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: The amendments affect all entities subject to the Human Rights Act.

B) Reporting, bookkeeping or other procedures required for compliance: No changes.

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: The proposed amendments were not contained in the Regulatory Agenda for January 2017 because the Department did not anticipate the need for the administrative rulemaking.

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER II: DEPARTMENT OF HUMAN RIGHTS

PART 2520
PROCEDURES OF THE DEPARTMENT OF HUMAN RIGHTS

SUBPART A: INTERPRETATIONS

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2520.10 Definition of Terms
2520.20 Computation of Time
2520.30 Service of Documents
2520.40 Filing with the Department
2520.50 Separability
2520.110 Preservation of Records by Employers, Labor Organizations, Employment Agencies and Respondents

SUBPART B: CHARGE

Section
2520.310 Time of Filing (Repealed)
2520.320 Form (Repealed)
2520.330 Contents
2520.340 Requirements for Charge (Repealed)
2520.350 Unperfected Charge
2520.360 Amendment
2520.370 Substitution and Addition of Parties (Repealed)
2520.380 Withdrawal of Charge

SUBPART C: PROCEDURE UPON CHARGE

Section
2520.405 Verified Response to Charge
2520.410 Docketing and Service of Charge (Repealed)
2520.415 Mediation
2520.420 Maintenance of Records (Repealed)
2520.430 Investigation
2520.440 Fact-Finding Conference
2520.450 Administrative Closure (Repealed)

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

2520.460 Determination After Investigation (Repealed)
2520.470 Conciliation (Repealed)
2520.480 Complaint (Repealed)
2520.490 EEOC Dual Filed Charges

SUBPART D: SETTLEMENTS

Section
2520.510 Settlement
2520.520 Non-Disclosure (Repealed)
2520.530 Dismissal for Refusal to Accept Settlement Offer (Repealed)
2520.540 Non-Compliance with Settlement Terms (Repealed)

SUBPART E: ADMINISTRATIVE CLOSURE, DISMISSAL AND DEFAULT

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2520.550 Administrative Closure
2520.560 Dismissal
2520.570 Default

SUBPART F: REQUESTS FOR REVIEW

Section
2520.573 Filing with Chief Legal Counsel
2520.575 Contents of Request for Review
2520.577 Notice by the Chief Legal Counsel
2520.580 Extensions of Time
2520.583 Reply to Request for Review and Surreply
2520.585 Additional Investigation
2520.587 Decision

SUBPART G: RELATIONS WITH LOCAL HUMAN RIGHTS AGENCIES

Section
2520.610 Scope and Purpose (Repealed)
2520.620 Definitions (Repealed)
2520.630 Cooperative Agreements
2520.640 Nature of Cooperative Agreements
2520.650 Training and Technical Assistance

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

2520.660 Promotion of Communication and Goodwill

SUBPART H: EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION BY STATE EXECUTIVE AGENCIES

Section
2520.700 Definitions
2520.710 Scope and Purpose
2520.720 Affirmative Action Groups
2520.730 Consideration of Additional Groups
2520.740 Definitions (Renumbered)
2520.750 Nondiscrimination (Repealed)
2520.760 Plans
2520.770 Reporting and Record-Keeping
2520.780 Equal Employment Opportunity Officers
2520.790 Complaint Process
2520.795 EEO/AA Performance Reviews
2520.797 Sanctions for Noncompliance

SUBPART I: SEXUAL HARASSMENT IN HIGHER EDUCATION POLICIES

Section
2520.810 Posting of Sexual Harassment Policies
2520.820 Notice to Show Cause

2520.APPENDIX A Contents of Affirmative Action Plans
2520.APPENDIX B Value Weight Assignment Chart (Repealed)
2520.APPENDIX C Contents of Layoff Reports
2520.APPENDIX D Illinois Counties by Region

AUTHORITY: Implementing Articles 1 through 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 1 through 7B] and the Intergovernmental Cooperation Act [5 ILCS 220], and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A) and 7-105(A)].

SOURCE: Adopted November 20, 1972 by the Fair Employment Practices Commission; transferred to the Department of Human Rights by P.A. 81-1216, effective July 1, 1980; emergency amendments at 4 Ill. Reg. 39, p. 335, effective September 17, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 1627, effective February 9, 1981; amended at 6 Ill. Reg.

2125, effective February 8, 1982; amended at 6 Ill. Reg. 3076, effective March 15, 1982; amended at 6 Ill. Reg. 8090, effective July 1, 1982; codified at 8 Ill. Reg. 17884; amended at 17 Ill. Reg. 15556, effective September 13, 1993; amended at 18 Ill. Reg. 16829, effective November 4, 1994; emergency amendment at 20 Ill. Reg. 445, effective January 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 5084, effective March 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6291, effective April 18, 1996; amended at 20 Ill. Reg. 10631, effective July 24, 1996; amended at 21 Ill. Reg. 14081, effective October 10, 1997; amended at 26 Ill. Reg. 17217, effective November 18, 2002; amended at 29 Ill. Reg. 804, effective December 28, 2004; amended at 30 Ill. Reg. 1343, effective January 13, 2006; amended at 30 Ill. Reg. 13403, effective July 31, 2006; amended at 30 Ill. Reg. 18715, effective November 20, 2006; amended at 31 Ill. Reg. 12319, effective August 8, 2007; amended at 31 Ill. Reg. 14815, effective October 19, 2007; amended at 32 Ill. Reg. 13482, effective August 1, 2008; amended at 33 Ill. Reg. 11311, effective July 20, 2009; amended at 33 Ill. Reg. 17086, effective December 4, 2009; amended at 34 Ill. Reg. 11413, effective July 20, 2010; amended at 36 Ill. Reg. 8699, effective June 1, 2012; amended at 38 Ill. Reg. 9481, effective April 21, 2014; amended at 39 Ill. Reg. 5601, effective April 6, 2015; amended at 41 Ill. Reg. _____, effective _____.

SUBPART A: INTERPRETATIONS

Section 2520.40 Filing with the Department

a) Documents required to be filed with the Department shall be deemed filed when received, if hand-delivered, ~~or~~ telefaxed, or electronically submitted pursuant to an Electronic Filing Pilot Project (see subsection (b)), except that requests for review filed pursuant to Section 2520.573 ~~of this Part~~, replies to requests for review and surreplies to replies filed pursuant to Section 2520.583 ~~of this Part~~, and requests for extensions of time to file those ~~such~~ pleadings and responses pursuant to Section 2520.580 ~~of this Part~~ may not be telefaxed. An item delivered by the U.S. Postal Service shall be deemed to have been filed when postmarked, properly addressed and posted for delivery. An item delivered by a private delivery service shall be deemed to have been filed on the date sent as indicated on the label, or in the absence of such a date on the label, shall be deemed filed on the date received.

b) The Department may develop an Electronic Filing Pilot Project authorizing electronic filing and use of electronic signatures. The Electronic Filing Pilot Project may designate the procedures for electronic filing, including, but not limited to, the types of cases, types of documents, size of documents and format.

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

The Department shall post the Electronic Filing Pilot Project policy on its website and make the policy available in writing, if requested. An item submitted by electronic communication pursuant to the Department's Electronic Filing Pilot Project shall be deemed to have been filed on the date received by the Department's electronic communication system, unless it is submitted on a Saturday, Sunday or legal State holiday, in which case, it is deemed filed on the following business day.

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

SUBPART F: REQUESTS FOR REVIEW

Section 2520.573 Filing with Chief Legal Counsel

For charges filed on or after January 1, 1996 and before January 1, 2008:

a) A Complainant may request review by the Chief Legal Counsel of a determination by the Director to dismiss one or more allegations of a charge for:

1) lack of substantial evidence;

2) lack of jurisdiction;

3) failure of a Complainant to proceed; or

4) failure of a Complainant to accept a settlement offer.

b) A Respondent may request review by the Chief Legal Counsel of a decision by the Director to issue a notice of default.

c) Any request for review must be filed with the Chief Legal Counsel at the Department's Chicago office within 30 days after receipt of the Department's notice of the decision. The Department's Electronic Filing Project (see Section 2520.40(b)) shall not apply to this Section.

d) Neither the parties nor the Department may communicate directly or indirectly with the Chief Legal Counsel or staff attorney assigned to a request for review in connection with any issue, except in writing with copies to all parties and the Department.

e) If resources permit, the Chief Legal Counsel shall not assign a request for review to the staff attorney who has conducted the substantial evidence review. The Chief Legal Counsel shall have sole discretion over assignment of requests for review.

f) Proceedings on requests for review shall toll the time limitation established in Section 7A-102(G)(1) or Section 7B-102(G) of the Act from the date on which the Director's notice of dismissal or default is issued to the date on which the order of the Chief Legal Counsel of the Department is entered.

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Surface Mined Land Conservation and Reclamation Act

2) Code Citation: 62 Ill. Adm. Code 300

3) Section Number: 300.40 — Proposed Action: Amendment

4) Statutory Authority: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].

5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to increase the amount of bond required to be filed with the Department before any surface mining or refuse disposal permit is issued. The maximum bond amount will be increased from $5,000 per acre to a maximum bond of $10,000 per acre. In addition, under circumstances where a written agreement between the operator and a third party require overburden to be removed, replaced, graded, and seeded in a manner that the necessary bond penalty exceeds $10,000 per acre, the Department shall require a bond amount sufficient to ensure the completion of the reclamation plan specified in the approved permit in the event of forfeiture. Also, in no case shall the bond for the proposed permit area be less than $600 per acre or less than an aggregate bonding amount of $3,000 for the entire proposed permit area, whichever is greater.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: PA 99-224

7) Will this rulemaking replace any emergency rule currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Nick SanDiego, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/558-1224

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: January 2017

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

PART 300
SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

SUBPART A: SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

Section
300.10 Introduction
300.20 Permits
300.30 Fees
300.40 Bonds
300.50 Permit Application Requirements
300.60 Role of County Government in Reclamation
300.70 Departmental Consideration of Reclamation Plans
300.80 Public Filing of Approved Plans
300.90 Amendments to Permits
300.95 Transfer of Permits
300.100 Reclamation Planning
300.110 General Reclamation Requirements
300.120 Criteria For Types of Land Reclamation
300.130 Reclamation of Gob Disposal Areas and Outside Slopes of All Overburden Deposition Areas
300.140 Reclamation of Slurry Pond Disposal Areas
300.150 Water Impoundment Structures
300.160 Affected Acreage Map
300.170 Violations and Forfeiture
300.180 Bond Release Procedure

SUBPART B: USE OF EXPLOSIVES IN NON-COAL
MINERAL EXTRACTION OPERATIONS

Section
300.200 Scope of this Subpart
300.205 Purpose
300.210 Definitions Applicable to Subpart B
300.215 General Requirements

300.220 Monitoring
300.225 Use of Explosives; Control of Adverse Effects
300.230 Use of Explosives; Blasting Signs, Warnings and Access Control
300.235 Training
300.236 Examination
300.237 Application and Licensure
300.238 Fees
300.239 Denial, Issuance of Notice of Infraction, Suspension, Revocation and Other Administrative Actions
300.245 Notices of Violation
300.246 Cessation Orders
300.247 Office of Mines and Minerals Decision
300.248 Hearings
300.249 Temporary Relief
300.250 Subpoenas

300.ILLUSTRATION A Tree Sampling Procedure
300.ILLUSTRATION B Typical Sections

AUTHORITY: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].

SOURCE: Adopted January 6, 1976; codified at 8 Ill. Reg. 4507; amended at 14 Ill. Reg. 3548, effective February 22, 1990; amended at 20 Ill. Reg. 9546, effective July 1, 1996; recodified from the Department of Mines and Minerals to the Department of Natural Resources at 21 Ill. Reg. 16192; amended at 22 Ill. Reg. 8407, effective April 28, 1998; amended at 23 Ill. Reg. 11231, effective August 26, 1999; amended at 26 Ill. Reg. 4372, effective March 11, 2002; amended at 37 Ill. Reg. 6779, effective May 1, 2013; amended at 41 Ill. Reg. _____, effective _____.

SUBPART A: SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

Section 300.40 Bonds

a) Bonds Generally
Bonds shall be in keeping with the Act and this Part. Each application for a permit shall require a separate bond. Bonds shall be issued to coincide with the permit period.

b) Bond Calculation
The amount of bond required to be filed with the Department before any surface mining or refuse disposal permit is issued shall be from $600 to $10,000~~5,000~~ per acre or fractional part thereof, the exact amount to be determined by the Director after considering the various factors relating to the predictable reclamation cost. Under circumstances in which a written agreement between the operator and a third party requires overburden to be removed, replaced, graded and seeded in a manner that the necessary bond penalty exceeds $10,000 per acre, the Department shall require a bond amount sufficient to ensure the completion of the reclamation plan specified in the approved permit in the event of forfeiture. In no case shall the bond for the entire area under one permit be less than $600 per acre or $3,000, whichever is greater. The Director shall notify the applicant of the amount of the bond which must be filed by the applicant before a permit will be issued.

c) Definitions

1) Bond means surety bond or other security in lieu thereof.

2) Surety bond means an indemnity agreement in a sum certain payable to the Department, executed by the permittee~~permitee~~ as principal and ~~which is~~ supported by the performance guarantee of a corporation licensed to do business as a surety in Illinois.

3) Other security means an indemnity agreement in a sum certain executed by the permittee~~permitee~~ as principal that~~which~~ is supported by the deposit with the Department of one or more of the following:

A) A cash account, which shall be the deposit of cash in one or more federally-insured or equivalently protected accounts, payable only to the Department upon demand, or the deposit of cash directly with the Department;

B) Negotiable government securities, endorsed to the order of, and placed in the possession of, the Department;

C) An irrevocable letter of credit of any bank organized or authorized to transact business in Illinois, payable only to the Department

upon presentation;

D) Certificates of deposit, drawn on a federally insured bank, made payable or assigned to the Department and placed in its possession.

d) Bond Requirements

1) Form
Bonds required to be filed with the Department shall be in such form and content as the Director prescribes, payable to the "People of the State of Illinois~~.~~".

2) Conditions Generally

A) Each bond shall conform with the requirements of the Act and this Part and with the declared purpose for which the application for the permit is filed, and shall be in the amounts prescribed by the Act and established by the Director governing such purpose and the proposed area affected.

B) Bonds shall remain in effect until the affected lands have been reclaimed, approved and released by the Department, pursuant to the Act and this Part.

3) Surety Bond Requirements

A) Bonds shall be signed by the operator as principal, and by a good and sufficient corporate surety, approved by the Director and licensed to do business in Illinois as surety.

B) Each surety bond shall provide that the bond shall not be cancelled by the surety except after not less than 90 days'~~days~~ notice to the Department. The~~Such~~ notice shall be served upon the Department in writing by registered or certified mail to the following address:

Illinois Department of Natural Resources
Office of Mines and Minerals
One Natural Resources Way

C) Not less than 10 days prior to the expiration of the 90 days'~~days~~ notice of cancellation, the operator must deliver to the Department a replacement bond. If the~~such~~ bond is not delivered, all surface mine operations and use of slurry ponds and gob disposal areas by that operator must cease. The replacement bond shall be accompanied by a letter from the bonding company acknowledging the bond is in lieu of a formerly cancelled bond and identifying the dates of the permit period ~~which~~ the bond is to cover.

D) If the license to do business in Illinois of any surety upon a bond filed with the Department shall be suspended or revoked, the operator, within 30 days after receiving notice of the suspension/revocation~~thereof~~ from the Department, shall substitute for any surety a good and sufficient corporate surety approved by the Director and licensed to do business in Illinois as a surety. Upon the failure of the operator to make the~~said~~ substitution of surety, the Department shall have the right to suspend the permit of the operator until substitution has been made.

4) Other Securities Requirements

A) Letters of credit shall be subject to the following conditions:

i) The letter may only be issued by a bank organized or authorized to do business in the United States (~~"~~issuing bank~~"~~). If the issuing bank does not have an office for collection in Illinois, there shall be a confirming bank designated that is authorized to accept, negotiate and pay the letter upon presentment in Illinois.

ii) Letters of credit shall be irrevocable during their terms. A letter of credit used as security in areas requiring continuous bond coverage shall be forfeited and shall be collected by the Department if not replaced by other suitable bond or letter of credit at least 30 days before its expiration date.

iii) The letter of credit shall be payable to the Department upon demand, in part or in full, upon receipt from the Department of a notice of forfeiture issued in accordance with Section 300.170~~ of this Part~~.

iv) The letter of credit shall provide on its face that the Department, its lawful assigns, or the attorneys for the Department or its assigns, may sue, waive notice and process, appear on behalf of, and confess judgment against the issuing bank (and any confirming bank) in the event that the letter of credit is dishonored. The letter of credit shall be deemed to be made in Sangamon County, Illinois, for the purpose of enforcement and any actions on the letter of credit~~thereon~~ shall be enforceable in the Courts of Illinois, and shall be construed under Illinois law.

B) Certificates of deposit shall be subject to the following conditions:

i) The Department shall require that certificates of deposit be made payable to or assigned to the Department, both in writing and upon the records of the bank issuing the certificates. If assigned, the Department, shall require the banks issuing these certificates to waive all rights of setoff or liens against those certificates.

ii) The Department shall not accept an individual certificate of deposit in an amount in excess of $100,000 or the maximum insurable amount as determined by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC).

C) Cash accounts shall be subject to the following conditions:

i) The Department may authorize the permittee to supplement the bond through the establishment of a cash account in one or more federally-insured or equivalently protected accounts made payable upon demand to, or deposited

directly with, the Department.

ii) Any interest paid on a cash account shall be returned to the permittee.

iii) The Department shall not accept an individual cash account in an amount in excess of $100,000 or the maximum insurable amount as determined by the FDIC~~Federal Deposit Insurance Corporation~~ or the FSLIC~~Federal Savings and Loan Insurance Corporation~~.

e) Request for Bond Review

1) During the term of the permit, and until all bond has been released, the permittee, the county board of each county containing lands affected, or a municipality with legal jurisdiction over the permit area through an annexation or pre-annexation agreement with the permittee, may submit a written request to review the Department's required bond amount and calculations upon which the bond amount was based.

2) The Department shall notify the permittee, county board and municipality whenever a request for bond review has been received. It shall be the permittee's responsibility to accurately identify in the permit application any applicable municipality with legal jurisdiction, pursuant to Section 300.50(a)(16)~~ of this Part~~.

3) Based upon review of the bond calculation, if the permittee, county board or municipality believes the bond amount to be inadequate or excessive, it~~they~~ may present written information to the Department in support of its position. That~~Such~~ information must be based upon site specific conditions and supported by sound technical data, including, but not necessarily limited to, engineering cost estimates for earthmoving, grading and revegetation. All information submitted will be made available to the permittee, county board and municipality.

4) The Department shall render a written decision on each request for bond review within 60 days after receipt of all information specified in subsection (e)(3)~~ above~~, and shall provide a copy of its decision to the

permittee, county board and municipality. The Department's decision concerning the bond review request must be based upon site specific conditions and supported by sound technical data, including, but not necessarily limited to, engineering cost estimates for earthmoving, grading and revegetation. If the Department makes the determination that the bond amount is inadequate or excessive, the bond shall be adjusted in accordance with Section 8 of the Act.

5) The Department will make any site specific information in its possession available to the permittee, county or municipality upon request, with the exception that confidential information submitted by the permittee pursuant to Section 5(e)(15) of the Act may not be released to the county or municipality.

6) The Department's written decision on a request for bond review shall be considered the final agency action, and the permittee, county or municipality may request judicial review of that decision in accordance with the Administrative Review Law [735 ILCS 5/Art. III].

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

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Hospital Financial Assistance under the Fair Patient Billing Act

2) Code Citation: 77 Ill. Adm. Code 4500

3) Section Number: 4500.APPENDIX A — Proposed Action: Amendment

4) Statutory Authority: Implementing and authorized by Section 27 of the Fair Patient Billing Act [210 ILCS 88/27].

5) A Complete Description of the Subjects and Issues Involved: The proposed amendment will update Appendix A to reflect the 2017 poverty guidelines published by the United States Department of Health and Human Services (DHHS) in the Federal Register on January 31, 2017.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No studies or reports were used to compose this rulemaking.

7) Will this rulemaking replace any emergency rule currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: This rulemaking does not affect or create or expand a State mandate under the State Mandates Act.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Lynn Patton
Rules Coordinator
Office of the Attorney General
500 South Second Street
Springfield IL 62706

David F. Buysse
Deputy Chief, Public Interest Division
Office of the Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENT

217/524-1504 312/814-7236

All written comments filed within 45 days after the date of publication of this Notice will be considered.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking may affect small businesses, small municipalities and not-for-profit corporations that operate hospitals in Illinois by requiring the modification of their forms to reflect the updated federal poverty income guideline information.

B) Reporting, bookkeeping or other procedures required for compliance: None beyond those already required of hospitals

C) Types of professional skills necessary for compliance: None beyond those already required for personnel engaged in hospital billing operations

14) Regulatory Agenda on which this rulemaking was summarized: January 2017

The full text of the Proposed Amendment begins on the next page:

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER XVIII: OFFICE OF THE ATTORNEY GENERAL

PART 4500
HOSPITAL FINANCIAL ASSISTANCE
UNDER THE FAIR PATIENT BILLING ACT

Section

4500.10 Definitions
4500.20 Referenced Materials
4500.30 Hospital Financial Assistance Application Requirements
4500.40 Presumptive Eligibility Criteria
4500.50 Hospital Financial Assistance Electronic and Information Technology
4500.60 Hospital Financial Assistance Reporting Requirements

4500.APPENDIX A 2017~~2016~~ Poverty Income Guidelines

AUTHORITY: Implementing and authorized by Section 27 of the Fair Patient Billing Act [210 ILCS 88/27].

SOURCE: Adopted at 37 Ill. Reg. 12536, effective July 22, 2013; amended at 38 Ill. Reg. 20263, effective October 10, 2014; amended at 39 Ill. Reg. 10751, effective July 27, 2015; amended at 40 Ill. Reg. 7900, effective May 18, 2016; amended at 41 Ill. Reg. _____, effective _____.

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENT

Section 4500.APPENDIX A 2017~~2016~~ Poverty Income Guidelines

2017~~2016~~ HEALTH AND HUMAN SERVICES POVERTY GUIDELINES

Persons in Family	Poverty Guideline
1	$12,060~~11,880~~
2	$16,240~~16,020~~
3	$20,420~~20,160~~
4	$24,600~~24,300~~
5	$28,780~~28,440~~
6	$32,960~~32,580~~
7	$37,140~~36,730~~
8	$41,320~~40,890~~
For additional persons, add	$ 4,180~~4,160~~

NOTE: See 82~~81~~ Fed. Reg. 8831 through 8832 (January 31, 2017)~~4036 through 4037 (January 25, 2016)~~.

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Public Schools Evaluation, Recognition, and Supervision

2) Code Citation: 23 Ill. Adm. Code 1

3)

Section Numbers:	Adopted Actions:
1.423	New Section
1.443	New Section
1.APPENDIX B	New Section
1.APPENDIX H	New Section

4) Statutory Authority: 105 ILCS 5/2-3.167(d) and 110 ILCS 148/20 and 25

5) Effective Date of Rules: April 5, 2017

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted rules, 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*: 40 Ill. Reg. 15915; December 2, 2016

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

11) Differences between Proposal and Final Version: References to the Global Scholar Capstone Performance-based Assessment were standardized throughout the rulemaking. Section 1.443(b) clarified the listed scoring criteria may be amended from time to time and Section 1.443(g) clarified if scoring criteria is added to 1.443(b) then the criteria and indicators must also be included in 1.443Appendix H. Ten small technical changes were made in order for consistency.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace any emergency rule currently in effect? Yes

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

14) Are there any other rulemakings pending on this Part? Yes

Section Numbers:	Proposed Actions:	*Illinois Register* Citation:
1.77	Amendment	40 Ill. Reg. 1645; February 10, 2017
1.280	Amendment	40 Ill. Reg. 1645; February 10, 2017
1.420	Amendment	40 Ill. Reg. 1645; February 10, 2017
1.705	Amendment	40 Ill. Reg. 1645; February 10, 2017
1.720	Amendment	40 Ill. Reg. 1645; February 10 2017
1.790	Amendment	40 Ill. Reg. 1645; February 10, 2017

15) Summary and Purpose of Rulemaking: PA 99-674, effective July 29, 2016, creates the Postsecondary Workforce Readiness Act [110 ILCS 148]. Among other initiatives to ensure students are ready for postsecondary education and careers, Section 20 of the Act establishes the Competency-based, High School Graduation Requirements Pilot Program. The Pilot Program allows participating school districts to choose the year and course requirements it wishes to replace with a competency-based learning system. The Pilot Program is limited to high schools.

The first two annual cohorts will be limited to no more than 12 school districts. A school district may only submit one application per cohort. School districts with a population over 500,000 may not include more than six schools.

Section 20 outlines the Pilot Program requirements. Competency Based learning systems provide students opportunities to demonstrate mastery of material in ways that mirror how the work would occur outside of schooling. Further, schools that engage in this work and students who demonstrate competency should earn credit toward graduation requirements. Each school district's competency-based learning system pilot program plan must:

show the proposed learning system supports its community's efforts to better prepare high school students for college, career, and life;
have a plan for educator administrator and educator professional development;
determine how core academic areas that will be replaced (mathematics, English language arts and science) will be mastered through learning opportunities including CTE work experiences;
develop a community engagement and communications plan;
develop a plan for assigning course grades within the system;
establish a plan for collecting and assessing student progress;

develop a system for data collection and reporting to the State Board;
partner with a community college and institution of higher education to consult with the development and administration of the learning system; and
engage feeder elementary schools.

Section 25 of the Act establishes the two phase application system. The first phase is the initial application and selection while the second phase is the full development and implementation of the competency-based learning system. The State Board is required to develop and issue an application that includes:

a demonstration of commitment from school district leaders, participating teachers and the community college and higher education partners;
what year and course requirements will be replaced;
a general description of how the learning system will be implemented;
prior professional development and stakeholder engagement; and
any waivers or modifications to the School Code or administrative rules.

The adopted administrative rules establish the standards for applying for the Pilot Program. All applications must include:

the cover packet with all the information in Section 20 of the Act;
a narrative providing a general description of the school district's plan for implementing the Pilot Program addressing the statutory requirements; and
a section detailing how the program will be monitored and evaluated.

Applications will be evaluated using the following criteria for review:

strength of local commitment (20 points);
prior professional development and stakeholder engagement (20 points);
quality of proposed plan (50 points (project goals, 10 points; project narrative, 25 points; evaluation, 15 points)); and
diversity points (10 points (school district type, up to 2 points, school district size, up to 2 points, geographical location, up to 2 points; plan approach, up to 4 points)).

The State Superintendent will notify approved school districts no later than 45 days after the close of the application period. Participating school districts must submit reports to

the State Board assessing the implementation of the program along with any recommendations for modifications.

Finally, pursuant to Section 25(d) of the Act, the State Superintendent may remove a participating school district from the Pilot Program. The State Superintendent will consider the school district's failure to abide by the conditions submitted in its application when deciding to remove a school district. Sections 1.423 and 1.APPENDIX B implement PA 99-674 and have simultaneously been adopted by emergency rule.

PA 99-780, effective August 12, 2016, created the State Global Scholar Certification. This certification recognizes public high school students who have attained global competence. The certification will be affixed to a student's diploma and transcript upon graduation.

Students receiving this certification must:

complete eight globally-focused courses;
participate in at least one globally-focused service learning activity or experience;
participate in a global collaboration or dialogue; and
complete and pass the Global Scholar Capstone Performance-Based Assessment.

Globally-focused courses must address world issues, perspectives, concerns or culture throughout the duration of the course. Examples of globally-focused courses include world languages; world geography; literature of another country, region, or culture; and international agri-science or agriculture. Other courses may qualify if they meet the listed criteria. Eligible service learning opportunities must be approved by the Global Scholar Committee and must be tied to the student's coursework and align with the Illinois Learning Standards. The global collaboration/dialogue must allow the student to demonstrate his/her ability to effectively communicate with peers whose culture is significantly different. These dialogues may take place person-to-person, through virtual means or as part of the service learning experience.

Finally, the Global Scholar Capstone Performance-Based Assessment requires the student:

to report on a question addressing a global issue or concern;
indicate a research-based investigation;
develop research-based conclusions and a proposal to address the global issue;

communicate with at least two people impacted by the issue or with an expert on that issue;
create an artifact (e.g., video, painting, presentation) demonstrating his/her research;
take action to affect change relating to the issue or concern; and
reflect on his/her entire experience.

The assessment will be evaluated on 11 criteria that include the development of the global question/issue, the student's ability to gather information from global stakeholder groups, whether the research the student gathered was sufficient to answer his/her global question, and how the student engaged stakeholders to present his/her findings.

In addition, the adopted rulemaking establishes notification deadlines for participating schools to report their intent to participate to the State Board of Education. The proposed rulemaking also establishes standards for the school district's Global Scholar Committee and for scoring the student's assessments. The proposed rulemaking requires school districts to submit an annual report to the State Board no later than 30 days after the end of the school year. School districts must make information regarding the Global Scholar Certificate available on their websites. Surveys must be distributed to students and educators participating in the Global Scholar Certificate program to evaluate the program as a whole.

16) Information and questions regarding these adopted rules should be directed to:

Lindsay M. Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777-0001

217/ 782-5270
rules@isbe.net

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1
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SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.423 Competency-Based High School Graduation Requirements Pilot Program

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

Section 20 of the Postsecondary and Workforce Readiness Act [110 ILCS 48] (the Act) authorizes a pilot program for school districts to provide career-oriented education through competency-based instruction. This Section sets forth the process to apply for approval to participate in the Competency-Based High School Graduation Requirements Pilot Program (the Program) and the reporting requirements and conditions for removal from the Program.

a) Definitions

"Adaptive Competencies" means foundational skills needed for success in college, careers and life, such as, but not limited to, work ethic, professionalism, communication, collaboration and interpersonal skills, and problem-solving.

"Community College" means a public community college organized under the Public Community College Act [110 ILCS 805]. (Section 10 of the Act)

b) Eligible Applicants
School districts participating in the Program may select the year and course graduation requirement it wishes to replace with a competency-based learning system. A school district with a student population under 500,000 may participate in the pilot program for some or all of its schools serving grades 9-12. Those with over 500,000 students may only select six schools to participate in the project. (See Section 25(g) of the Act.)

c) A school district wishing to participate in the Program shall submit an application to the State Board of Education that addresses each of the components listed in Section 20 of the Act and subsection (d) of this Section. If a school district withdraws its application, the State Board will consider additional school districts.

d) In addition to addressing each of the components in Section 20 of the Act, each application shall include:

1) Cover Packet

A) School district contact information, including the name, email and telephone number of the Program Director;

B) Year the Program will be implemented;

C) List of schools participating in the Program;

D) Graduation requirements from Section 27-22 of the School Code [105 ILCS 5] the Program will replace;

E) The name of each teacher participating in the Program and the subject/grade he or she teaches for each participating school;

F) A description of how teachers have been engaged throughout the application process;

G) A description of how the local community college and an institution of higher education have been involved in the application process;

H) A description of the school district's prior professional development and stakeholder engagement efforts during the application process, including any prior implementation of professional development for major district instructional initiatives;

I) Identification of community partners and how they will support the Program;

J) Name, position and signature of all standing Planning and Implementation Committee members;

K) Any waivers of the School Code or administrative rules in accordance with Section 2-3.25(g) of the School Code; and

L) Signatures of the district superintendent; school board president; exclusive bargaining unit president, if there is one, and, if there is no bargaining unit president, a representative selected by the district educators; community college representative; and institution of higher education representative.

2) Proposal Narrative

Provide a general description of the district's plan for implementing the Program. Include a description of the Program's vision and goals as well as innovative features for student success that will be addressed, indicate the intended impact of the flexibility requested in the plan, provide activities and a timeline for meeting the goals, and describe the expected outcome for students. The narrative should address all of the following elements:

A) How students will demonstrate mastery of all required competencies to earn credit;

B) How students will demonstrate mastery of Adaptive Competencies defined by the school district in addition to academic competencies;

C) How students will advance once they have demonstrated mastery. If needed, how students shall receive more time and personalized instruction to demonstrate mastery;

D) How students will have the ability to attain advanced postsecondary education and career-related competencies beyond those needed for graduation;

E) How students will be assessed using multiple measures to determine mastery, usually requiring application of knowledge; and

F) How students will be able to earn credit toward graduation requirements in ways other than traditional coursework, including learning opportunities outside the traditional classroom setting, such as Supervised Career Development Experiences.

3) Evaluation and Sustainability
Describe how the Program will be monitored and evaluated and how the results will be reported. Indicate how the impact on increasing student success and/or other stated goals and objectives will be shared within your district and beyond (parents, community, etc.).

e) Criteria for Review and Approval of Proposals
The school districts selected to participate in the Program will be evaluated on the following criteria (also see Appendix B):

1) Strength of Local Commitment (20 Points)

A) List of participating schools including signature of school principal.

B) List of teachers participating in the Program.

C) List of the Planning and Implementation Committee, including their signatures.

D) Inclusion of the plan for involvement by the local community college and an institution of higher education.

2) Prior Professional Development and Stakeholder Engagement (20 Points)

A) Description of how teachers have been engaged throughout the application process.

B) Description of how the local community college and a higher education institution have been actively engaged throughout the application process.

C) Description of district's prior professional development and stakeholder engagement efforts to support successful development of the application and implementation of the plan.

D) Description of community partners that will support the system's implementation.

3) Quality of Proposed Plan (50 Points)

A) Project Goals (10 points)

i) The proposal identifies clear, realistic, measurable goals.

ii) The goals clearly specify how student achievement will be impacted.

B) Project Narrative (25 points)

i) The proposal relates to innovative practices based upon research, previously collected district data, best practices, or additional information.

ii) The proposed activities are likely to produce measurable results and improve student achievement.

iii) The proposal provides a description of how it will meet all elements required to be included in the Program.

iv) The proposal provides a description of the district's plan for engaging the high schools with their feeder elementary schools in the establishment and administration of the Program.

C) Evaluation (15 points)

i) The proposal includes a description of the process for evaluating the project, including a preliminary timeline for the collection of data.

ii) The data from the proposed evaluation plan will be evaluated to determine if progress toward attaining the project goals is being made.

iii) The proposal provides a plan that provides multiple opportunities to share the results of the project with all stakeholders.

4) Diversity Points (10 Points)

A) School District Type (Up to 2 points)

B) School District Size (Up to 2 points)

C) Geographical Location (Up to 2 points)

D) Plan Approach (multiple subjects vs. one subject, type of subject, etc.) (Up to 4 points)

f) The State Superintendent of Education will notify school districts approved for participation in the Pilot Program no later than 45 days following the close of the application period.

g) The standing Planning and Implementation Committee shall submit reports assessing the district's plan or implementation of the Program. Reports shall also include any recommendations for modifications or improvements for the Program. Reports shall be included in the initial application and the Program plan, and thereafter shall be submitted annually to the State Board. Reports may be submitted by mail to the State Board of Education Springfield Office (100 N. First Street, Springfield IL 62777) or via email at competencypilot@isbe.net. Annual reports must be submitted no later than July 1.

h) Removal from the Program
Pursuant to Section 25(d) of the Act, the State Superintendent may remove a school district from the Program for failing to submit a full plan that meets the specifications in subsection (d)(3) of this Section. The Superintendent will consider the school district's failure to abide by the conditions submitted in its application when deciding to remove a school district from the Program.

(Source: Added at 41 Ill. Reg. 4430, effective April 5, 2017)

Section 1.443 Illinois Global Scholar Certificate

In accordance with Section 2-3.167 of the School Code [105 ILCS 5], a school district may establish a program to recognize public high school graduates who have attained global competence, sufficient for meaningful use in college and career, by designating on a student's transcript and high school diploma his or her receipt of the Illinois Global Scholar Certificate, provided that all the conditions of this Section are met.

a) Attainment of Global Competency Sufficient for use in College and Career
A school district may award the Illinois Global Scholar Certificate to any high school graduate who demonstrates global competency by successfully meeting all of the following criteria:

1) Complete Eight Globally-Focused Courses

A) Students earning the Illinois Global Scholar Certificate must complete a total of eight globally-focused courses from at least two different academic disciplines (i.e., science, social studies, fine arts, English/language arts/communication arts, world languages (i.e., foreign or classical languages), mathematics, career and technical education, physical education, family and consumer science, etc.).

B) A globally-focused course may be a year-long course or a semester long course.

C) Courses will be designated as "globally-focused" by the school district in conjunction with the Global Scholar Committee (as described in subsection (f)(1)) using specific processes and materials provided by the State Board. Courses must:

i) investigate the world;

ii) recognize the perspectives of self and others;

iii) communicate ideas to diverse audiences; and

iv) provide opportunities to take action to improve conditions in a manner consistent with the learning standards adopted by the State of Illinois.

D) Globally-focused courses must address world issues, perspectives, concerns or culture throughout the duration of the course. Courses that employ a global focus or address global topics in some units but not others are not sufficient to be deemed globally-focused courses, nor are courses that survey global arts, foods or music

without at least ⅓ of class time being devoted to the investigation/research into the phenomena, and/or assessment of the global and cultural context from which the phenomena arise.

E) The following commonly-taught courses are likely to be designated as globally-focused:

i) World languages;

ii) International economics, international business or global marketing;

iii) World history/non-U.S. history;

iv) World geography;

v) Comparative cultures, comparative religions, comparative government;

vi) Science, technology, engineering and math (STEM) courses with global application/perspective;

vii) International relations or foreign relations;

viii) Literature of another country, region or culture;

ix) International agri-science or agriculture; and

x) Other globally-focused courses that meet the requirements detailed in Appendix H.

2) School districts wishing to require a specific globally-focused course or sequence of courses are encouraged to do so. For example, one school district may opt to require a course (or sequences of courses) in global studies or world languages, while another district may develop defined global pathways in STEM, world language or fine arts. In addition, school districts having limited course offerings may approve specific summer or online coursework, provided that coursework is credit-bearing and meets

the Illinois Learning Standards, as well as the requirements described in subsection (a)(1). School districts may offer additional course options that comply with subsection (a)(1) (see Appendix H).

3) Participate in at least one Sustained Globally-focused Service Learning Activity or Experience

A) Service learning is defined as activities that:

i) actively engage and educate the student within the local community in meaningful, globally-focused service activities that promote understanding of diversity and mutual respect among all participants;

ii) allow the student to be self-directed in initiating, planning, implementing and evaluating throughout the experience;

iii) are designed with sufficient duration and intensity to address community needs within a global context;

iv) engage participants in an ongoing process to assess the quality of implementation and progress toward meeting specified goals, and use of the results for improvement and sustainability; and

v) incorporate multiple reflection activities that challenge students to think deeply about the relationship of self, society and the world.

B) Service learning opportunities, selected by students and educators in collaboration with the Global Scholar Committee members (GSC) (see subsection (e)(2)) to fulfill this requirement, shall be tied to globally-focused coursework, co-curricular activities oriented toward global service, and/or the student's Global Scholar Capstone Performance-based Assessment.

C) Students earning the Illinois Global Scholar Certificate must engage in at least one globally-focused service learning activity for

a minimum of one semester. Criteria to assist districts in determining qualifying globally-focused service learning opportunities is located in Appendix H.

D) Service learning activities must align with State and district learning standards, as well as curricular goals and objectives of the school district.

4) Participate in Global Collaboration or Dialogue

A) Students receiving the Illinois Global Scholar Certificate must dialogue or collaborate with global peers whose culture is markedly different than their own.

B) Global collaboration and dialogue experiences shall:

i) Offer opportunities to demonstrate the communication skills necessary to work effectively and respectfully with and within diverse teams;

ii) Offer students opportunities to exercise flexibility and willingness to be helpful in making necessary compromises to accomplish a common goal; and

iii) Offer opportunities for students to assume shared responsibility for collaborative work and value the individual contributions made by each team member.

C) This requirement can be met in one of the following ways:

i) Through a field experience in another country specifically designed to facilitate global dialogue or collaboration among peers (e.g., a class trip to a sister school in another country, participation in government, or funded study abroad program);

ii) Through approved virtual experiences specifically designed to facilitate global dialogue or collaboration among peers; or

iii) Through sustained service or learning experiences that immerse students in a domestic or local cultural context markedly different from the global scholar's cultural context (e.g., a refugee community).

D) A list of approved global collaboration or dialogue opportunities should be created and updated by GSCs in conjunction with the Illinois Global Scholar organization.

5) Earn a score of "pass" on the Global Scholar Capstone Performance-based Assessment described in subsection (b)(4) using the scoring criteria described in subsection (c). The purpose of the Global Scholar Capstone Performance-based Assessment and Criteria are described in Appendix H.

A) To ensure that a wide variety of student work can be evaluated, students shall:

i) Create a compelling and actionable question, developed by the student, to address a global issue or concern;

ii) Indicate a research-based investigation of the global issue or concern;

iii) Develop research-based conclusions and the proposal of a solution to address the global issue;

iv) Communicate with at least two people impacted by the issue or with a stakeholder who has recognized and/or has contextual expertise related to the question asked by the student (e.g., a journalist working in a specific region, a foreign service officer, a member of an NGO, a professor, scientist or other recognized expert);

v) Create an artifact (e.g., video, narrative, painting, datasets, presentation, pamphlet, awareness raising campaign, children's book, musical compositions) to demonstrate learning that reflects the student's research/investigation;

vi) Take action to affect change related to the selected issue or concern; and

vii) Reflect on the entire capstone experience.

B) Global Scholar Capstone Performance-based Assessments must result in the following products:

i) A student-created artifact, as described in subsection (a)(5)(A)(v);

ii) Documentation of the steps described in subsection (a)(5)(A) that may include, but are not limited to, a bibliography, interview transcripts, datasets, electronic resources and media, etc.; and

iii) A student narrative that documents each of the steps indicated in subsection (a)(5)(A).

b) This subsection (b) lists the criteria and indicators school districts shall use to score the Global Scholar Capstone Performance-based Assessment. These scoring criteria may be amended from time to time. The State Board shall post on its website by July 1 of each year a copy of the current Assessment scoring criteria, indicators and supporting materials, including examples.

1) Criteria 1: Develop a globally-focused, compelling question and plan inquiries. Indicators supporting this criteria shall require work completed by the student to:

A) Develop a compelling question addressing an issue of global concern (a problem that exists in multiple locations around the world or at the international level).

B) Base the compelling question on understanding of concepts and enduring issues associated with one or more academic disciplines.

C) Ensure the compelling question leads to a deeper understanding of globally-focused concern, including the fundamental cause of the issue.

D) Design a compelling question that is actionable (i.e., allows the student to identify small- and large-scale solutions to global issues and then take small- or large-scale action to change or improve conditions related to the global issue or concern).

2) Criteria 2: Use culturally sensitive communication skills throughout the project. Indicators supporting this criteria shall require the work completed by the student to:

A) Use appropriate and varied language to communicate in a logical and concise manner.

B) Use discipline-specific terminology.

C) Elicit feedback from stakeholders (e.g., develop a survey, engage in dialogue, communicate effectively, and/or use appropriate questioning techniques).

D) Use diverse media, when appropriate, to present information.

E) Use language conventions appropriate to the project.

3) Criteria 3: Collect research and communicate academically, consistent with the standards of the disciplines. Indicators supporting this criteria shall require the work completed by the student to:

A) Explain how research was applied when presenting the artifact to specific stakeholders.

B) Ensure communication contains original work without plagiarism, including appropriate citations as necessary.

4) Criteria 4: Gather information from global stakeholder groups. Indicators supporting this criteria shall require the work completed by the student to:

A) Incorporate perspectives and opinions from people and/or organizations working with or directly affected by the selected global issue or concern.

B) Interact with stakeholders in ways that demonstrate the ability to understand different cultural perspectives.

5) Criteria 5: Gather and review research related to a global issue/concern of the student's choice. Indicators supporting this criteria shall require the work completed by the student to:

A) Design and carry out a research plan using a variety of resources representing multiple perspectives (i.e., a combination of credible scholarly sources and interviews/narratives).

B) Ensure research explores causes and effects of the issue of global concern for a variety of stakeholders.

C) Demonstrate research that includes a review of the impact of possible action on a variety of stakeholders.

D) Employ research sufficient to deeply understand the issue/concern, including the answers to the compelling questions:

i) What causes this issue?

ii) What happens as a result of this issue/How does this issue impact people?

iii) How might different actions resolve this issue?

iv) How might these actions impact various stakeholders?

E) Document source material and evaluate for accuracy and credibility.

6) Criteria 6: Research gathered sufficiently addresses and resolves the compelling question asked by the student. Indicators of these criteria shall require the work completed by the student to:

A) Use a depth and breadth of source material adequate to develop an understanding of the complexity of the compelling question.

B) Demonstrate how source material contributes to the student's understanding of the compelling question.

7) Criteria 7: Design action to be taken in relation to an issue of global concern that closely aligns with and logically results from the conducted research. Indicators supporting these criteria shall require the work completed by the student to:

A) Provide documentation that relates process and product to future goals.

B) Employ culturally-specific research to explain how an audience is likely to interpret an artifact differently than the student-creator intended.

C) Incorporate stakeholder feedback from two or more stakeholder groups into a plan of action.

8) Criteria 8: Design an artifact (e.g., presentation, pamphlet, video, artwork, webpage, blog, advocacy campaign/fundraiser, activity, etc.) reflecting the proposed action to be taken in relation to the issue of global concern. Indicators supporting this criteria shall require the work completed by the student to:

A) Plan an artifact that is either used during the implementation of the solution or serves as a record of the action.

B) Develop an artifact that informs and engages the stakeholder audience.

9) Criteria 9: Take action that demonstrates understanding of the issue/concern and addresses the compelling question. Indicators supporting this criteria shall require that the work completed by the student:

A) Presents the artifact in an interactive format/venue that is designed to effect local and/or global change.

B) Advocates for suggested improvements and alternatives on behalf of stakeholders and/or engages audience to take action.

C) Offers stakeholders or those who can implement improvement a blueprint for change.

10) Criteria 10: Engage with stakeholders to present findings. Indicators supporting these criteria shall require that the work completed by the student:

A) Ensures that the narrative and documentation include an impact statement from stakeholders.

B) Selects an audience intentionally and thoughtfully in order to make an impact on the global issue or concern.

11) Criteria 11: Reflect on diverse perspectives encountered (including the student's own) throughout this process and synthesize those perspectives. Indicators supporting this criterion shall require that the work completed by the student:

A) Synthesizes how this project impacted personal understanding and learning.

B) Demonstrates self-reflection by answering the following questions:

i) How did the research inform your view of the global issue/concern?

ii) What do you believe is at the heart of the issue/concern?

iii) How does your experience suggest how this issue/concern could be better addressed or understood?

iv) How do you think that this process impacted the issue and your personal view?

v) How did this experience personally impact you and why?

vi) Show connections between what happened, why it happened, and awareness of the change that happens now (or has happened)?

c) The Global Scholar Capstone Performance-based Assessment shall be completed by the student with supervision from at least one licensed teacher. While under the supervision of his or her licensed teacher, the student may collaborate and consult with at least one individual from a global stakeholder group. School districts may develop systems for students to complete the Assessment in a manner suited to the school district. School districts may develop a specific capstone course, include the Assessment as part of an existing course, or offer opportunities for students to complete the capstone as part of an independent study course. School districts may also opt to develop mechanisms for students to complete the capstone project as part of extracurricular activities or clubs.

d) In accordance with Section 2-3.167(f)(2) of the School Code, the school district shall place a designation of a qualifying student's receipt of the Illinois Global Scholar Certificate in the student's permanent record on the academic transcript as defined in 23 Ill. Adm. Code 375 (Student Records) and include the designation on the student's diploma. The State Board shall make an electronic facsimile of the Illinois Global Scholar Certificate available to school districts for this purpose.

e) A school district that chooses to participate in the Illinois Global Scholar program shall meet the requirements of this subsection (e).

1) A participating school district shall notify the State Board of its participation by October 1 of each year, except for the 2017-2018 inaugural Illinois Global Scholar Certificate school year when a district shall notify the State Board of its participation by May 1, 2017. A district that elects to participate after October 1 shall notify the State Board of its participation no later than 45 calendar days prior to the issuance of any Global Scholar Certificate.

A) A school district electing to participate after October 1 shall include in its notification to the State Board evidence that the district has met all of the requirements set forth in this subsection (e).

B) A district that fails to submit the proper notification within the timeframes provided shall be prohibited from awarding the Illinois Global Scholar Certificate for that school year.

2) A participating district shall designate at least two individuals to serve on the school district's Global Scholar Committee and include these individuals' names and contact information in the notice provided pursuant to subsection (e)(1). The individuals assigned to serve as district Global Scholar Committee members shall:

A) Hold a professional educator license endorsed in an administrative area issued pursuant to 23 Ill. Adm. Code 25 (Educator Licensure); and

B) Participate in training developed by the school district and approved by the State Board prior to awarding the Illinois Global Scholar Certificate. This training shall include:

i) Explanations and application of EdSteps Global Competency Standards.

ii) Process steps to implement a Global Scholar Certificate program in the school district.

iii) How to develop high quality and consistent scoring practices.

iv) Methods to develop global competence among educators.

v) Opportunities for globally-focused service learning and global collaboration/dialogue opportunities.

vi) Building a sustainable global education program in schools.

3) Scoring Methods

A) A participating school district may opt to score the Global Scholar Capstone Performance-based Assessment by one of two methods.

i) District Scoring
A school district shall appoint at least one Illinois licensed educator who has completed the Global Scholar Certificate training described in subsection (e)(2)(B).

ii) Peer School Scoring
The school district collaborates with other school districts in scoring the Assessment. Districts opting to participate in this method must send at least one licensed educator who has completed training provided by the Illinois Global Scholar organization.

B) Scoring methods described in subsection (e)(3)(A) must use the criteria and indicators described in subsection (b).

4) Using a format prescribed by the State Board, a participating school shall submit an annual report to the State Board, no later than 30 days after the end of the school year, that shall include:

A) The names and course descriptions of all courses designated as "globally-focused" as described in subsection (a)(1);

B) The total number of students who submitted materials to be considered for Illinois Global Scholar recognition and the number of students who received the score of pass;

C) A description of the method used by schools to administer and monitor the Global Scholar Capstone Performance-based Assessment as described in subsection (c);

D) A copy of promotional materials used to inform students of the Illinois Global Scholar Certificate program and its requirements; and

E) Results of any surveys given to students or educators to assess any aspect of the Illinois Global Scholar Certificate program.

5) A participating school district shall make available information about the Illinois Global Scholar Certificate program to parents and students by posting on the district's website, if the district maintains a website, and in the student handbook the following information:

A) General information about the Illinois Global Scholar Certificate program and the opportunity for students to participate.

B) A description of each of the requirements students need to complete in order to receive the Illinois Global Scholar Certificate as indicated in subsections (a)(1) through (4).

C) A complete list of opportunities available in the district that will meet the requirements described in subsections (a)(1) through (4). These include:

i) A listing of all courses designated by the school district as globally-focused, as described in subsection (a)(1).

ii) A listing of all opportunities offered by the school district that will meet the globally-focused service requirement, as described in subsection (a)(2).

iii) A listing of all opportunities offered by the school district that will meet the global collaboration or dialogue requirement, as described in subsection (a)(3).

iv) A complete description of the Capstone Project Performance-based Assessment steps and requirements, as described in subsection (a)(4).

D) A link to the State Board's website describing the requirements for the Illinois Global Scholar Certificate that includes a list of:

i) Approved service learning opportunities with a global focus accessible to all Illinois students.

ii) Approved global collaboration opportunities with a global focus accessible to all Illinois students.

iii) Approved capstone project performance assessments of global competence.

E) A description of the process a student would use to demonstrate global competence, including details about any alternative evidence that may be required under subsection (a)(3), if applicable;

F) An estimate of the costs, if known, that students might incur to complete the requirements listed in subsection (a); and

G) The name and contact information for any individuals designated to serve as Global Scholar Committee members of the Illinois Global Scholar Certificate.

f) A school district shall administer evaluation surveys to students and educators participating in the Illinois Global Scholar program. Surveys will be used to evaluate the program as a whole and will not be linked to specific students, staff or school districts.

g) Should additional scoring criteria and indicators be added to subsection (b), that additional criteria shall be included in Appendix H as well.

(Source: Added at 41 Ill. Reg. 4430, effective April 5, 2017)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

Section 1.APPENDIX B Competency-Based High School Graduation Requirements Pilot Program Criteria for Review~~Certification Quick Reference Chart (Repealed)~~

Competency-Based High School Graduation Requirements Pilot Program Scoring Rubric

Strength of Local Commitment (20 Points)		Yes (5)	No (0)
Completion of chart of participating schools that includes signatures of school principals.			
Completion of chart of teachers participating in the implementation of the project.			
Completion of chart of the Planning and Implementation Committee that includes signatures of all participants.			
Completion of the plan for the local community college and an institution of higher education. Signatures from both entities are included.			
Demonstration of Prior Professional Development and Stakeholder Engagement (20 Points)	5 - 4	3 - 2	1 - 0
Description of how teachers have been engaged throughout the application development process.	Thorough description of how teachers were engaged throughout the process. Meeting details have been provided and give clear indication of teachers' role in the process and how they will be included during implementation of the plan.	Basic description of how teachers were engaged throughout the process. Some details have been provided about meetings that have occurred with teachers. Some details are included as to how teachers will be included during	No description or no relevant description was provided about meetings that have occurred with teachers. No description or no relevant description as to how teachers will be involved in implementation of plan.

		implementation of the plan.	
Description of how the local community college and an institution of higher education other than a community college have been actively engaged throughout the application development process.	Thorough description of how both the local community college and an institution of higher education that is not a community college have been actively engaged throughout the process. Meeting details have been provided as well as how the entities will be included during implementation of the plan.	Some description of how both the local community college and institution of higher education other than a community college have been actively involved in the process. No meeting information has been provided nor any details as to how the partnership will work in program implementation.	No description or no relevant description was provided in the plan. One or both of the entities needed are missing from the plan. No indication has been given that the district is actively partnering with either entity.
Description of district's prior professional development and stakeholder engagement efforts to support successful development of application and implementation of the plan.	Thorough description of professional development and stakeholder engagement is included. There is a clear indication as to how the prior professional development will help with implementation of the plan. There is a clear indication	Basic description of professional development and stakeholder engagement is included. There is some indication as to how the prior professional development will help with implementation of the plan.	No description or no relevant description of professional development and stakeholder engagement is included. There is no clear indication as to how the prior professional development will help with implementation

	of how stakeholders will be involved during implementation of the plan.	There is some indication of how stakeholders will be involved in implementation of the plan.	of the plan. There is no clear indication of how stakeholders will be involved in implementation of the plan.
Description of community partners that will support the system's implementation.	Thorough description of community partnerships is included. There is a clear indication as to how the partnerships will help with implementation of the plan.	Some description of community partnerships is included. There is some indication as to how the partnerships will help with implementation of the plan.	No description or no relevant description of community partnerships is included. There is no clear indication as to how the partnerships will help with implementation of the plan.
Quality of Proposed Plan (50 Points)	5 - 4	3 - 2	1 - 0
Project Goals (10 points)			
The proposal identifies clear, realistic, measureable goals.	Goals are very clear, realistic and easily obtainable.	Goals are somewhat clear and realistic. There is some question as to whether a goal is obtainable.	Goals are either missing or they are not clear, realistic, or obtainable.
The goals clearly specify how student achievement will be impacted.	The goals clearly will significantly impact student achievement.	The goals will have some impact on student achievement.	The goals will have no significant impact on student achievement.

Project Narrative (25 points)			
The proposal relates to innovative practices based upon research, previously collected district data, best practices, or additional information.	The proposal clearly indicates that the project is based upon research, best practices, and district data collection.	There is some indication that the project is based upon research, best practices, and district data collection.	There is no indication that the project is based upon research, best practices, and district data collection.
The proposed implementation timeline is realistic and includes all major activities.	The implementation timeline is clear and realistic. All major activities necessary for program success are easily found.	The implementation timeline is somewhat realistic. Some major activities necessary for program success are missing or are not easily found.	The implementation timeline is either missing or isn't realistic. Significant portions of major activities necessary for program success are missing or no activities are found within the plan.
The proposed activities are likely to produce measurable results and improve student achievement.	The activities listed in the plan will clearly produce measurable results that significantly improve student achievement.	The activities listed in the plan should produce measurable results that will somewhat improve student achievement.	There are either no activities listed in the plan or those listed will not produce measurable results or any impact on student achievement.
The proposal provides a description of how it will meet all elements	The plan clearly indicates how it will meet all	The plan indicates how it will somewhat	The plan does not indicate how it will meet

required to be included in the competency-based learning system.	requirements included in the competency-based learning system.	meet all requirements included in the competency-based learning system.	all requirements included in the competency-based learning system.
The proposal provides a description of the district's plan for engaging the high schools with their feeder elementary schools on the establishment and administration of the competency-based learning system.	The plan clearly indicates how the high schools will work with their feeder elementary schools.	The plan indicates somewhat how the high schools will work with their feeder elementary schools.	The plan does not indicate how the high schools will work with their feeder elementary schools.
Evaluation (15 points)			
The proposal includes a description of the process for evaluating the project, including a preliminary timeline for the collection of data. (Evaluation and Sustainability)	An evaluation plan is included. It provides a clear process for evaluating the project. A clear timeline for data collection is included.	An evaluation plan is included. The process for evaluating the project is indicated, but has some missing pieces. A timeline for data collection is included, but has some missing pieces.	The evaluation plan is either missing or isn't clear. The timeline for data collection is either missing or isn't clear.
The data from the proposed evaluation plan will be evaluated to determine if progress toward attaining the project goals is being made.	The evaluation plan clearly indicates how data will be evaluated.	The evaluation plan has some indication as to how data will be evaluated.	The data portion of the evaluation plan is either missing or isn't clear.
The proposal provides a plan that creates multiple opportunities to share the results of the project with all stakeholders.	The evaluation plan clearly indicates how results of the	The evaluation plan provides some indication of how project	The evaluation plan provides little or no indication that

	project will be shared with all stakeholders. The plan includes more than three avenues to share results.	results will be shared with all stakeholders. The plan provides one or two avenues to share results.	results will be shared with all stakeholders.

Diversity Points (10 Points)
School District Type (Up to 2 points)
School District Size (Up to 2 points)
Geographical Location (Up to 2 points)
Plan Approach (e.g., one subject, multiple subjects, and types of subjects) (Up to 4 points)

(Source: Former Section repealed at 31 Ill. Reg. 5116, effective March 16, 2007; new Section added at 41. Ill. Reg. 4430, effective April 5, 2017)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

Section 1.APPENDIX H GUIDANCE AND PROCEDURES FOR SCHOOL DISTRICTS IMPLEMENTING THE ILLINOIS GLOBAL SCHOLAR CERTIFICATE

DETERMINING GLOBALLY-FOCUSED COURSES

Though many school districts may offer courses listed in the subject areas described in Section 1.443(a)(1)(E), courses and subjects other than those listed in that subsection may qualify as globally-focused. Other courses, such as those in family and consumer science, the arts, health, mathematics and agricultural science, may also qualify, provided that an appropriate depth of knowledge of, and inquiry about, global issues and cultural diversity are incorporated. School districts shall consider the following criteria in determining which courses should be considered globally-focused:

Globally-focused courses require students to:

1) investigate the world;

2) recognize the perspectives of self and others;

3) communicate ideas to diverse audiences; and

4) take action to improve conditions locally and globally.

These requirements, developed in consultation with the Council for Chief State School Officers, reflect the four established domains of global competence and closely follow both the Partnership for 21st Century Skills objectives and national learning standards adopted by the State of Illinois. School districts and GSCs working to determine which courses qualify as globally-focused should consider the following questions:

Question 1: Does the course require students to investigate the world?
Courses selected for inclusion as part of a school district's globally-focused course offerings should promote content and skills that provide students the means to understand the world beyond their immediate environment.

Question 2: Does the course provide opportunities for students to recognize their own perspectives in relationship to the perspectives of others?
Courses selected for inclusion as part of a school district's globally-focused course offerings should provide students with opportunities to demonstrate a clear and accurate understanding of

the perspectives of other people, groups or scholars. The courses should also incorporate complex analyses of how varying perspectives influence human interactions and how this affects people's understandings of a situation, event, issue or phenomenon.

Question 3: Does the course prepare students to communicate ideas to diverse audiences? Though not all courses selected for the certificate will prepare students to collaborate and communicate with diverse groups, the courses should include assignments, activities and/or projects that prepare students to engage in this type of collaboration and communication in preparation for the capstone project.

Question 4: Does the course provide opportunities to act upon global issues and concerns? Though not all courses selected for the certificate need to include organized opportunities for students to engage directly in collaborative action resulting in local, regional or global improvements, the courses should encourage students to consider how the action might be executed. Moreover, school districts are encouraged to embed global service learning opportunities within coursework and co-curricular activities as these opportunities are requirements for the certificate.

Qualifying Courses

Content/subjects taught within high school offerings in the following subjects are likely to meet these requirements as course content cannot be effectively taught without a global perspective.

- International economics, international business or global marketing
- International or foreign affairs
- World history/non-U.S. history
- World geography
- Comparative cultures, comparative religions, comparative government
- Science, technology and engineering courses with global application/perspective
- World languages
- Literature of another country, region or culture

- World art and world music appreciation

Though many high schools offer courses in these subject areas, the subject areas listed above are not the only courses that may qualify as globally-focused. Other courses, such as those in family consumer science, the arts, mathematics, health and agricultural science, may also qualify, provided that an appropriate depth of knowledge of, and inquiry about, global issues and diversity is incorporated. The examples identified in the following chart, though not exhaustive, are provided to give guidance to school districts and GSCs seeking to determine if a course investigates the world.

Examples of Courses with Insufficient and Sufficient Depth	
Insufficient Depth	**Sufficient Depth**
Students create an artistic piece or performance inspired by another culture.	Students interpret, create and/or evaluate a global issue through an artistic medium.
Students prepare food from another part of the world or another culture.	Students prepare food from another part of the world or another culture and consider the production and preparation of food in relation to local cultures, health, sustainability, etc.
Students use datasets from another country or culture to illustrate a concept.	Students evaluate and use appropriate mathematical tools to investigate a global issue or derive additional information using mathematical methodologies.
Students use examples of agricultural management, finance, marketing and/or the foundations of crop and livestock production in a unit on the global marketplace.	Students learn about agricultural management, finance, marketing and the foundations of crop and livestock production by comparing a variety of agricultural practices found around the world and examine the complex global interrelationships that exist in the global agricultural industry.
Students learn about epidemics/disease, health care practices and/or prevention measures through case studies in other parts of the world.	Students learn about global epidemics/disease, health care practices and/or prevention measures through a comparative epidemiological analysis incorporating diverse global contexts.

Other Considerations Related to Coursework

School districts wishing to require a specific globally-focused course or sequence of courses are encouraged to do so. For example, one school district may opt to require a course (or sequence of courses) in global studies or world languages, while another district may develop defined global pathways in STEM, world language or fine arts. These options, or others, may be added at the discretion of the school district, provided students fully complete all four of the overarching requirements needed to earn the Illinois Global Scholar Certificate, including the requirement that each student complete eight globally-focused courses. In addition, school districts having limited course offerings may approve specific summer or online coursework, so long as that coursework has been deemed credit bearing by an ISBE approved institution.

GUIDANCE FOR DETERMINING SERVICE LEARNING

Service learning opportunities selected by students and GSCs to fulfill this requirement should be tied with globally-focused coursework, co-curricular activities oriented toward global service, and/or the student's capstone research project. In addition, selected service learning opportunities should adhere to the following guidelines for service learning found in the K-12 Service Learning Standards for Quality Practice developed by the National Youth Leadership Council:

- Actively engage and educate the local community in meaningful globally-focused service activities that promote understanding of diversity and mutual respect among all participants.

- Allow the student to be self-directed in initiating, planning, implementing and evaluating throughout the experience.

- Be designed with sufficient duration and intensity to address community needs within a global context.

- Engage participants in an ongoing process to assess the quality of implementation and progress toward meeting specified goals, and use the results for improvement and sustainability.

- Incorporate multiple reflection activities that challenge students to think deeply about the relationship of self, society and the world.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

PURPOSE OF PRIORITY STANDARDS OF THE GLOBAL SCHOLAR CAPSTONE PERFORMANCE-BASED ASSESSMENT

The purpose of the Illinois Global Scholar Capstone Performance-based Assessment is to ensure the high level of knowledge and skills possessed by the students applying for this recognition. Students will engage in a process of inquiry with required components and products, demonstrating mastery of designated national learning standards and standards for global competence. The process in which students are expected to engage and the products students are expected to create must provide the opportunity for students to demonstrate mastery. Transparency of the alignment of assessment to standards provides a more valid picture of students' knowledge and skills.

The Assessment shall align with the following four priority standards:

i) Students develop compelling questions and plan inquiries.

ii) Students communicate ideas effectively with diverse audiences.

iii) Students translate their ideas and findings into an appropriate plan of action to improve conditions based on the global issue or concern.

iv) Students engage in appropriate and informed actions to address or potentially improve conditions based on an analysis of a global issue/concern.

(Source: Added at 41 Ill. Reg. 4430, effective April 5, 2017)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of April 4 2017 through April 10, 2017. The rulemakings are scheduled for review at the Committee's May 9, 2017 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
5/19/17	Department of Healthcare and Family Services, Medical Payment (89 Ill. Adm. Code 140)	12/30/16 40 Ill. Reg. 16464	5/9/17
5/19/17	Department of Revenue, Income Tax (86 Ill. Adm. Code 100)	2/17/17 41 Ill. Reg. 2025	5/9/17
5/20/17	Department of Insurance, Accident Health Reserves (50 Ill. Adm. Code 2004)	12/30/16 40 Ill. Reg. 16504	5/9/17
5/20/17	Department of Public Health, Laboratory Services Fees (77 Ill. Adm. Code 475)	7/15/16 40 Ill. Reg. 9325	5/9/17

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the *Illinois Register*:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue Income Tax Private Letter Rulings and General Information Letters issued for the First Quarter of 2017. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. *General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act.* (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Alternative Apportionment
Base Income –Disability Pay
Combined Unitary Return – IL Net Loss
Nexus
Subtraction Modifications (Pensions)

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of $1.00 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at www.tax.illinois.gov/.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for $3.00.

3. Name and address of person to contact concerning this information:

Beverly Langenfeld
Legal Services Office
101 West Jefferson Street
Springfield IL 62794

217/782-2844

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2017 FIRST QUARTER INCOME TAX SUNSHINE INDEX

ALTERNATIVE APPORTIONMENT

IT 17-0003-GIL 03/01/2017 Section 304(f) Does Not Authorize Alternative Method of Apportionment under Section 305(a) (This is a GIL).

BASE INCOME – DISABILITY PAY

IT 17-0002-GIL 1/12/2017 Base income includes payments under Public Employee Disability Act only if included in Federal AGI. (This is a GIL).

COMBINED AND UNITARY RETURN – ILLINOIS NET LOSS

IT 17-0004-GIL 03/16/2017 Elimination of Circular Stock Basis Adjustments When There is No Excluded COD Income Provisions Do Not Limit Amount of Illinois Net Loss Carryovers of Member of Combined Group. (This is a GIL).

NEXUS

IT 17-0001-GIL 01/09/2017 Whether taxpayer has nexus with Illinois is extremely fact-specific. Department does not issue rulings regarding nexus with the State. (This is a GIL).

SUBTRACTION MODIFICATIONS (PENSIONS)

IT 17-0001-PLR 03/01/2017 Subtraction Not Applicable to Retirement Plan of a Private Employer in Foreign Country. (This is a PLR).

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the *Illinois Register*:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue Sales and Miscellaneous Tax Private Letter Rulings and General Information Letters issued for the First Quarter of 2017. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act. (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Computer Software	Motor Vehicles
Exempt Organizations	Nexus
Food, Drugs & Medical Appliances	Penalties
Manufacturing Machinery & Equipment	Repairs
Medical Appliances	Service Occupation Tax
Miscellaneous	Use Tax

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of $1.00 per opinion plus 50¢ per page for each page over one. Copies of

the ruling letters may be downloaded free of charge from the Department's World Wide Web site at www.tax.illinois.gov/.

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for $3.00.

3. Name and address of person to contact concerning this information:

Beverly Langenfeld
Legal Services Office
101 West Jefferson Street
Springfield IL 62794

217/782-2844

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2017 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

COMPUTER SOFTWARE

ST 17-0006-GIL 03/02/2017 A provider of software as a service is acting as a serviceman. If the provider does not the transfer any tangible personal property to the customer, then the transaction generally would not be subject to Retailers' Occupation Tax, Use Tax, Service Occupation Tax, or Service Use Tax. If the provider transfers to the customer an API, applet, desktop agent, or a remote access agent to enable the customer to access the provider's network and services, it appears the subscriber is receiving computer software that is subject to tax. See 86 Ill. Adm. Code Parts 130 and 140. (This is a GIL.)

EXEMPT ORGANIZATIONS

ST 17-0004-GIL 2/06/2017 A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is engaged in the business of selling tangible personal property at retail with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. 35 ILCS 120/1. (This is a GIL)

FOOD, DRUGS & MEDICAL APPLIANCES

ST 17-0008-GIL 03/07/2017 Items such as vitamins or dietary supplements are considered foods and may qualify for the low State rate of tax. See 86 Ill. Adm. Code 130.310. (This is a GIL.)

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

MANUFACTURING MACHINERY & EQUIPMENT

ST 17-0002-PLR 02/09/2017 A de minimis serviceman incurring a Use Tax liability may claim exemptions predicated upon either the exempt status of his customer or upon exemptions claimed by his customer based on nontaxable uses of the tangible personal property transferred by the serviceman. These exemptions include sales to customers who are able to properly document the manufacturing machinery and equipment exemption. 86 Ill. Adm. Code 140.108(a)(2). (This is a PLR.)

MEDICAL APPLIANCES

ST 17-0003-PLR 03/02/2017 A medical appliance is an item that directly substitutes for a malfunctioning part of the human body. Products that qualify as medical appliances are taxed at a lower State rate of 1% plus any applicable local taxes. See 86 Ill. Adm. Code 130.311. (This is a PLR.)

MISCELLANEOUS

ST 17-0002-GIL 1/19/2017 This letter responds to a survey. (This is a GIL.)

MOTOR VEHICLES

ST 17-0005-GIL 02/09/2017 P.A. 98-628 amended the Retailers' Occupation Tax Act and the Use Tax Act to provide that with respect to certain motor vehicles that are sold to a leasing company for the purpose of leasing the vehicle for a defined period that is longer than one year, "selling price" means "the consideration received by the lessor pursuant to the lease contract." To the extent the lease contract includes reimbursement for charges that are added to prices on account of the Retailers' Occupation Tax Act or the Use Tax Act, these amounts are part of the selling price subject to tax. See 35 ILCS 120/1. (This is a GIL.)

NEXUS

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

ST 17-0007-GIL 03/02/2017 This letter responds to a questionnaire regarding nexus. See Quill Corp. v. North Dakota, 112 S. Ct. 1904 (1992). (This is a GIL.)

ST 17-0010-GIL 03/21/2017 A retailer maintaining a place of business in Illinois must collect tax from users in accordance with the Retailers' Occupation Tax Act and the Use Tax Act by adding the tax to the selling price of tangible personal property, when sold for use. See 86 Ill. Adm. 150.401. (This is a GIL.)

PENALTIES

ST 17-0001-GIL 1/10/2017 This letter discusses application of the $100 Uniform Penalty and Interest Act penalty for failure to file zero liability transaction reporting returns (e.g. ST-556 and ST-556-LSE). See 35 ILCS 735/3-3(a-15) and 35 ILCS 120/3. (This is a GIL.)

REPAIRS

ST 17-0001-PLR 2/9/2017 This letter discusses the taxation of express warranties and extended warranties. See 86 Ill. Adm. Code 140.141 and 86 Ill. Adm. Code 140.301(b)(3). (This is a PLR.)

SERVICE OCCUPATION TAX

ST 17-0003-GIL 02/03/2017 Under the Service Occupation Tax, servicemen are taxed on tangible personal property transferred incident to a sale of service. See 86 Ill. Adm. Code Part 140. (This is a GIL.)

USE TAX

ST 17-0009-GIL 03/15/2017 The Use Tax does not apply to the use in this State of tangible personal property which has been acquired outside this State by a nonresident individual who then brings the property into this State for use

here, and who has used the property outside this State for more than 90 days. See 86 Ill. Adm. Code 150.315. (This is a GIL.)

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 41, Issue 16 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

23 - 2400 4394
2 - 926 4403
56 - 2520 4408
62 - 300 4416
77 - 4500 4426

ADOPTED RULES

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ORDER FORM

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