

# Illinois Community College Board

## 420<sup>th</sup> Meeting Agenda and Materials

November 18, 2016

Harry L. Crisp II Community College Center  
Second Floor Conference Room  
401 East Capitol Avenue  
Springfield, IL



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Agenda  
420<sup>th</sup> Meeting of the  
Illinois Community College Board

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Illinois Community College Board

**ACADEMIC, WORKFORCE, AND STUDENT SUPPORT COMMITTEE**

An oral report will be given during the Board meeting on the discussions that took place at the committee meeting. The discussion items have been outlined below:

- Selection of Committee Chair and Vice Chair
  
- Apprenticeship Agreement
  - a. *Dr. Brian Durham, Deputy Director for Academic Affairs, will provide an update on the Statewide Community College System Agreement on Implementation of the Apprenticeship Program. The purpose of the agreement is to ensure a consistent process is used across the state in awarding credit for apprenticeship programs.*
  
- Workforce Education Strategic Plan (WESP)
  - a. *Jennifer K. Foster, Deputy Director Adult Education and Workforce, will provide an update on the Workforce Education Strategic Plan, the plans moving forward, and the new timeline for completion.*
  
- Student to Career Outcomes Data Tool
  - a. *Nathan Wilson, Senior Director for Research and Policy Studies, will discuss a new tool that is being developed to enhance the ability of Illinois community colleges and ICCB to track student outcomes in employment. ICCB and IDES are partnering to develop a new dynamic Student to Career Outcomes Data Tool. Efficient and effective utilization of ICCB and IDES longitudinal data systems will allow community colleges to follow their students into their careers and analyze their earnings and job stability.*
  
- State Authorization Reciprocity Agreement (SARA)
  - a. *Staff will provide an update on the 22 Illinois community colleges that have joined the State Authorization Reciprocity Agreement (SARA) to address state authorization to offer distance learning across the U.S.*
  
- Committee Structure and Next Steps
  
- Other Discussion and Recommendations

Illinois Community College Board

**FINANCE, OPERATIONS, AND EXTERNAL AFFAIRS COMMITTEE**

An oral report will be given during the Board meeting on the discussions that took place at the committee meeting. The discussion items have been outlined below:

- Selection of Committee Chair and Vice Chair
  
- Financial Statements: Fiscal Year 2017
  - a. State General Funds
  - b. Special State Funds
  - c. Federal Funds
  - d. Bond Financed Funds
  
- Timeliness of state payments to the colleges and adult education providers
  
- Fiscal Year 2017 budget and FY2018 budget recommendations
  
- Spring 2017 Legislative Agenda
  
- Administrative Rules
  - a. Regulatory Agenda
  - b. FOIA
  - c. ADA Grievance Procedures
  
- Review of Trustee Training Provider Approval Process
  
- Public Relations Update
  
- Other Discussion and Recommendations

Illinois Community College Board

**HIGH SCHOOL EQUIVALENCY TASK  
FORCE REPORT**

In 2015, the Illinois Community College Board (ICCB) approved the recommendations of the High School Equivalency (HSE) Taskforce to adopt and make available statewide three assessments to certify the receipt of an Illinois High School Equivalency Certificate. These include: GED®, HiSet®, and the TASC®. The Taskforce also provided an additional recommendation to form a HSE Alternative Credentialing Methods (ACM) Taskforce to examine other ways in which an Illinois High School Equivalency Certificate could be granted.

The ACM Taskforce was formed in March 2016 is made up of Adult Education providers, Community Based Organizations, School Districts, Regional Offices of Education; State Agencies, Career Technical Education and Illinois State Board of Education; Regional Superintendents; and Philanthropic Organizations. The Taskforce met four times to review three very different options. These options include the National External Diploma Program, the Excel High School, and the Wisconsin High School Equivalency Program. An oral presentation will provided and will include an overview of each option.

The ACM Taskforce evaluated each option or curricula based on the following:

- Geographic Access
- Affordability
- Accessibility
- Implementation
- Rigor
- Content Standard Alignment
- College and Career Readiness
- Recognition by Employers and Postsecondary Institutions

In October 2016, the ACM Taskforce submitted to the ICCB the following recommendations:

- To create an alternative HSE credential based on a candidate's high school transcript/HSE credit.
- To create an alternative HSE credential based on a candidate's post-secondary credit.
- To create an alternative HSE credential based on a candidate's foreign diploma.
- To create a competency based education alternative HSE credential but use a working group to further investigate the criteria and requirements.

No action is needed at this meeting, but the recommendations will be included as part of the Board Consent Agenda in January 2017.

Illinois Community College Board

**BACCALAUREATE IN NURSING REPORT**

Over 20 states across the country offer baccalaureate degrees through their community colleges. Eleven states offer baccalaureate degrees in nursing through community colleges. This movement of the Bachelor of Science degree in Nursing (BSN) being offered through community colleges emanates from the effort of medical professionals and their respective organizations to set the minimum educational requirement to practice professional nursing at the BSN level. In addition, an increased demand for healthcare specialists due to rapid changes in health care and technology, an aging population, and the retirement of the present-day nursing workforce have brought attention to the current and projected shortages in this career field.

The Illinois Council of Community College Presidents (ICCCP) have recommended that Illinois consider granting authority to Illinois Community Colleges to offer and grant BSN degrees where there is determined a local need for such a program. The attached white paper, “The Bachelor of Science in Nursing, The Recommendation for Illinois Community Colleges” advocates for the pursuit of this authority in Illinois. This authority, if enacted, would not mandate the creation of BSN programs but would provide the ability for colleges to pursue this option if needed in their local area. The paper cites evidence of the growing demand for BSN and the inability of the higher education system in Illinois to meet the required supply.

The presentation will highlight the national perspective surrounding the BSN and the ICCCP’s efforts on the issue.

Illinois Community College Board

**BACCALAUREATE IN NURSING RECOMMENDATION**

Community Colleges across the country are examining opportunities to offer baccalaureate degrees in nursing, among other areas. This movement emanates from a rising demand for high skilled nurses, the surging elderly population, and the retirement of the present-day nursing workforce, as well as increasing demands from employers. To meet these needs, ten states across the country have authorized community colleges to offer the BSN. To meet this need in Illinois, the Illinois Council of Community College Presidents (ICCCP) have produced a white paper advocating for the pursuit of this authority in Illinois and may pursue legislation. This authority, if enacted would not mandate the creation of BSN programs, but, as the ICCCP have emphasized, would provide the ability for colleges to pursue this option if needed in their local area.

**RECOMMENDED ACTION**

It is recommended that the following motion be adopted:

The Illinois Community College Board supports the authorization of Illinois Community Colleges to opt to offer programs and grant degrees for the Bachelor of Science in Nursing.

Illinois Community College Board

**NEW UNITS OF INSTRUCTION**

***Permanent Program Approval***

The Illinois Community College Board is requested to approve new units of instruction for the following community colleges:

**RECOMMENDED ACTION:**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the following new units of instruction for the community colleges listed below:

**PERMANENT PROGRAM APPROVAL**

Oakton Community College

- Supply Chain Automation Associate of Applied Science (A.A.S.) degree (60 credit hours)

## **BACKGROUND**

### **Oakton Community College**

#### **Supply Chain Automation A.A.S. degree (60 credit hours)**

**Program Purpose:** The purpose of the proposed degree program is to prepare individuals for obtaining entry-level employment as technicians involved in the operation, installation, maintenance and repair of equipment that supports the supply chain within Transportation, Distribution & Logistics, and the Manufacturing industry sectors.

**Catalog Description:** Supply Chain Automation is an industry certification program designed to develop the skills and knowledge necessary to enter into the growing field of supply chain logistics, advanced manufacturing, transportation and warehousing. Students will demonstrate skills in overall automated processes and procedures used in warehousing, productions, inventory control, and distribution.

**Curricular Information:** The degree program requires 16-19 credit hours of general education coursework and 41-44 credit hours of career and technical coursework. The general education component includes coursework required by the college for completion of a two-year degree including, English composition, Technical writing, applied math, applied physics and global studies. The career and technical component includes instruction in introductory electronics, electronics survey, fundamentals of microprocessors, elements of machine design, print reading and shop theory, introductory welding, automated storage and distribution, programmable controllers, hydraulics, pneumatics and controls, and a choice of technical electives from computer hardware technology, electronics, geographic information technology, and manufacturing.

The program was developed according to Manufacturing Skill Standards Council (MSSC) standards and will prepare individuals for several industry-recognized credentials including Certified Logistics Technician (CLT) and Certified Technician-Supply Chain Automation (CTSCA).

**Justification for Credit hours required for the degree: N/A.**

**Accrediting Information: N/A.**

**Supporting Labor Market Data (including employer partners):** Labor market information provided by the college supports the interest in and the need for a program in this field of study. According to the Illinois Department of Employment Security (IDES), employment “logisticians” is expected increase by 24%, employment of “cargo and freight agents” by 15.6%, and employment of all “transportation and material moving occupations” by 11.5% statewide through 2022. Information provided by the college ranks Illinois as one of Top 10 States with the highest supply chain-related employment. And, according to the U.S. Department of Labor, supply chain employment in the United States is expected to grow by 9.1% creating about 1 million new jobs across occupational categories in the next ten years. The program will also serve as an educational ladder opportunity for students in related programs at the college, including their TDL Certificate, Supply Chain Certificate and Mechatronics Certificate.

Local employers support the need for degreed individuals indicating hiring preferences and advancement opportunities into supervisory positions.

*Table 1: Employer Partners*

<b>Employer</b>	<b>Location</b>
Woodward MPC	Rockford, IL
Flashcut CNC	Deerfield, IL
Avon	Morton Grove, IL
INTEC	Chicago, IL (multiple locations)
R.F. Mau Company	Lincolnwood, IL
Gage Assembly	Lincolnwood, IL
Signode	Chicago, IL (multiple locations)
RIGHTech Fabrications	Northbrook, IL
Temple Steel	Chicago, IL

*Table 2: Projected Enrollments*

<b>Supply Chain Automation AAS</b>	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>
Full-Time Enrollments:	10	10	15
Part-Time Enrollments:	15	15	20
Completions:	-	10	15

**Financial / Budgetary Information:** Two existing full-time and two existing part-time faculty will be required to implement the program. The program will utilize all existing facilities. The college holds an agreement with Evanston High School for use of their welding lab. New equipment was funded through the NCSCTE grant. The program will be fiscally supported through student tuition and fees.

*Table 3: Financial Information*

	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>
Faculty Costs	\$10,000	\$10,000	\$12,000
Administrator Costs	-	-	-
Other Personnel costs (adjunct faculty)	-	-	-
Equipment Costs	-	-	-
Library/LRC Costs	\$600	\$300	\$300
Facility Costs*	-	-	-
Other (Instructional Welding supplies)	\$1,000	\$1,000	\$1,000
<b>TOTAL NEW COSTS</b>	<b>\$11,600</b>	<b>\$11,300</b>	<b>\$13,300</b>

*Table 4: Faculty Requirements*

	<b>First Year</b>		<b>Second Year</b>		<b>Third Year</b>	
	<b>Full-Time</b>	<b>Part-time</b>	<b>Full-Time</b>	<b>Part-time</b>	<b>Full-Time</b>	<b>Part-time</b>
New Faculty	0	0	0	0	0	0
Existing Faculty	2	2	2	2	2	2

**INFORMATION ITEM – BASIC CERTIFICATE PROGRAM APPROVAL**

Following is a list of Basic Certificates (less than 29 credit hours) that have been approved on behalf of the Illinois Community College Board by the Executive Director since the last Board meeting:

**Permanent Program Approval**

Oakton Community College

- General Programmer Certificate (11 credit hours)

John Wood Community College

- Basic Welding Certificate (17 credit hours)
- Industrial Welding Certificate (29 credit hours)

**Temporary Program Approval**

Carl Sandburg College

- CNC Operator Certificate (17 credit hours)

Illinois Community College Board

**NEW UNITS OF INSTRUCTION**

***Temporary Program Approval***

The Illinois Community College Board is requested to approve new units of instruction for the following community colleges:

**RECOMMENDED ACTION:**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the following new units of instruction for the community colleges listed below:

**TEMPORARY PROGRAM APPROVAL**

Carl Sandburg College

- CNC Programmer Certificate (32 credit hours)

## BACKGROUND

### Carl Sandburg College

#### CNC Programmer Certificate (32 credit hours)

**Program Purpose:** This program will prepare individuals for entry-level employment in the manufacturing industry with computerized numerical control programmers with skills in programming for machine tooling and CNC processes.

**Catalog Description:** The CNC Programmer Certificate program gives an overview of essential machine shop practices including machine safety, blueprint reading, and part inspection methods. CNC programming, set-up and operation will also be covered in depth. Graduates of this program will have the skills necessary for entry-level employment in a machine shop setting. Special emphasis will be placed on learning the skills necessary to transform raw material into a finished part. Students will be able to apply the techniques learned in lectures within a machine shop setting. Overall, this program is intended to introduce students to many different aspects within a machine shop setting.

**Curricular Information:** The curriculum includes coursework in introductory and intermediate levels of technical math, fundamentals of CNC Turn Apps, fundamentals of CNC Mill Apps, CNC Lathe set-up, CNC Mill set-up, fundamental of live tooling, live tooling set-up/operations, CNC Lath process, CNC Mill process, and a required CNC programmer internship in a manufacturing setting.

**Justification for Credit hours required for the Certificate:** This program prepares students at an advanced level for entry-level employment, and thus includes content above basic knowledge and skills. Eighty-percent of the courses included allow for hands-on learning, as well as an additional two credit hour internship course, all of which were strongly recommended by the college's program advisory committee. Furthermore, this program serves as an educational ladder opportunity for graduates of the college's related CNC Operator Certificate, which is a pre-requisite to the proposed advanced certificate program.

**Accrediting Information:** N/A

**Supporting Labor Market Data (including employer partners):** Labor market information provided by the college supports the interest in and the need for a certificate program in this field of study. According to the Illinois Department of Employment Security (IDES), employment of "CNC programmers" is expected to increase by 30.6% statewide through 2022. Local employers have identified an urgent need for skilled entry-level workers with a broad-based knowledge of the manufacturing industry. Advisory committee members worked closely with the college to develop a curriculum that would prepare students for the local work force. The college is requesting temporary approval to meet the immediate needs of local employers and continue monitoring the need for the program as proposed.

*Table 1: Employer Partners*

Employer	Location
Midstate Manufacturing Corporation	Galesburg, IL
Pegasus Machine Tool, Inc.	Galesburg, IL

*Table 2: Projected Enrollments*

<b>CNC Programmer Certificate</b>	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>
Full-Time Enrollments:	2	2	2
Part-Time Enrollments:	10	10	12
Completions:	-	12	12

**Financial / Budgetary Information:** Two (2) existing part-time faculty will be required to operate the program. The program will utilize all existing facilities. Much of the existing equipment was purchased with TAACCT grant funds in previous years. Several new pieces of equipment and software updates have been donated by local employers to support the program. The program will be fiscally supported through student tuition and fees. No new costs are anticipated to support the program over the next three years.

*Table 3: Financial Information*

	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>
Faculty Costs	-	-	-
Administrator Costs	-	-	-
Other Personnel costs	-	-	-
Equipment Costs	-	-	-
Library/LRC Costs	-	-	-
Facility Costs*	-	-	-
Other (specify)	-	-	-
<b>TOTAL NEW COSTS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

*Table 4: Faculty Requirements*

	<b>First Year</b>		<b>Second Year</b>		<b>Third Year</b>	
	<b>Full-Time</b>	<b>Part-time</b>	<b>Full-Time</b>	<b>Part-time</b>	<b>Full-Time</b>	<b>Part-time</b>
New Faculty	-	-	-	-	-	-
Existing Faculty	-	2	-	2	-	2

UNAPPROVED

Minutes of the 419<sup>th</sup>  
Meeting of the  
Illinois Community College Board  
Sauk Valley Community College  
Room 2K2  
173 Illinois Route 2  
Dixon, IL  
September 16, 2016

**RECOMMENDED ACTION**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the Board minutes of the September 16, 2016 meeting as recorded.

**Item #1 – Roll Call and Declaration of Quorum**

Chair Laz Lopez called the Board meeting to order at 9:01 a.m. and asked Ann Knoedler to call roll. The following Board members were present: Terry Bruce, Suzanne Morris, Nick Kachiroubas, Dustin Heuerman, Doug Mraz and student Board member Ugne Narbutaite. Board members Ann Kalayil, Cheryl Hyman, Guy Alongi, Teresa Garate, and Jake Rendleman were absent. A quorum was declared.

**Item #2 – Announcements and Remarks by Dr. Laz Lopez, Board Chair**

Chair Lopez thanked Sauk Valley Community College for hosting the ICCB's September Board meeting and for the mementos.

Chair Lopez stated he was very pleased with the outcome and great participation of Board members at the August 2016 Board Retreat. It was a very productive meeting.

**Item #3 - Welcoming Remarks from Dr. David Hellmich, President of Sauk Valley Community College**

**Item #3.1 - Highlights of Sauk Valley Community College's Success in Partnerships**

Dr. David Hellmich began by welcoming the ICCB to Sauk Valley Community College (SVCC). This is Dr. Hellmich's second year as the President of Sauk Valley Community College. The college still mourns their former Chairman Andrew Bollman, who recently tragically passed away.

Like everyone else, these are challenging times in regards to budget problems for Sauk Valley Community College. Two years ago, when the College was supposedly fully funded by the State, the SVCC actually received only 17 percent of their budget that was supposed to come from the State. Even with decreased enrollment, the College was able to break even. Last year, the College received four percent of their funding from the state. With decreased enrollment, Sauk Valley found itself with a \$1.6 million dollar deficit.

However, thanks to Dr. Hellmich's predecessor, Dr. George Mihel, there was no need to discuss the option of lay-offs like at some colleges. This year, Sauk Valley received five percent of their funding from the state, which will put them in a \$1.9 million dollar deficit. Administration will be having discussions on the options of how to cut hundreds of thousands of dollars from this year's budget and how to cut a million dollars from next year's budget.

At the same time, this is an opportunity to refocus on how to be more involved in the community. SVCC has had several very important partnerships established last year. Last November, the College partnered with a few of the surrounding cities to put together a strong proposal to be a Small Business Development Center (SBDC). Currently, the College is now a center for small business development. Sauk Valley Community College has also partnered with the three area chambers of commerce to start community programs. The College has started an extended internship program for manufacturing with the involvement of several area manufacturers. Finally, the College has partnered with the area's YMCAs and will soon be launching an extension of the YMCA, which will be located on the campus.

To conclude his presentation, Dr. Hellmich played the college's new mission statement video for the Board.

**Item #4 – Election of the ICCB Board member representative on the Illinois Community College Foundation Board**

Douglas Mraz made a motion to nominate and elect Dustin Heurman for the position of representative on the Illinois Community College Foundation Board, which was seconded by Terry Bruce. Suzanne Morris made a motion, which seconded by Nick Kachiroubas, to close the floor for nominations:

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heurman	Abstain	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
		Laz Lopez	Yea

The motion to nominate and elect Dustin Heurman as the new ICCB Board member representative on the Illinois Community College Foundation Board was approved. Student advisory vote: Yes. Dustin Heurman abstained.

**Item #5 – Board Members Comments**

The Board thanked Sauk Valley Community College for hosting the ICCB's September Board meeting and also welcomed the new student Board member, Ugne Narbutaite, to her first official meeting.

**Item #6 – Executive Director Report**

Dr. Karen Hunter Anderson began by thanking Sauk Valley Community College and Dr. Hellmich for hosting the meeting today. She also welcomed Ugne Narbutaite, student Board member, to her first official board meeting. Dr. Anderson also stated that the system continues to mourn the loss of the ICCTA past president, Andrew Bollman. As the system began the celebration of the 50th anniversary, Andrew spoke eloquently about his experience at Sauk Valley Community College. He will be greatly missed. One of the issues that have consumed an incredible amount of time these last few weeks has been the closure of ITT Technical Institute. Recently, Dr. Anderson sent the Board an update on the actions taken by the courts and information about the access to student records.

Last Friday, Dr. Anderson participated in a press conference at Malcolm X College with Senator Durbin and Attorney General Madigan. Senator Durbin has asked the Illinois Community Colleges to step up to the plate to assist with the ITT Tech students who were displaced. The ICCB staff has been overwhelmed with calls. Many of them are from students who just want to talk to someone. It is not only students who were left with an uncompleted degree or certificate, but it is also students who have graduated from ITT Tech and are questioning the value of their degrees. They also have significant issues in trying to get their transcripts and other documentation needed to complete programs, get licensure, or transfer to four year programs. The ICCB also provided a directory of students by district to the colleges, who have reached out individually to these students and are hosting a number of information and advising sessions to help students determine their options. Information will continue to be provided to the system as the ICCB receives it.

\* \* \* \* \*

Board member Ann Kalayil arrived to the Board meeting at 9:25 a.m.

\* \* \* \* \*

Another time "consumer" has been the work ICCB staff has been doing with the Governor's Cabinet on Children & Youth. The Children's Cabinet has three subgroups who are working toward aligned goals:

1. Health & safety
2. Self sufficiency
3. Well-educated

The Governor's Office has designated Dr. Anderson as the goal leader and Dr. Durham as the goal aide for the well-educated subgroup. In addition, Jennifer Foster is working on the self-sufficiency workgroup. The projects under consideration for the well-educated subgroup include:

1. Early childhood education workforce development
2. Apprenticeships
3. Focus on at-risk youth

Each of these projects are proposed because they can have a broad impact on students and educational systems, can cut across agencies, and would benefit from cross-agency collaboration. The ICCB will establish key indicators to track progress. With the work that ICCB is doing on the Workforce Education Strategic Plan, alignment with the new WIOA, adult education, and maybe soon the new Perkins regulations, ICCB is positioned to make a big impact on these specific projects. In addition, the Governor's Office has convened a working group of the leadership at the three postsecondary education agencies, ICCB, IBHE, and ISAC. This group has identified several areas of focus to improve enrollment and completion at our institutions of higher education, many of which support our board goals:

1. Targeted marketing
2. Bridge programs
3. One-stop center integration
4. 2 + 2 agreements
5. High school to college alignment

There has been progress made on the Board goals. There will be an update provided on the progress at each Board meeting. At this time, Dr. Anderson distributed a document to the Board members. Pertaining to that document, all three goals now show progress, not aspirations. The status has been changed to:

1. In progress
2. Pending
3. Stalled

The checkmarks indicated target completion dates. Note the one item that is listed as stalled is our work on a Prior Learning Assessment Collaboration between Harper College and CAEL (Center for Adult and Experiential Learning). Dr. Anderson recently sent out a memo to the Board asking for input on ICCB's FY17 legislative agenda.

One of the legislative topics was the offering the Bachelor of Science in Nursing (BSN) at community colleges. That was a topic of discussion last year with the Presidents, the Trustees, and the Board, but was put on hold as the system dealt with the budget issues. The topic has resurfaced, so ICCB staff will be addressing that at the November meeting.

In conclusion, Dr. Anderson informed the Board that she will be traveling to China in October to present at the 2016 International Conference on Water Resource and Hydraulic Engineering. She will be presenting on IGEN (the Illinois Green Economy Network), on the demand for employee training in water resource management, and on the curricula for programs, certificates and degrees that address water resources, such as soil and water conservationists, hydrology, hydropower, and storm water certificates.

**Item #6.1 – Acknowledgement of Ms. Krista Winters, President, Illinois Community College Faculty Association**

Dr. Anderson presented Ms. Krista Winters, outgoing President of the Illinois Community College Trustees Association, with a certificate of recognition for her service to the Board.

**Item #7 - St. Louis Higher Education Center Update**

State Community College of East St. Louis was officially created on August 8, 1969 and classes began in September, 1969. State Community College was funded entirely by state revenues and student tuition. On July 1, 1996 State Community College was closed and Metropolitan Community College was opened. It was established as a Class I community college district and was funded by state, local, and student revenues.

Following a recognition visit and several focused recognition visits, the ICCB found severe financial and reporting mismanagement, and recognition was interrupted. Metropolitan Community College was closed in October, 1998, and the East St. Louis Higher Education Center was opened. The Higher Education Center is run by the ICCB through grants given for administration, education, and student services. The ICCB selected the Southern Illinois Collegiate Common Market (SICCM) to provide the administration, student services, and the operation and maintenance for the East St. Louis Community College Center. In 2001, SIU-E spent \$27M to renovate and build a dental and medical educational facility on the campus. Since then, they have increased their presence by opening a charter high school, Head Start, Upward Bound, and other educational programs on the campus. The ICCB has partnered with SUI-E to share resources such as space, campus security, and maintenance.

In FY16, there was no budget for the East St. Louis Higher Education Center, and SICCM was forced to lay off staff and close the doors of the facility. In the StopGap budget for FY17, the ICCB received \$1.4M for the campus but was later informed by the Governor's Office of Management and Budget and the budget negotiators of the four legislative caucuses that the funding was to be reduced by fifty-percent to equal the amount that the majority of grantees received statewide for state programs, which ended up being about \$750,000. Due to this reduction in funding, the ICCB staff is proposing to enter into agreements with SUI-E and a few local community colleges for select educational programs and limited administrative functions. With the approval by the Board to expand services, more certificate programs will be offered in needed careers areas.

Nick Kachiroubas made a motion, which was seconded by Ann Kalayil, to adopt the following motion:

The Illinois Community College Board hereby authorizes the Executive Director to enter into agreements with Southern Illinois University-Edwardsville and community colleges to provide district residents with access to community college educational services.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Suzanne Morris	Yea
Dustin Heuerman	Yea	Doug Mraz	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

**Item #8 - Approval of Designated Emergency Funds**

Public Act 99-0524 is the “StopGap” budget for the State of Illinois. It includes appropriations for the community college system and the adult education providers. Included is an appropriation for \$20M to the Illinois Board of Higher Education (IBHE): “For payment to public universities and community colleges to provide for financial support for essential operations as determined by the Board in accordance with Section 9.35 of the Board of Higher Education Act.” Public Act 99-0523 referred to as the FY17 Budget Implementation Bill requires that the IBHE consult with the ICCB for community college financial emergencies.

Nick Kachiroubas made a motion, which was seconded by Doug Mraz, to adopt the following resolution:

**WHEREAS**, the State of Illinois budget for fiscal year 2016 was not passed until April 2016 and was \$201M less than the last full State budget passed in fiscal year 2015; and

**WHEREAS**, the State of Illinois budget for fiscal year 2017 includes partial year funding and was \$160M less than the last full year State budget passed in fiscal year 2015; and

**WHEREAS**, the primary revenue source for the fiscal year 2017 operating grants is from the Personal Property Replacement Tax Fund which will cause a \$3M loss in local revenue statewide for the system; and

**WHEREAS**, every community college in the State has made reductions to staff, programs, and services; and

**WHEREAS**, the State of Illinois backlog of fiscal obligations ended fiscal year 2015 at \$-4.0B; and

**WHEREAS**, the State of Illinois backlog of fiscal obligations ended fiscal year 2016 at \$-7.6B; and

**WHEREAS**, the State of Illinois backlog of fiscal obligations ended September 14, 2016 at \$-8.7B; therefore, be it

**RESOLVED** by the **ILLINOIS COMMUNITY COLLEGE BOARD ON THIS 16<sup>TH</sup> DAY OF SEPTEMBER IN THE YEAR TWENTY-SIXTEEN**, that on behalf of the system by way of general declaration the Illinois Community College System is in a state of financial emergency due to the drastic loss of State revenues over the last two years; and be it further

**RESOLVED** that each community college can adopt a resolution stating that fact for the sole purpose of qualifying for and satisfying statutory requirements for the twenty million dollar appropriation that can be allocated to colleges and universities declaring a state of financial emergency; and be it further

**RESOLVED** that this resolution or any local resolution should not be considered a reason or grounds by any external agency to cause a review or visit; and be it further

**RESOLVED** that the Illinois Community College Board authorizes its Executive Director to refer recommendations to the Illinois Board of Higher Education for funding, as it relates to Article 149, Section 10 of Public Act 99-0524.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heurman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

**Item #9 - Approval of Mandatory Community College Trustee Training Process**

Section 3-8.5 of the Public Community College Act is new legislation that will be effective January 1, 2017. It requires trustees elected or appointed to local community college boards after January 1, 2017 to complete four hours of training every two years. The training can be provided by the Illinois Community College Trustees Association (ICCTA) or any provider approved by the ICCB, in consultation with the ICCTA.

Nick Kachiroubas made a motion, which was seconded by Dustin Heurman, to adopt the following motion:

The Illinois Community College Board hereby authorizes the Executive Director to establish minimum training requirements, subject matter, and credentials for individuals and entities requesting to be an approved provider of trustee leadership training by the Board.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Suzanne Morris	Yea
Dustin Heurman	Yea	Doug Mraz	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

\* \* \* \* \*

The Board took a break at 10:24 a.m. and returned at 10:37 a.m.

\* \* \* \* \*

**Item #10 - Approval of the new ICCB Board Committees**

Doug Mraz made a motion, which was seconded by Nick Kachiroubas, to adopt the following motion:

The Illinois Community College Board hereby approves the following new committee structure and descriptions:

1. **The ICCB Academic, Workforce, and Student Support Committee** - will address issues in academic affairs, adult education, student services, policy studies and research, and workforce. This committee will examine policy, data and reporting, student topics and other support related activities that may have an impact on the Boards goals as well as functions within community colleges and other provider systems. The examinations may include, but are not limited to, approval of plans, units of instruction, data and reporting, policies that affect programs, and legislative needs. Issues will be brought to the committee that may require input and/or approval by the committee and subsequent approval by the Board. The committee will include members of the Board, as assigned by the chairperson, and one committee member will serve as the chair of the committee. The committee chair will be responsible for reporting to the Board. Each committee will be staffed by employees of the ICCB. The agenda will be developed by the staff members assigned to the committee, in consultation with the committee chair. When specific issues cut across board committees, the Executive Director will determine which board committee will address the topic; and
  
2. **The ICCB Finance, Operations, and External Affairs Committee** - has two primary responsibilities. The first is to approve ICCB office contracts over \$25,000; evaluate funding policies; and review state funding formulas, distributions to colleges, grant agreements, and inter-governmental agreements. The second primary responsibility of the committee is to direct staff in setting an overall State legislative agenda annually. Other important items of discussion for the committee will include, but are not limited to, public information plans and strategies, federal legislation, ethics and training, administrative rule changes, audit review, and human resources issues at a macro level. Issues will be brought to the committee that may require input and/or approval by the committee and subsequent approval by the Board. The committee will include members of the Board, as assigned by the chairperson, and one committee member will serve as the chair of the committee. The committee chair will be responsible for reporting to the Board. Each committee will be staffed by employees of the ICCB. The agenda will be developed by the staff members assigned to the committee, in consultation with the committee chair.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Suzanne Morris	Yea
Dustin Heurman	Yea	Doug Mraz	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

**Item #11 – Illinois Board of Higher Education Report**

As the ICCB designee to the Illinois Board of Higher Education (IBHE), Dr. Teresa Garate was not available to give the report.

**Item #12 – Advisory Organizations**

**Item #12.1 – Illinois Community College Faculty Association (ICCFA)**

Krista Winters briefly stated that the ICCFA will conduct their fall conference on October 27-28 at the Crowne Plaza in Springfield. Attendees are about the same as last year. The Association has not received dues from 14 colleges due to the budget. The final meeting will be conducted on October 14<sup>th</sup>.

**Item #12.2 - Illinois Council of Community College Presidents (ICCCP)**

Dr. Tom Ramage, President of Parkland College and the President of the ICCCP, stated the Council met last week with the ICCTA. To date, there are nine new Illinois Community College Presidents. The next meeting will be November 10-11 in Naperville. During the November meeting, the Council will have two guest speakers, Chris Welch and Thaddeus Jones. The Council will discuss their legislative agenda, which will include budget issues, the BSN, and MAP grants. The Council's next meeting will be the retreat in October being held in Peoria.

**Item #12.3 – Illinois Community College Trustees Association (ICCTA)**

Jim Endress, Trustee for Highland Community College and Vice-President for the ICCTA, gave the report. This past weekend was Trustee Andrew Bowman's funeral. The Association had a resolution approved and put together a video memorial in his honor. The Association discussed the mandatory four hour training and continued the BSN discussions. The next meeting will be held November 10-11 in Naperville. During this meeting, the Association will also have Robin Schwartz conduct an orientation for the new members.

**Item #12.4 – Student Advisory Council**

Ugne Narbitaite, student Board member, stated the Council conducted their final meeting last weekend. They conducted the elections for the new officers and had the President for ISU as a guest speaker. During Advocacy Day, the group conducted discussions on textbook affordability, opportunities for students to become more involved such as student mentoring, and awareness for domestic violence. During their next meeting, the group will discuss what worked and didn't work within their campuses.

**Item #13 - Cooperative Agreements**

**Item #13.1 - Comprehensive Agreement Regarding the Expansion of Educational Resources**

The Illinois Community College Board is requested to approve the CAREER agreement, inclusive of the following additions to the agreement, College of DuPage, Illinois Eastern Community Colleges, John A. Logan College, Shawnee Community College, and Southeastern Illinois College.

Dustin Heuerman made a motion, which was seconded by Nick Kachiroubas, to approve the following motion:

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The Illinois Community College Board hereby approves the CAREER agreement including the additions of the College of DuPage, Illinois Eastern Community Colleges, John A. Logan College, Shawnee Community College, and Southeastern Illinois College, to the agreement.

A roll call vote was taken with the following results:

Terry Bruce	Abstain	Doug Mraz	Yea
Dustin Heuerman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Terry Bruce Abstained. Student Advisory vote: Yea.

**Item #13.2 - Cooperative Agreement between Illinois Eastern Community College and John A. Logan College**

The Illinois Community College Board is requested to approve the cooperative agreement between Illinois Eastern Community Colleges and John A. Logan College.

Doug Mraz made a motion, which was seconded by Suzanne Morris, to approve the following motion:

The Illinois Community College Board hereby approves the cooperative agreement for instruction between Illinois Eastern Community Colleges and John A. Logan College.

A roll call vote was taken with the following results:

Terry Bruce	Abstain	Doug Mraz	Yea
Dustin Heuerman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Terry Bruce Abstained. Student Advisory vote: Yea.

**Item #14 – New Units**

**Item #14.1 - College of DuPage, Harper College, Carl Sandburg College, Triton College**

Nick Kachiroubas made a motion, which was seconded by Dustin Heuerman, to approve the following items:

The Illinois Community College Board hereby approves the following new units of instruction for the community colleges listed below:

**PERMANENT PROGRAM APPROVAL**

College of DuPage

- Building Automation Systems Certificate (37 credit hours)

Harper College

- Surgical Technology A.A.S. degree (66 credit hours)

Carl Sandburg College

- Rail Off/Highway Motive Power Electrical Technician Certificate (32 credit hours)

Triton College

- Surgical Technology A.A.S. degree (63 credit hours)

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heuerman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

**Item #14.2 - Malcolm X College**

This is a 68 credit hour degree that requires 8 of those credit-hours to be work based learning in an actual hospital.

Suzanne Morris made a motion, which was seconded by Terry Bruce, to approve the following item:

The Illinois Community College Board hereby approves the following new units of instruction for the community colleges listed below:

**PERMANENT PROGRAM APPROVAL**

Malcolm X College

- Health Information Technology A.A.S. degree (68 credit hours)

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heuerman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

**Item #14.3 - Wabash Valley College**

Nick Kachiroubas asked if the guns were brought on campus, where they are stored, and if law enforcement would be guarding the area where the guns are stored. Terry Bruce explained this degree is the making of a 1911 military style pistol and AR15 assault rifle. The college has a partnership with Cabela's, who hire these students for employment. The guns are assembled then disassembled upon leaving, and there is no ammunition involved. The gun parts are kept in a safe room on campus with cameras, and the instructor has the key. Board member Kachiroubas suggested that the Board be provided with documentation from a law enforcement organization that appropriate safety measures are in place.

Doug Mraz made a motion, which was seconded by Dustin Heuerman, to approve the following item:

The Illinois Community College Board hereby approves the following new units of instruction for the community colleges listed below:

**PERMANENT PROGRAM APPROVAL**

Wabash Valley College

- Gunsmithing A.A.S. degree (63 credit hours)

A roll call vote was taken with the following results:

Terry Bruce	Abstain	Doug Mraz	Yea
Dustin Heuerman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	No	Ugne Narbutaite	Yea
Ann Kalayil	Abstain	Laz Lopez	Yea

The motion requires six members to vote Yea to be approved. Due to this requirement not being met, the motion did not pass. Terry Bruce and Ann Kalayil abstained. Student Advisory vote: Yea.

**Item #15 – Consent Agenda**

With the removal of Items #15.1 and #15.2, Doug Mraz made a motion, which was seconded by Terry Bruce to approve the consent agenda's following items:

**Item #15.3 - Minutes of the August 10, 2016 Board Retreat**

The Illinois Community College Board hereby approves the minutes of the August 10, 2016 Board workshop as recorded.

**Item #15.4 - Approval of the Disposal of the Verbatim Recording of Minutes**

The Illinois Community College Board hereby authorizes the Board Secretary to destroy all verbatim recordings of minutes from closed meetings no less than 18 months after the completion of the meeting.

**Item #15.5 - Certification on Eligibility for Special Tax Levy**

The Illinois Community College Board hereby authorizes the Executive Director to issue the annual certificates of eligibility for additional taxing authority to the community college districts meeting the following statutory criteria:

1. Received an equalization grant in fiscal year 2016 and/or received an equalization grant in fiscal year 2017; and
2. had combined educational and operations and maintenance purposes tax rates less than 29.97 cents per \$100 of equalized assessed valuation.

**Item #15.6 - Administrative Rule Changes - PBVS Credits by Community Colleges**

The Illinois Community College Board hereby approves the following amendment to the Administrative Rules of the Illinois Community College Board and authorizes its Executive Director to process the amendment in accordance with the Illinois Administrative Procedures Act.

**Section 1501.301 Definition of Terms**

Associate Degree. An "Associate Degree" is an award for satisfactory completion of a curriculum of 60 semester credit hours or more.

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Associate in Applied Science Degree. An "Associate in Applied Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to prepare individuals for employment in a specific field.

Associate in Arts Degree. An "Associate in Arts Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the arts, humanities, or social or behavioral sciences or one of the professional fields with these disciplines as a base.

Associate in Fine Arts Degree. An "Associate in Fine Arts Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the fine arts: art, music, or theater.

Associate in Engineering Science Degree. An "Associate in Engineering Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in engineering.

Associate in General Studies Degree. An "Associate in General Studies Degree" is an award for the satisfactory completion of a curriculum that has been individually designed by mutual agreement between the student and his/her college-appointed advisor to meet the student's educational intent.

Associate in Science Degree. An "Associate in Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the mathematical, biological, or physical sciences or one of the professional fields with these disciplines as a base.

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

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

Certificate. A "certificate" is an award for satisfactory completion of a series of courses or curriculum of 50 semester credit hours or less.

General certificate. A "general certificate" is an award for satisfactory completion of a series of courses of 30 semester credit hours or less in adult basic education, adult secondary education, remedial education, vocational skills, or general studies.

Occupational certificate. An "occupational certificate" is an award for satisfactory completion of a prescribed curriculum intended to prepare an individual for employment in a specific field.

College. A "college" is a district's administrative unit that is authorized by the Illinois Board of Higher Education to grant postsecondary-level degrees and certificates, is recognized by the ICCB, and provides a comprehensive program of instruction in accordance with Section 101-2(e) of the Act.

Course. A "course" is a sequential presentation, through one or more instructional modes, of subject matter in a particular field to meet specific objectives within a designated time period, such as a semester or a quarter.

**Curriculum.** A "curriculum" is an approved unit of instruction consisting of a series of courses designed to lead to an associate degree or a certificate.

**Adult Basic Education.** An "Adult Basic Education" curriculum consists of basic skills courses designed to bring students to a competency of eighth-grade equivalency, including English as a Second Language instruction to a level of eighth-grade equivalency.

**Adult Secondary Education.** An "Adult Secondary Education" curriculum consists of courses designed to bring students to a competency of twelfth-grade equivalency, including English as a Second Language courses through the twelfth-grade equivalency and General Educational Development (GED) examination preparation.

**District Curriculum.** A "district curriculum" is a curriculum approved for offering within a district, on the basis of student interest, employment demand, and available resources within the district.

**General Studies.** A "General Studies" curriculum consists of courses designed to meet individual student goals, in the promotion of personal improvement and self-understanding.

**Regional Curriculum.** A "regional curriculum" is a curriculum approved for offering within a particular region of the state, on the basis of student interest and employment demand within the region.

**Remedial Education.** A "Remedial Education" curriculum consists of courses in computation, communication (i.e., writing and speaking), and reading, designed to improve the competency of high school graduates, or those persons achieving high school equivalency through standardized testing, to the level necessary for placement into communication and mathematics courses required of first-year college students. Remedial courses reiterate basic skills that students were expected to have mastered prior to entry into post-secondary education.

**Statewide Curriculum.** A "statewide curriculum" is a curriculum approved for offering on the basis of student interest and employment demand statewide.

**Educational Agency.** An "educational agency" is an agency, corporation, or other defined legal entity which offers instruction.

**Extension Center.** An "extension center" is an instructional site for the college that is used for offering some of the college's courses and/or programs for a limited duration.

**Internship/Practicum.** An "internship/practicum" is a course of planned and supervised training which allows the application of theory to actual practice and prepares a student for working independently in a specific career. The internship/practicum generally occurs after the student has completed 12 credit hours. It takes place at a regular worksite and instruction/supervision is shared by a college instructor/supervisor and a qualified employee at the worksite. Clinical practicums take place in a hospital or other medical/health facility and require close supervision/instruction/monitoring by a qualified college instructor.

**Laboratory.** A "laboratory" is a course of planned and supervised training in which students learn new methods or principles through experimentation, observation, and/or practice. A lab class can occur at the beginning, middle, or end of a particular course of study and may be a specially equipped room designed for experimentation, observation, and/or practice on the college campus or at the worksite.

Principal Site. The principal site is the official mailing address of the college.

Private Business Vocational School (PBVS). A “Private Business Vocational School (PBVS)” means a non-degree granting institution that is regulated and approved by the Board of Higher Education under the Private Business and Vocational Schools Act of 2012 and that is nationally accredited by an accreditor approved by the U.S. Department of Education.

PBVS Eligible Program. This refers to any of the six (6) programs listed in Section 1501.310 c)Acceptance of Credits, 1) – 6).

Public Service. "Public service" consists of noncredit classes and other activities of an educational nature, such as workshops, seminars, forums, exhibits, and the provision of college facilities and expertise to the community, designed to be of service to the public.

Research. "Research" consists of investigations or experiments to discover or interpret facts, to revise accepted theories, or to apply such revised theories.

Secondary School. A "secondary school" shall be used to mean private or parochial secondary school, public secondary school district, or public unit school district.

Unit of Instruction. A "unit of instruction" is any one of the following:

An organized program of study consisting of a sequence of courses that result in the award to a student of a certificate or an associate degree.

Any existing organized program of study offered at a new geographical location outside of the college district.

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

Unit of Research or Public Service. A "unit of research or public service" is a college's subdivision such as a division, institute, or center that administers one (or more) research or public service program.

Vocational Skills. "Vocational Skills" consists of courses designed to provide short-term job entry training, to upgrade the skills of persons already employed, or to review skills for career re-entry.

**Section 1501.310 Acceptance of Private Business Vocational School Credits by Community Colleges in Select Disciplines.**

a) Board Approval. The Board may approve a PBVS Eligible Program as eligible for credit acceptance, when all of the following conditions have been met:

1) The PBVS has submitted all proper documentation and application materials that the Board requests.

2) The PBVS has met all required curriculum review procedures as specified by the Board as a part of the application process.

3) The PBVS has successfully completed a full term of national accreditation without probation, without being denied accreditation, and without withdrawing an application.

4) The Board has verified the institution's good standing during the period of its national accreditation.

5) The Institution has met all other application conditions as required by the Board.

b) Approval Decisions. All decisions of the Illinois Community College Board are final.

c) Acceptance of Credits. A college district shall accept up to 30 credit hours from a PBVS institution that has been approved by the Board if a student has completed one of the following programs at that institution: 1) Medical Assisting (PCS 1.2 / CIP 51.0801) 2) Medical Coding (PCS1.2 / CIP 51.0713, or, CIP 51.0714 or, CIP 51.0707) 3) Dental Assisting (PCS 1.2 / CIP 51.0601) 4) HVAC (Heating, Ventilation, and Air Conditioning) (PCS 1.2 / CIP 47.0201) 5) Welding (PCS 1.2 / CIP 48.0508) 6) Pharmacy Technician (PCS 1.2 / CIP 51.0805)

d) Institutions may accept the credits as direct equivalent credits or prior learning credits, as determined by the institution and consistent with the accrediting standards and institutional and ICCB residency requirements of the Higher Learning Commission, other state and national accreditors, state licensing bodies, etc., as appropriate.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heurman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

### **Item #15 – Consent Agenda**

Doug Mraz made a motion, which was seconded by Dustin Heurman to approve the consent agenda's remaining two items:

#### **Item #15.1 - Minutes of the June 3, 2016 Board Meeting**

The Illinois Community College Board hereby approves the Board minutes of the June 3, 2016 meeting as recorded.

#### **Item #15.2 - Minutes of the June 3, 2016 Executive Session**

The Illinois Community College Board hereby approves the Executive Session minutes of the June 3, 2016 meeting as recorded.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heurman	Yea	Suzanne Morris	Abstain
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Abstain
Ann Kalayil	Yea	Laz Lopez	Abstain

The motion was approved. Suzanne Morris, Laz Lopez, and Student Board member Ugne Narbutaite were not present for the June Board meeting, so they abstained.

**Item #16 - Information Items**

There was no discussion.

**Item #16.1 - Fiscal Year 2016 Financial Statements**

**Item #16.2 - Fiscal Year 2017 Financial Statements**

**Item #16.3 - Spring 2016 Legislative Update**

**Item #16.4 - Administrative Rule Changes - Freedom of Information Act**

**Item #17 – Other Business**

There was no other business.

**Item #18 – Public Comment**

There was no public comment.

**Item #19 – Executive Session**

The Board did not enter into Executive Session.

**Item #20 - Consent Agenda**

**Item #20.1 - Approval of Confidentiality of Executive Session Minutes**

Nick Kachiroubas made a motion, which was seconded by Doug Mraz, to approve the following items:

The Illinois Community College Board hereby determines the Executive Session Minutes held on September 16, 2005; September 21, 2005; September 15, 2006; November 17, 2006; January 22, 2007; February 26, 2007; March 26, 2007; June 8, 2007; May 19, 2008; September 19, 2008; March 26, 2010; June 4, 2010; January 28, 2011; March 18, 2011; June 3, 2011; September 16, 2011; January 27, 2012; November 16, 2012; January 25, 2013; February 6, 2013; March 22, 2013; September 20, 2013; June 6, 2014; September 18, 2015; November 20, 2015; and January 22, 2016 are to remain confidential. All other Executive Session Minutes are available for public inspection.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heurman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

**Item #21 – Executive Session Recommendations**

There were no recommendations made.

**Item #22 – Adjournment**

Ann Kalayil made a motion, which was seconded by Dustin Heuerman, to adjourn the Board meeting at 11:45 a.m.

A roll call vote was taken with the following results:

Terry Bruce	Yea	Doug Mraz	Yea
Dustin Heuerman	Yea	Suzanne Morris	Yea
Nicholas Kachiroubas	Yea	Ugne Narbutaite	Yea
Ann Kalayil	Yea	Laz Lopez	Yea

The motion was approved. Student Advisory vote: Yea.

Illinois Community College Board

**ILLINOIS COMMUNITY COLLEGE BOARD  
JANUARY 2017 REGULATORY AGENDA**

The Joint Committee on Administrative Rules (JCAR) is a bipartisan legislative oversight committee that has been delegated the responsibility to ensure that the laws enacted are appropriately implemented through administrative law. Each year, JCAR requires the Board, and all state agencies, to publish in the *Illinois Register* a regulatory agenda detailing the scope of upcoming rulemaking activity that the Board is considering but has not filed a formal notice of proposed rulemaking activity.

The January 2017 Regulatory Agenda is being submitted to the Board for approval and then will be published in the *Illinois Register* pursuant to the Illinois Administrative Procedure Act (5 ILCS 100).

**RECOMMENDED ACTION:**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the following January 2017 Regulatory Agenda listed below:

**ILLINOIS COMMUNITY COLLEGE BOARD  
JANUARY 2017 REGULATORY AGENDA**

a) Part (Heading and Code Citations): Administration of the Illinois Public Community College Act, 23 Ill. Adm. Code 1501

1) Rulemaking:

A) Description: Public Act 99-0655 focuses on reducing data redundancy and eliminating data collections that are not vital to the goals established by the Illinois Community College Board. In addition the legislation updates the Public Community College Act by removing statutes that are outdated and/or expired. . As such, the Board proposes amendatory rules to eliminate the uniform financial reporting system data collections and Board approval of community college locally funded construction projects; locally funded purchase or lease of sites, buildings, equipment, machinery or land; and installment loan agreements.

B) Statutory Authority: Public Community College Act [110 ILCS 805]

C) Scheduled meeting/hearing dates: None have been scheduled.

D) Date agency anticipates First Notice: Winter 2017

E) Affect on small businesses, small municipalities or not for profit corporations: The Board believes this rulemaking will not affect small business, small municipalities, and not for profit corporations.

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F) Agency contact person for information:

Matt Berry  
Rules Coordinator  
Illinois Community College Board  
401 East Capitol Avenue  
Springfield, IL 6270

Telephone: 217/785-7411  
Fax: 217/524-4981

G) Related rulemakings and other pertinent information: None

2) Rulemaking:

A) Description: The Board proposes the adoption of new community college rules pursuant to the reporting requirements outlined in Public Act 98-0792.

B) Statutory Authority: Public Community College Act [110 ILCS 805]

C) Scheduled meeting/hearing dates: None have been scheduled.

D) Date agency anticipates First Notice: Spring 2017

E) Affect on small businesses, small municipalities or not for profit corporations: The Board believes this rulemaking will not affect small business, small municipalities, and not for profit corporations.

F) Agency contact person for information:

Matt Berry  
Rules Coordinator  
Illinois Community College Board  
401 East Capitol Avenue  
Springfield, IL 6270

Telephone: 217/785-7411  
Fax: 217/524-4981

G) Related rulemakings and other pertinent information: None

3) Rulemaking:

A) Description: The Board proposes the adoption of new community college rules pursuant Public Act 99-309 and Public Act 99-845 that establishes in-district residency for tuition purposes for certain veterans and youth in the care of the Department of Children and Family Services.

B) Statutory Authority: Public Community College Act [110 ILCS 805]

C) Scheduled meeting/hearing dates: None have been scheduled.

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- D) Date agency anticipates First Notice: Spring 2017
  - E) Affect on small businesses, small municipalities or not for profit corporations: The Board believes this rulemaking will not affect small business, small municipalities, and not for profit corporations.
  - F) Agency contact person for information:  
  
Matt Berry  
Rules Coordinator  
Illinois Community College Board  
401 East Capitol Avenue  
Springfield, IL 6270  
  
Telephone: 217/785-7411  
Fax: 217/524-4981
  - G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citations): Public Information, Rulemaking and Organization, 2 Ill. Adm. Code 5175
- 1) Rulemaking:
    - A) Description: The Board plans to review administrative rules related to public information and organization in 2017. The board anticipates updating existing rules and adopting new rules pertaining to board policy.
    - B) Statutory Authority: Public Community College Act [110 ILCS 805]
    - C) Scheduled meeting/hearing dates: None have been scheduled.
    - D) Date agency anticipates First Notice: Winter 2017
    - E) Affect on small businesses, small municipalities or not for profit corporations: The Board believes this rulemaking will not affect small business, small municipalities, and not for profit corporations.
    - F) Agency contact person for information:  
  
Matt Berry  
Rules Coordinator  
Illinois Community College Board  
401 East Capitol Avenue  
Springfield, IL 6270  
  
Telephone: 217/785-7411  
Fax: 217/524-4981
    - G) Related rulemakings and other pertinent information: None

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c) Part (Heading and Code Citations): Public Information, Rulemaking and Organization, 2 Ill. Adm. Code 5100; Administration of the Illinois Public Community College Act 23 Ill. Adm. Code 1501; and State Community College of East St. Louis 23 Ill. Adm. Code 1600

1) Rulemaking:

- A) Description: The State Community College of East St. Louis has been dissolved. The board anticipates repeal of these rules.
- B) Statutory Authority: Public Community College Act [110 ILCS 805]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: Spring 2017
- E) Affect on small businesses, small municipalities or not for profit corporations: The Board believes this rulemaking will not affect small business, small municipalities, and not for profit corporations.

F) Agency contact person for information:

Matt Berry  
Rules Coordinator  
Illinois Community College Board  
401 East Capitol Avenue  
Springfield, IL 6270

Telephone: 217/785-7411  
Fax: 217/524-4981

G) Related rulemakings and other: None

**BACKGROUND**

The Board, and all state agencies, has the authority to draft rules, publish them for public comment, and file them with JCAR for adoption. The regulatory agenda allows for public comment on rules that the Board is considering in the upcoming 6 months of the year. Adoption of the regulatory agenda does not preclude the Board from adopting a rule that has not been summarized in a regulatory agenda or from adopting a different rule from the one summarized in a regulatory agenda. The Board is also not required to adopt any rule summarized in a regulatory agenda.

Illinois Community College Board

**PROPOSED AMENDMENTS TO THE  
ILLINOIS COMMUNITY COLLEGE BOARD  
ADMINISTRATIVE RULES  
(ACTION REQUIRED)**

The ICCB is required to repeal current Freedom of Information Act (FOIA) rules and to adopt new rules reflecting the updated version of the Act which took effect January 1, 2010. The rule changes were submitted to the Board for discussion only in September, 2016, allowing for a comment period for the system.

The following rules changes are being submitted to the Board for approval and then will be submitted to JCAR for the formal public comment process.

**RECOMMENDED ACTION**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the repeal and subsequent adoption of new *Administrative Rules of the Illinois Community College Board, Public Access to Information* and authorizes its Executive Director to process the changes in accordance with the Illinois Administrative Procedures Act.

TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE F: EDUCATIONAL AGENCIES  
CHAPTER VIII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 5176  
PUBLIC ACCESS TO INFORMATION ([REPEALED](#))

Section	
5176.110	Information Requests
5176.120	Minutes of Closed Sessions

**AUTHORITY:** Implementing and authorized by the Freedom of Information Act (Ill. Rev. Stat. 1989, ch. 116, pars. 201 et seq.), the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 42.06) and Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15).

**SOURCE:** Adopted at 8 Ill. Reg. 15572, effective August 15, 1984; amended at 14 Ill. Reg. 14387, effective August 27, 1990; repealed at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 5176.110 Information Requests**

- a) Any person seeking electronic information or other records from the Illinois Community College Board may do so by contacting the Executive Director at 509 South Sixth Street,

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Room 400, Springfield, Illinois 62701-1874. Requests will be processed in accordance with the provisions of the Freedom of Information Act. In order for requests to be processed, the Board requires that the request be received in writing and include, at a minimum, the information listed below.

- 1) the name, address, and phone number of the requestor;
  - 2) a description of the information requested;
  - 3) an indication of whether the records are to be inspected at the ICCB office or mailed to the requestor and, if sent, whether or not the copy(ies) is to be certified;
  - 4) the date of the request and when a response is required.
- b) A form for providing this information is available from the ICCB Executive Director.
- c) Records requested and approved for release may be inspected at the ICCB Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, except on designated holidays.
- d) Records which are stored and retrieved by electronic data processing means will be printed in a format understandable to the person not familiar with electronic data processing. If information is requested on a disk or tape, the requestor must furnish a disk or tape to the Illinois Community College Board. The Illinois Community College Board will provide a description of the disk or tape format to the requestor.
- e) Information requests that necessitate special computer analyses will be provided within a time frame determined appropriate by the Deputy Director for Research.
- f) Computerized unit record data containing information on individuals (student enrollment and completion records and faculty and staff records) will be provided under the following conditions:
- 1) there is written agreement from the requestor that the data will be used only for specified research purposes;
  - 2) there is written agreement from the requestor that the data will not be provided to a third party;
  - 3) record identifiers (Social Security Numbers) will be removed before records are released by the ICCB unless the data release is covered under the Family Educational and Privacy Act, 20 U.S.C. Section 1232g(b)(1). This section indicates that records may be disclosed to "other school officials, including teachers within the educational institution or local educational agencies," who have been determined by such agency or institution to have "legitimate educational interests."
- g) All data provided will be at the costs specified below unless the Executive Director elects to waive such fees:

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Certification fee	\$ 1.00 per request
Paper copy from paper original	
8½" x 11"	\$ .25
8½" x 14"	\$ .25
Larger than legal size	\$ 1.00
Paper copy from microfilm original	Commercial cost of reproduction
Videocassette/Audiocassette	Commercial cost of reproduction
Computer paper	\$ .65 per 1,000 lines
Computer printout	_____
Computer tape (1600 BPI only) (requestor must provide tape)	\$500.00 per CPU hour
Diskettes (requestor must provide diskette)	_____

**Section 5176.120 Minutes of Closed Sessions**

The ICCB will review its closed session minutes in January and July of each year to determine if such minutes, or any part of such minutes, may be released as public documents. The Board Chairman and Vice Chairman, prior to the January and July meetings, will review the minutes of all closed sessions conducted during the previous six months and made a recommendation for action to the Board based on the relevant provisions of the Public Community College Act (Ill. Rev. Stat. 1989, ch. 122, pars. 101 et seq.), the Freedom of Information Act (Ill. Rev. Stat. 1989, ch. 116, pars. 201 et seq.), and the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, pars. 41 et seq.).

TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE F: EDUCATIONAL AGENCIES  
CHAPTER VIII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 5176

ACCESS TO RECORDS OF THE ILLINOIS COMMUNITY COLLEGE BOARD [\(NEW\)](#)  
SUBPART A: INTRODUCTION

Section	
5176.100	Summary and Purpose
5176.105	Definitions

SUBPART B: CLASSIFICATION OF RECORDS

Section	
5176.200	Records that Will Be Disclosed

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5176.205 Records that Will Be Withheld from Disclosure  
5176.210 Statutory Exemptions

SUBPART C: PROCEDURES FOR REQUESTING  
RECORDS FROM THE BOARD

Section  
5176.300 Submittal of Requests for Records  
5176.305 Information To Be Provided in Requests for Records  
5176.310 Requests for Records for Commercial Purposes  
5176.315 Records Maintained Online

SUBPART D: BOARD RESPONSE TO REQUESTS FOR RECORDS

Section  
5176.400 Timeline for Board Response  
5176.405 Requests for Records that the Board Considers Unduly Burdensome  
5176.410 Recurrent Requesters  
5176.415 Requests for Records that Require Electronic Retrieval  
5176.420 Denials of Requests for Records  
5176.425 Requests for Review of Denials – Public Access Counselor  
5176.430 Circuit Court Review  
5176.435 Administrative Review

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section  
5176.500 Inspection and Copying of Records  
5176.505 Fees for Records  
5176.510 Reduction and Waiver of Fees

5176.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 140/3(h)] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted at 8 Ill. Reg. 15572, effective August 15, 1984; amended at 14 Ill. Reg. 14387, effective August 27, 1990; former Part repealed at 40 Ill. Reg. \_\_\_\_\_, and new Part adopted at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: INTRODUCTION

**Section 5176.100 Summary and Purpose**

- a) This Part states the policy of the Illinois Community College Board (Board) for making its records available for reasonable public inspection while, at the same time, protecting legitimate interests in confidentiality.
- b) This Part:
  - 1) Establishes the following classifications for records in the Board's possession:

- A) Records that shall be disclosed; and
  - B) Records that shall be withheld from disclosure;
- 2) Contains the procedures by which requesters may obtain records in the Board's possession; and
  - 3) Contains the procedures for claiming and determining that records submitted to the Board are exempt from disclosure.

**Section 5176.105 Definitions**

Terms not defined in this Section shall have the same meaning as in the Freedom of Information Act [5 ILCS 140]. The following definitions are applicable for purposes of this Part:

"Act" means Public Community College Act [110 ILCS 805].

"Board" means the Illinois Community College Board as established by the Act.

*"Commercial purpose" means the use of any part of a record or records, or information derived from records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is:*

*to access and disseminate information concerning news and current or passing events;*

*for articles or opinion or features of interest to the public; or*

*for the purpose of academic, scientific, or public research or education. (Section 2(c-10) of FOIA)*

*"Copying" means the reproduction of any record by means of any photographic, electronic, mechanical, or other process, device or means now known or hereafter developed and available to the Board. (Section 2(d) of FOIA)*

"Executive Director" means the executive officer of the Board.

"FOIA" means the Freedom of Information Act [5 ILCS 140].

"Freedom of Information Officer" or "FOI Officer" means an individual or individuals responsible for receiving and responding to requests for public records.

*"News media" means a newspaper or other periodical issued at regular intervals, news service in paper or electronic form, radio station, television station, television network, community antenna television service, or person or corporation engaged in making news reels or other motion picture news for public showing. (Section 2(f) of FOIA)*

*"Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group. (Section 2(b) of FOIA)*

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*"Private information" means unique identifiers, including a person's Social Security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Section 2(c-5) of FOIA)*

"Public Access Counselor" means an individual appointed to that office by the Attorney General under Section 7 of the Attorney General Act [15 ILCS 205].

*"Public body" means all legislative, executive, administrative, or advisory bodies of the State, State universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, any subsidiary bodies of any of the foregoing, including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code [105 ILCS 5]. (Section 2(a) of FOIA)*

*"Records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of the Board. (Section 2(c) of FOIA)*

*"Recurrent requester" means a person that, in the 12 months immediately preceding the request, has submitted to the same public body a minimum of 50 requests for records, a minimum of 15 requests for records within a 30-day period, or a minimum of 7 requests for records within a 7 day period. For the purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time periods, in this definition when the principal purpose of the requests is to access and disseminate information concerning news and current or passing events, for articles of opinion or features of interest to the public, or for the purpose of academic, scientific, or public research or education. For the purposes of this definition, "request" means a written document (or oral request, if the public body chooses to honor oral requests) that is submitted to a public body via personal delivery, mail, telefax, electronic mail, or other means available to the public body and that identifies the particular public record the requester seeks. One request may identify multiple records to be inspected or copied. (Section 2(g) of FOIA)*

"Requester" is any person who has submitted to the Board a written request, electronically or on paper, for records.

*"Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. (Section 7(1)(c) of FOIA)*

SUBPART B: CLASSIFICATION OF RECORDS

**Section 5176.200 Records that Will Be Disclosed**

Upon request meeting the requirements of this Part, the Board shall disclose to the requester all records requested except that it shall not disclose certain records as provided in Section 5176.205 or 5176.210. Records covered under this Section shall include, but are not limited to:

- a) *Records of funds. All records relating to the obligation, receipt and use of public funds of the Board are records subject to inspection and copying by the public. (Section 2.5 of FOIA)*
- b) *Payrolls. Certified payroll records submitted to the Board under Section 5(a)(2) of the Prevailing Wage Act [820 ILCS 130] are records subject to inspection and copying in accordance with the provisions of FOIA; except that contractors' and employees' addresses, telephone numbers, and Social Security numbers will be redacted by the Board prior to disclosure. (Section 2.10 of FOIA)*
- c) *Criminal history records. The following documents maintained by the Board pertaining to criminal history record information are records subject to inspection and copying by the public pursuant to FOIA:*
  - 1) *Court records that are public;*
  - 2) *Records that are otherwise available under State or local law; and*
  - 3) *Records in which the requesting party is the individual identified, except as provided under Section 7(1)(d)(vi) of FOIA. (Section 2.15(b) of FOIA)*
- d) *Settlement agreements. All settlement agreements entered into by or on behalf of the Board are records subject to inspection and copying by the public, provided that information exempt from disclosure under Section 5176.205 or 5176.210 may be redacted. (Section 2.20 of FOIA)*

**Section 5176.205 Records that Will Be Withheld from Disclosure**

- a) For exemptions from FOIA that are stated in FOIA, see Section 7(1) of the Act.
- b) *A record that is not in the possession of the Board but is in the possession of a party with whom the Board has contracted to perform a governmental function on behalf of the Board, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Board for purposes of Subpart C. (Section 7(2) of FOIA)*

**Section 5176.210 Statutory Exemptions**

For exemptions from FOIA that are stated in other statutes, see Section 7.5 of the Act.

SUBPART C: PROCEDURES FOR REQUESTING  
RECORDS FROM THE BOARD

**Section 5176.300 Submittal of Requests for Records**

- a) Any request for public records should be submitted in writing to the FOI Officer at the Board.
- b) The Board has one FOI Officer located in the Springfield office.
- c) Contact information for the FOI Officer can be found online at [https://www.iccb.org/iccb/?page\\_id=491](https://www.iccb.org/iccb/?page_id=491).
- d) FOIA requests may be submitted via mail, e-mail, fax, or hand delivery. Requests should be mailed or hand delivered to:

Illinois Community College Board  
401 E. Capitol Avenue  
Springfield IL 62701-1711  
Attn: FOI Officer

- e) E-mailed requests should be sent to [iccbfoia@iccb.state.il.us](mailto:iccbfoia@iccb.state.il.us), contain the request in the body of the e-mail, and indicate in the subject line of the e-mail that it contains a FOIA request. Faxed FOIA requests should be faxed to 217/524-4981, Attn: FOI Officer.

**Section 5176.305 Information To Be Provided in Requests for Records**

A request for records should include:

- a) The complete name, mailing address and telephone number of the requester;
- b) As specific a description as possible of the records sought. Requests that the Board considers unduly burdensome or categorical may be denied. (See Section 3(g) of FOIA and Section 5176.405 of this Part.);
- c) A statement as to the requested medium and format for the Board to use in providing the records sought: for example, paper, specific types of digital or magnetic media, or videotape;
- d) A statement as to the requested manner for the Board to use in providing the records sought: for example, inspection at Board headquarters or providing paper or electronic copies;
- e) A statement as to whether the requester needs certified copies of all or any portion of the records, including reference to the specific documents that require certification; and
- f) A statement as to whether the request is for a commercial purpose.

**Section 5176.310 Requests for Records for Commercial Purposes**

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- a) *It is a violation of FOIA for a person to knowingly obtain a record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Board. (Section 3.1(c) of FOIA)*
- b) *The Board shall respond to a request for records to be used for a commercial purpose within 21 working days after receipt. The response shall:*
  - 1) *Provide to the requester an estimate of the time required by the Board to provide the records requested and an estimate of the fees to be charged, which the Board may require the person to pay in full before copying the requested documents;*
  - 2) *Deny the request pursuant to one or more of the exemptions set out in Section 5176.205 or 5176.210;*
  - 3) *Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
  - 4) *Provide the records requested. (Section 3.1(a) of FOIA)*
- c) *Unless the records are exempt from disclosure, the Board shall comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes. (Section 3.1(b) of FOIA)*

**Section 5176.315 Records Maintained Online**

- a) *Notwithstanding any provision of FOIA to the contrary, a public body is not required to copy a public record that is published on the public body's website. The public body shall notify the requester that the public record is available online and direct the requester to the website where the record can be reasonably accessed.*
- b) *If the person requesting the public record is unable to reasonably access the record online after being directed to the website pursuant to subsection (a), the requester may resubmit his or her request for the record stating his or her inability to reasonably access the record online, and the public body shall make the requested record available for inspection or copying as provided in Section 3 of FOIA. (Section 8.5 of FOIA)*

**SUBPART D: BOARD RESPONSE TO REQUESTS FOR RECORDS**

**Section 5176.400 Timeline for Board Response**

- a) *Except as stated in subsection (b) or (c), the Board will respond to any written request for records within 5 business days after its receipt of the request. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request. If the Board fails to respond to a request within the requisite periods in this subsection (a) but thereafter provides the requester with copies of the requested records, it will not impose a fee for those copies. If the Board fails to respond to a request received, it will not treat the request as unduly burdensome as provided under Section 5176.405. (Section 3(d) of FOIA) A written request from the Board to provide additional information shall be considered a response to the FOIA request.*

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- b) *The time limits prescribed in subsection (a) may be extended for not more than 5 business days from the original due date for any of the following reasons:*
- 1) *The requested records are stored in whole or in part at locations other than the office having charge of the requested records;*
  - 2) *The request requires the collection of a substantial number of specified records;*
  - 3) *The request is couched in categorical terms and requires an extensive search for the records responsive to it;*
  - 4) *The requested records have not been located in the course of routine search and additional efforts are being made to locate them;*
  - 5) *The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 or 7.5 of FOIA or should be revealed only with appropriate deletions;*
  - 6) *The request for records cannot be complied with by the Board within the time limits prescribed by subsection (a) without unduly burdening or interfering with the operations of the Board; or*
  - 7) *There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. (Section 3(e) of FOIA)*
- c) *The person making a request and the Board may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Board agree to extend the period for compliance, a failure by the Board to comply with any previous deadlines shall not be treated as a denial of the request for the records. (Section 3(e) of FOIA)*
- d) *When additional time is required for any of the reasons set forth in subsection (b), the Board will, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. If the Board fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested public records, it may not impose a fee for those copies. If the Board issues an extension and subsequently fails to respond to the request, it will not treat the request as unduly burdensome under Section 5176.405. (Section 3(f) of FOIA)*

**Section 5176.405 Requests for Records that the Board Considers Unduly Burdensome**

- a) *The Board will fulfill requests calling for all records falling within a category unless compliance with the request would unduly burden the Board, there is no way to narrow the request, and the burden on the Board outweighs the public interest in the information. Before invoking this exemption, the Board will extend to the requester an opportunity to*

*confer with it in an attempt to reduce the request to manageable proportions.* (Section 3(g) of FOIA) The amended request must be in writing.

- b) If the Board determines that a request is unduly burdensome, *it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the Board. The response shall be treated as a denial of the request for information.* (Section 3(g) of FOIA)
- c) *Repeated requests from the same person for records that are unchanged or identical to records previously provided or properly denied under this Part shall be deemed unduly burdensome.* (Section 3(g) of FOIA)

#### **Section 5176.410 Recurrent Requesters**

- a) *Notwithstanding any provision of this Part to the contrary, the Board will respond to a request from a recurrent requester, as defined in Section 5176.105, within 21 business days after receipt. The response shall:*
  - 1) *provide to the requester an estimate of the time required by the Board to provide the records requested and an estimate of the fees to be charged, which the Board may require the person to pay in full before copying the requested documents;*
  - 2) *deny the request pursuant to one or more of the exemptions set out in this Part;*
  - 3) *notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
  - 4) *provide the records requested.*
- b) *Within 5 business days after receiving a request from a recurrent requester, the Board will notify the requester that the Board is treating the request as a recurrent request, of the reasons why the Board is treating the request as a recurrent request, and that the Board will send an initial response within 21 business days after receipt in accordance with subsection (a). The Board will also notify the requester of the proposed responses that can be asserted pursuant to subsection (a).*
- c) *Unless the records are exempt from disclosure, the Board will comply with a request within a reasonable period considering the size and complexity of the request.* (Section 3.2 of FOIA)

#### **Section 5176.415 Requests for Records that Require Electronic Retrieval**

- a) A request for records that requires electronic retrieval will be treated the same as any other request for records, with the same timeline and extensions as allowed for other records.
- b) The Board will retrieve and provide electronic records only in a format and medium that is available to the Board.

#### **Section 5176.420 Denials of Requests for Records**

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- a) The Board will deny requests for records when:
  - 1) Compliance with the request would unduly burden the Board, as determined pursuant to Section 5176.405, and the requester has not reduced the request to manageable proportions; or
  - 2) The records are exempt from disclosure pursuant to Section 7 or 7.5 of FOIA or Section 5176.205 or 5176.210 of this Part.
- b) The denial of a request for records must be in writing.
  - 1) The notification shall include a description of the records denied; *the reason for the denial, including a detailed factual basis for the application of any exemption claimed; and the names and titles or positions of each person responsible for the denial* (Section 9(a) of FOIA);
  - 2) *Each notice of denial shall also inform the person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor* (Section 9(a) of FOIA); and
  - 3) *When a request for records is denied on the grounds that the records are exempt under Section 7 or 7.5 of FOIA, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to the supporting legal authority* (Section 9(b) of FOIA).
- c) A requester may treat the Board's failure to respond to a request for records within 5 business days after receipt of the written request as a denial for purposes of the right to review by the Public Access Counselor.
- d) If the Board has given written notice pursuant to Section 5176.400(d), failure to respond to a written request within the time permitted for extension may be treated as a denial for purposes of the right to review by the Public Access Counselor.
- e) *Any person making a request for records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the Board fails to act within the time periods provided in Section 5176.400.* (Section 9(c) of FOIA)

**Section 5176.425 Requests for Review of Denials – Public Access Counselor**

- a) *A person whose request to inspect or copy a record is denied by the Board may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial. The request for review shall be in writing, be signed by the requester, and include a copy of the request for access to records and any response from the Board.* (Section 9.5(a) of FOIA)
- b) *A person whose request to inspect or copy a record is made for a commercial purpose may not file a request for review with the Public Access Counselor. A person whose request to inspect or copy a record was treated by the Board as a request for a commercial purpose may file a request for review with the Public Access Counselor for*

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*the limited purpose of reviewing whether the Board properly determined that the request was made for a commercial purpose. (Section 9.5(b) of FOIA)*

- c) *Within 7 business days after the Board receives a request for review from the Public Access Counselor, the Board shall provide copies of records requested and shall otherwise fully cooperate with the Public Access Counselor. (Section 9.5(c) of FOIA)*
- d) *Within 7 business days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the Board may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy. (Section 9.5(d) of FOIA)*
- e) *The requester may, but is not required to, respond in writing to the answer within 7 business days and shall provide a copy of the response to the Board. (Section 9.5(d) of FOIA)*
- f) *In addition to the request for review, and the answer and response to the request, if any, a requester or the Board may furnish affidavits or records concerning any matter germane to the review. (Section 9.5(e) of FOIA)*
- g) *A binding opinion from the Attorney General shall be binding upon both the requester and the Board, subject to administrative review under Section 5176.435. (Section 9.5(f) of FOIA)*
- h) *If the Attorney General decides to exercise his or her discretion to resolve a request for review by mediation or by a means other than issuance of a binding opinion, the decision not to issue a binding opinion shall not be reviewable. (Section 9.5(f) of FOIA)*
- i) *Upon receipt of a binding opinion concluding that a violation of FOIA has occurred, the Board will either take necessary action immediately to comply with the directive of the opinion or shall initiate administrative review under Section 5176.435. If the opinion concludes that no violation of FOIA has occurred, the requester may initiate administrative review under Section 5176.435. (Section 9.5(f) of FOIA)*
- j) *If the Board discloses records in accordance with an opinion of the Attorney General, the Board is immune from all liabilities by reason thereof and shall not be liable for penalties under FOIA. (Section 9.5(f) of FOIA)*
- k) *If the requester files suit under Section 5176.430 with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor. (Section 9.5(g) of FOIA)*
- l) *The Attorney General may also issue advisory opinions to the Board regarding compliance with FOIA. A review may be initiated upon receipt of a written request from the Director of the Board or the Board's Chief Legal Counsel, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the Board in order to assist in the review. If the Board relies in good faith on an advisory opinion of the Attorney General*

*in responding to a request, the Board is not liable for penalties under FOIA, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor. (Section 9.5(h) of FOIA)*

### **Section 5176.430 Circuit Court Review**

A requester also has the right to file suit for injunctive or declaratory relief in the Circuit Court for Sangamon County or for the county in which the requester resides, in accordance with the procedures set forth in Section 11 of FOIA.

### **Section 5176.435 Administrative Review**

*A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law [735 ILCS 5/Art. III]. An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook County or Sangamon County. An advisory opinion issued to the Board shall not be considered a final decision of the Attorney General for purposes of this Section. (Section 11.5 of FOIA)*

## SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

### **Section 5176.500 Inspection and Copying of Records**

- a) The Board may make available records for personal inspection at the Board's headquarters office located at 401 E. Capitol Avenue, Springfield, or at another location agreed to by both the Board and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record. The Board may provide records in duplicate forms, including, but not limited to, paper copies, data processing printouts, videotape, microfilm, audio tape, reel to reel microfilm, photographs, computer disks and diazo.
- b) *When a person requests a copy of a record maintained in an electronic format, the Board shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then the Board shall furnish it in the format in which it is maintained by the Board, or in paper format at the option of the requester. (Section 6(a) of FOIA)*
- c) A requester may inspect records by appointment only, scheduled subject to space availability. The Board will schedule inspection appointments to take place during normal business hours, which are 8:30 a.m. to 5:00 p.m. Monday through Friday, exclusive of State holidays. If the requester must cancel the viewing appointment, the requester shall so inform the Board as soon as possible before the appointment.
- d) In order to maintain routine Board operations, the requester may be asked to leave the inspection area for a specified period of time.
- e) The requester will have access only to the designated inspection area.
- f) Requesters shall not be permitted to take briefcases, folders or similar materials into the room where the inspection takes place. A Board employee may be present during the inspection.

- g) The requester shall segregate and identify the documents to be copied during the course of the inspection.

**Section 5176.505 Fees for Records**

- a) In accordance with Section 5176.510, unless a fee is otherwise fixed by statute, the Board will provide copies of records and certifications of records in accordance with the fee schedule set forth in Appendix A.
- b) *In calculating its actual cost for reproducing records or for the use of the equipment of the Board to reproduce records, the Board will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(b) of FOIA)
- c) In order to expedite the copying of records that the Board cannot copy, due to the volume of the request or the operational needs of the Board, in the timelines established in Section 5176.400, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the public records at the Board headquarters in Section 5176.500, or at another location agreed to by both the Board and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record.
- d) Copies of records will be provided to the requester only upon payment of any fees due. *The Board may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the Board will not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(a) of FOIA) Payment must be by check or money order sent to the Board, payable to "Treasurer, State of Illinois".
- e) If a contractor is used to inspect or copy records, the following procedures shall apply:
  - 1) The requester, rather than the Board, must contract with the contractor;
  - 2) The requester is responsible for all fees charged by the contractor;
  - 3) The requester must notify the Board of the contractor to be used prior to the scheduled on-site inspection or copying;
  - 4) Only Board personnel may provide records to the contractor;
  - 5) The Board must have verification that the requester has paid the Board, if payment is due, for the copying of the records before providing the records to the contractor; and
  - 6) The requester must provide to the Board the contractor's written agreement to hold the records secure and to copy the records only for the purpose stated by the requester.
- f) *The Board may charge up to \$10 for each hour spent by personnel in searching for and retrieving a requested record. No fees shall be charged for the first 8 hours spent by*

*personnel in searching for or retrieving a requested record. The Board may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the Board. If the Board imposes a fee pursuant to this subsection (f), it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records. The provisions of this subsection (f) apply only to commercial requests. (Section 6(f) of FOIA)*

**Section 5176.510 Reduction and Waiver of Fees**

- a) *Fees may be reduced or waived by the Board if the requester states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. In making this determination, the Board will consider the following:*
  - 1) *Whether the principal purpose of the request is to disseminate information regarding the health, safety, welfare or legal rights of the general public; and*
  - 2) *Whether the principal purpose of the request is personal or commercial benefit. For purposes of this subsection (a), "commercial benefit" shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public. (Section 6(c) of FOIA)*
- b) *In setting the amount of the waiver or reduction, the Board will take into consideration the amount of materials requested and the cost of copying them. (Section 6(c) of FOIA)*
- c) *The Board will provide copies of records without charge to federal, State and municipal agencies, Constitutional officers and members of the General Assembly, and not-for-profit organizations providing evidence of good standing with the Secretary of State's Office.*
- d) *Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of records when furnished in a paper format will not be applicable to those records when furnished to a requester in an electronic format. (Section 6(a) of FOIA)*

**Section 5176.APPENDIX A Fee Schedule for Duplication and Certification of Records**

TYPE OF DUPLICATION	FEE (PER COPY)
Paper copy from original, up to and including 50 copies of black and white, letter or legal sized copies	No charge
Paper copy from original, in excess of 50 copies of black and white, letter or legal sized copies	\$.15/page
Paper copy from microfilm original	\$.15/page
Microfilm diazo from original	\$.50/diazo

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VHS video copy of tape	Actual cost of the reproduction
Audio tape copy of tape	Actual cost of the reproduction
CD ROM disk	Actual cost of the reproduction
Photograph from negative	Actual cost of the reproduction
Blueprints/oversized prints	Actual cost of the reproduction
Paper copies in color or in a size other than letter or legal	Actual cost of the reproduction
Certification fee	\$1.00/record

NOTE: Expense for delivery other than by First Class U.S. Mail must be borne by the requester.

**BACKGROUND**

The Illinois General Assembly created the Joint Committee on Administrative Rules (JCAR) in 1977. It is a bipartisan legislative oversight committee, and it has been delegated the responsibility to ensure that the laws enacted are appropriately implemented through administrative law. The Board, and all state agencies, has the authority to draft rules, publish them for public comment, and file them with JCAR for adoption. The compilation of all rules is known as the Illinois Administrative Code.

An updated version of the Freedom of Information Act (FOIA) took effect January 1, 2010. The rule changes are based on a standard model that closely reflects state statute and is suggested for use by all state agencies.

*Revised*  
Agenda Item #12.4  
November 18, 2016

Illinois Community College Board

**COMPREHENSIVE AGREEMENT REGARDING  
THE EXPANSION OF EDUCATIONAL RESOURCES ADDITIONS**

The Illinois Community College Board is requested to approve the CAREER agreement, inclusive of the following additions to the agreement: College of Lake County, Parkland College, Oakton Community College, and William Rainey Harper College.

**RECOMMENDED ACTION**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the CAREER agreement, including the additions of College of Lake County, Parkland College, Oakton Community College, and William Rainey Harper College, to the agreement.

Illinois Community College Board

**PROPOSED AMENDMENTS TO THE  
ILLINOIS COMMUNITY COLLEGE BOARD  
ADMINISTRATIVE RULES**  
(Future Consideration)

The Illinois General Assembly created the Joint Committee on Administrative Rules (JCAR) in 1977. It is a bipartisan legislative oversight committee, and it has been delegated the responsibility to ensure that the laws enacted are appropriately implemented through administrative law. The Board, and all state agencies, has the authority to draft rules, publish them for public comment, and file them with JCAR for adoption. The compilation of all rules is known as the Illinois Administrative Code.

Under the Americans with Disabilities Act of 1990, all state agencies are required to adopt rules to establish a grievance procedure to resolve grievances asserted by qualified individuals with disabilities. The ICCB Administrative Rules on ADA grievance procedures have remained unchanged since first adopted 1993. As part of a review of administrative rules, the Board is making changes to reflect current terminology and internal operating procedures. Technical corrections are also addressed.

The rule changes are being submitted to the Board for discussion only. This will start the comment period for the system. They will be brought to the Board for approval in January 2017, and then printed in the *Illinois Register* for the formal public comment process before submission to JCAR for final approval.

**Section 1050.10 Purpose**

- a) This Americans With Disabilities Act Grievance Procedure ("Procedure") is established pursuant to the Americans With Disabilities Act of 1990; (42 U.S.C. 12101 et seq.) ("ADA"), and specifically Section 35.107 of the Title II regulations; (28 CFR 35), requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges, and remedies afforded by it, please contact the Designated ADA Coordinator.
- b) In general, the ADA requires that each program, service, and activity offered by the Board, when viewed in its entirety, be readily accessible to and usable by a qualified individual with disabilities.
- c) It is the intention of the Board to foster open communications with all individuals requesting readily accessible programs, services, and activities. The Board encourages supervisors of programs, services, and activities to respond to requests for modifications before they become grievances.

**Section 1050.20 Definitions**

"Board" is the Illinois Community College Board.

"Complainant" is an individual with a disability who files a Grievance Form provided by the Board under this procedure.

"Designated "ADA Coordinator" is the person appointed by the Executive Director chief human resource officer of the Board who is responsible for the coordination of efforts of the Board to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. See 28 CFR 35.107. The Designated ADA Coordinator for the Board may be contacted at 509 S. Sixth Street 401 E. Capitol Ave., Room 400, Springfield IL -62701, or by telephone at 217-785-0085. (See 28 CFR 35.107)

"Disabilities" shall have the same meaning as set forth in the Americans With Disabilities Act.

"Grievance" is any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity, or service offered by the Board, and believes he or she has been excluded from participation in, or denied the benefits of, any program, service, or activity of the Board or has been subject to discrimination by the Board

"Grievance Form" is the form prescribed for use in filing a grievance pursuant to this Part. It includes information such as the complainant's name, address, and telephone number; the nature of the grievance, including the date, time, and place of the incident; and any witnesses.

### **Section 1050.30 Procedure**

- a) Grievances must be submitted in accordance with procedures established in 1050.40 and 1050.50 of this Part through the channels defined below in the form and manner as described and within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated ADA Coordinator and Final Levels.
- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the Board's last response as given in the grievance procedure. ~~as the Board's final response.~~
- c) The Board shall, upon being informed of the individual's desire to file make a formal grievance, instruct the individual how to receive a copy on the process to file of the Grievance Form grievance.

### **Section 1050.40 ~~Designated ADA~~ Coordinator Level**

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated ADA Coordinator in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration by the Designated ADA Coordinator.
- b) Upon request, assistance shall be provided by the Board to complete the Grievance Form.

- c) The ~~Designated-ADA~~ Coordinator, or his or her representative, shall investigate the grievance and, if the grievance is found to be valid, shall make reasonable efforts to resolve it. The ~~Designated-ADA~~ Coordinator shall provide a written response to the complainant and the Executive Director within ~~40-15~~ business days after receipt of the Grievance Form.

### Section 1050.50 Final Level

- a) If the grievance has not been resolved at the ~~Designated-ADA~~ Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the Grievance Form and Designated Coordinator's response to the Executive Director of the Board for final review. The complainant shall submit these documents to the Executive Director, together with a short written statement explaining the reasons for dissatisfaction with the Designated Coordinator's written response, within five business days after receipt by the complainant of the Designated Coordinator's response.
- b) Within 15 business days, ~~The the~~ Executive Director shall appoint a three-member panel to review the grievance at the Final Level. One member so appointed shall be the designated chairperson. ~~The panel shall schedule a review of the grievance, which shall commence no later than 15 business days after the last member of the panel is appointed.~~
- c) The complainant shall be afforded an opportunity to appear before the panel and shall have a right to appoint a representative to appear on his or her behalf. The panel shall review the ~~Designated-ADA~~ Coordinator's written response and may conduct interviews and seek advice as it ~~deems-considers~~ appropriate.
- d) ~~Upon reaching concurrence,~~ Upon agreement of at least two of the panel members, but not later than 15 business days after the review described in subsection (b), the panel shall make a recommendation in writing to the Executive Director as to the proper resolution of the grievance. All such recommendations shall include reasons for the recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a signed recommendation to the Executive Director.
- e) ~~Within 15 business days after~~~~Upon~~ receipt of recommendations from the panel, the Executive Director shall approve, disapprove, or modify the panel recommendations; shall render a decision thereon in writing; shall state the basis therefor; and shall cause a copy of the decision to be served on the parties. The Executive Director's decision shall be final. If the Executive Director disapproves or modifies the panel recommendations, ~~he or she shall include~~ written reasons for such disapproval or modification shall be included in the written decision.
- f) The Grievance Form, the ~~Designated-ADA~~ Coordinator's response, the statement of the reasons for dissatisfaction, the recommendation of the panel, and the decision of the Executive Director shall be maintained in accordance with the State Records Act [5 ILCS 160] or as otherwise required by law. ~~for a period of three years.~~

**-Section 1050.70 Case-By-Case Resolution**

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity, or cause undue hardship for the Board.~~Each grievance involves a unique set of factors.~~ Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.