**Section 1030.80 Maintenance of Authorization to Operate and/or Grant Certificates and Degrees under the 1961 Act**

a) Most institutions are approved to operate under both the 1945 Act and the 1961 Act. Institutions under only the 1945 Act shall comply with Section 1030.70. Institutions under only the 1961 Act shall comply with Section 1030.80. Institutions under both Acts shall comply with both Sections 1030.70 and 1030.80. When the two Sections are identical, the institution will be considered in compliance with the 1945 Act by complying with Section 1030.80 and vice versa.

b) This subsection (b) governs the Maintenance of the Authorization to Operate and/or Award Specific Certificates and Degrees procedure under the 1961 Act.

1) Annual Report

Each authorized institution shall file annually with the Board its current catalogs. In addition, institutions must comply with any data requests to satisfy Board reporting requirements.

2) Reviews

The staff of the Board may conduct reviews and/or visitations of authorized institutions and/or their certificate and degree programs as necessary for the implementation of the statute. This may include a review in the fifth year of a new program's existence. Board staff may review the program, in cooperation with institutional staff, to verify the institution's implementation and maintenance of the conditions that were presented in its applications and that formed the basis upon which the authorizations were granted. The fifth year review may also include information on improvements in the institution's capacity to efficiently and effectively deliver certificate and degree programs using technological innovation and comprehensive data systems. Evidence that the program meets standards enumerated in Section 1030.30(a) may be reviewed. In the case of a program in which State licensure is required for employment in the field, a program can be found to be in good standing if the institution is able to provide evidence that program graduates are eligible to take the appropriate licensure examination and pass rates are maintained as specified in the objectives of the unit of instruction. If there is no such evidence, approval of the program may be withdrawn by the Board.

3) Complaints Concerning Institutional Degree Practices

The staff of the Board may initiate an investigation in response to written or oral information suggesting that changes have occurred in the conditions under which Authorization to Operate and/or Award Specific Certificates and Degrees was given. During the investigation, there may be a temporary hold placed on the institution's applications to the Board for new program approvals and other programs. The hold will be for a specified period of time not to exceed six months, unless the Board begins the process for revocation as provided in subsection (b)(5), at which time the hold will continue until the Board decision is made.

4) Temporary Suspension of Program

An institution may place any approved program on temporary suspension after receiving Board approval. The institution shall provide an annual status report to the Board on any program under temporary suspension status. The Board will consider a program placed on temporary suspension status to be terminated if an annual status report is not received or if no reinstatement request is received within the first five years after the program was placed on temporary suspension. An institution may petition for reinstatement during the five-year period.

5) Revocation or Relinquishment of Operating and/or Degree-Granting Authority

A) Grounds for revocation include:

i) Failure to permit any duly authorized representative of the Board to enter upon the premises of the institution and to inspect or otherwise examine the institution and its books, papers or other records.

ii) Failure to maintain the conditions under which the institution and/or its certificates and/or its degrees were authorized.

iii) Failure to maintain the institution's implementation and maintenance of the conditions that were presented during its fifth year review and that formed the basis upon which the authorizations were continued.

iv) Failure to offer degrees or instruction for one continuous 12-month period.

v) Abandonment of the institution.

vi) Loss of accreditation status with an accrediting body with which the institution is or was affiliated.

vii) Actions of federalor state regulatory agencies or Offices of Attorneys General, Offices of Inspectors General, or similar bodies that affect an institution's status with those bodies.

B) Procedures for Revocation

i) Following the Board staff investigation of the institutional degree practices, the staff may recommend to the Board revocation of the Authorization to Operate and/or Award Specific Certificates and Degrees.

ii) If the Board votes to revoke the Authorization to Operate and/or Award Specific Certificates and Degrees, the institution may request a hearing. The Board shall not be required to schedule a hearing and has the option to waive a hearing if the institution has not operated for one continuous 12-month period or the institution has been abandoned; even in these cases, however, the Board shall be required to revoke the authority at a public hearing at which any opponent who is injured or impacted by the revocation must be given the opportunity to be heard.

iii) The Board shall designate a Hearing Officer who shall schedule and conduct a hearing.

iv) The Hearing Officer shall make a written report of findings and recommendation to the Board, which shall make a final determination and shall notify the institution of its decision.

v) Following a Board decision to revoke the Authorization to Operate and/or Award Specific Certificates and Degrees, the letter of authorization shall be rendered invalid.

vi) At any time after revocation, the Board may restore an Authority to Operate and/or Award Specific Certificates and Degrees.

vii) A closed institution shall arrange for its student records to be maintained in a safe and suitable place as determined by the Board (such as another like kind of institution or the Board).

6) Institutional or Unit Closure and Teach Out

An institution that is closing entirely or one or more units, either voluntarily or involuntarily, shall send to the Board the following:

A) Notice Required

i) Notice to the Board of the closure immediately by email or certified mail;

ii) The name, address and telephone number of the person who will be responsible for closure processes;

iii) A list of students affected and anticipated decisions regarding teach out for each student (e.g., graduation, transfer, remain at institution, and participate in teach out, etc.);

iv) Information on the remaining credit and other requirements outstanding for each student to complete the program;

v) Copies of the student-directed communication plan that includes the proposed timeline and methods for notifying students of teach-out options. Plans must include communication with any students who may be on approved leaves of absence or otherwise difficult to reach;

vi) Copies of the communication plans for informing faculty, staff and other institutional constituents;

vii) Identification of an individual who will be empowered to act as official registrar, if needed, after the closure; and

viii) Submission of a letter of permission to the Board to access all institutional properties in order to secure student records, if necessary.

B) Teach-Out Plan

i) After December 31, 2017, when a Board approved institution proposes to discontinue its operation, that institution shall cause to be created a teach-out plan acceptable to the Board. The teach-out plan shall fulfill the institution's educational obligations to its students. Should the institution fail to deliver or act on the teach out plan, the Board is in no way responsible for providing the teach-out.

ii) An institution shall have written plans designed to protect the contractual rights of its students and graduates in the event the institution closes or undergoes a change of status (e.g., if the institution changes location or if its authority is revoked), including the right to complete the course of instruction in which the students or graduates enrolled.

iii) If students are receiving instruction prior to the institution's closing, the institution shall file a plan to ensure that the institution's students will continue to receive training of the same quality and content as that for which they contracted.

C) Arrangements for transferring students to a public or another approved institution shall be filed with the Board prior to any student transfer. Prior to approving the institution's arrangements for completing its teaching obligations to students, the Board shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.

D) Academic Records

In the event an institution proposes to discontinue its operations, the chief administrative officer of the institution shall arrange for all original or legible true copies of all such academic records of the institution to be maintained in a safe and suitable place as determined by the Board (such as a third party provider, a like institution, or the Board).

i) These records shall include, at a minimum, the academic records of each former student that are traditionally provided on an academic transcript, such as, but not limited to, courses taken, terms, grades and other such information.

ii) The institution shall make students aware of how to obtain transcripts from either the closed institution and/or new institution permanently retaining the records.

iii) The institution must release any holds on student records before operation is discontinued and the records are transferred

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