**Section 1030.10 Institutions Required to Receive Approval**

a) Institutions Required to Receive Approval under the 1945 Act and this Part

1) Any private or public person, group of persons, partnership or corporation that is or contemplates offering degrees or credit bearing instruction in Illinois above the high school level, either

A) in residence or correspondence; or

B) in the case of an institution offering online instruction, maintaining a physical facility in Illinois, providing instruction for students at a physical location, or physically providing core academic support services in Illinois, including but not limited to admission, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support.

2) After April 10, 2012, institutions described in subsection (a)(1) shall be limited to:

A) Institutions that were not established and offering degrees in Illinois prior to July 17, 1945; or

B) Institutions that result from a merger of other institutions, whether or not the merged institutions were in existence prior to July 17, 1945; or

C) Institutions currently authorized or currently recognized by the Board that offer degrees or instruction in a new geographic location, whether or not the institution was in existence prior to July 17, 1945; or

D) Institutions that have terminated operation and subsequently wish to resume operations as degree granting institutions, whether or not the former institution was in existence prior to July 17, 1945.

b) Institutions Required to Receive Approval under the 1961 Act and this Part

1) Any private or public person, group of persons, partnership or corporation that is or contemplates offering degrees or credit bearing instruction in Illinois above the high school level, either

A) in residence or correspondence; or

B) in the case of an institution offering online instruction, maintaining a physical facility in Illinois, providing instruction for students at a physical location, or physically providing, out of an institutionally owned, operated or rented facility, core academic support services in Illinois, including but not limited to admission, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support.

2) The institutions described in subsection (b)(1) shall not be an Illinois public tax supported higher education institution, a labor union training program or a business trade or other corporate in-service training program.

3) After April 10, 2012, institutions described in subsection (b)(1) shall be limited to:

A) Institutions that were not operating or authorized to operate in Illinois on August 14, 1961; or

B) Institutions that result from a merger of other institutions, whether or not the merged institutions were authorized to operate on August 14, 1961; or

C) Institutions currently authorized or currently recognized by the Board that offer degrees or instruction in a new geographic location, whether or not the institution was authorized to operate on August 14, 1961; or

D) Institutions that have terminated operation and subsequently wish to resume operation as degree-granting institutions, whether or not the former institution was authorized to operate on August 14, 1961; or

E) Institutions seeking to offer dual credit courses to Illinois high school students pursuant to the Dual Credit Quality Act [110 ILCS 27].

c) Exemption from Approval Requirements

1) Institutions offering degree programs at the University Center of Lake County and the Quad-Cities Graduate Center shall not be required to apply for Board approval when offering degree programs authorized for their home campus. For these institutions, center approval is required and the center shall be treated as part of the institution's home campus, provided the center has notified the Board of its approval of the new degree program.

2) Institutions with Limited Physical Presence in Illinois

Any public or private person, group of persons, partnership or corporation that is located outside of the State of Illinois that is or contemplates offering instruction in Illinois above the high school level is not required under either the 1945 Act or the 1961 Act to obtain a Certificate of Approval or operating or degree authorization if the institution has a limited physical presence in the State. No such institution shall be considered to have limited physical presence for any geographic location and program in Illinois unless it has received a written finding from the Board that it has such a limited physical presence. In determining whether an institution has a limited physical presence, the Board shall require the following:

A) Evidence of authorization to operate in at least one other state; and

B) Evidence of accreditation by a body recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation; and

C) Evidence that the institution does not offer degrees or credit bearing coursework from a physical location owned, operated or rented by the institution in Illinois, or does not provide instruction for students at a physical location owned, operated or rented by the institution in Illinois; and

D) Evidence that the institution does not maintain a physical facility in Illinois or does not physically provide out of an institutionally owned, operated or rented facility core academic support services in Illinois, including but not limited to admissions, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support in the State of Illinois.

3) Institutions participating in the State Authorization Reciprocity Agreement (SARA) that are determined by the Board to have limited physical presence do not need to apply for exemption.

4) Approved institutions under the jurisdiction of the 1945 or 1961 Acts offering degree programs through mediated instruction do not require additional Board approval.

5) Additional Board approval is not required for Board approved institutions offering programs:

A) On federal military bases exclusively to base personnel and their family members;

B) At clinical or practice sites that are utilized as a part of Board approved degree programs;

C) Offering dual credit courses to high school students in high schools; or

D) Offering courses inside public correctional facilities.

(Source: Amended at 42 Ill. Reg. 66, effective December 19, 2017)