**Section 1095.30 Definitions**

"Ability to benefit" means a standard for admission by which a student who does not possess a high school diploma or GED has demonstrated that he or she can profit materially or personally from a certain course of study through passage of an ability to benefit test or alternative pathways that have been approved by the U.S. Department of Education and administered in compliance with U.S. Department of Education guidelines related to ability to benefit test policies and procedures outlined in federal financial aid regulations.

"Act" means the Private Business and Vocational Schools Act of 2012 [105 ILCS 426].

*"Board" means the Board of Higher Education established under the Board of Higher Education Act* [110 ILCS 205] or its Division of Public Business and Vocational Schools (Section 15 of the Act). In those cases in which the term is used to refer to prior approval or lack of prior approval for a school application prior to February 1, 2012, the term "Board" shall mean the State Board of Education or State Superintendent of Education.

*"Certificate of completion" or "certificate" means any designation, appellation, series of letters or words, or other symbol that signifies or purports to signify that the recipient thereof has satisfactorily completed a private business and vocational school's program of study that is beyond the secondary school level, but not a post-secondary degree program at the associate, baccalaureate, master's, doctoral, or post-baccalaureate, professional degree level*.(Section 15 of the Act)

*"Chief managing employee" is the individual who is the head administrator or supervisor at a school's principal location*.(Section 15 of the Act)

"Classroom extension" means the school has existing approval or is seeking additional Board approval to offer an existing program of study at a location other than the school's principal location.

"Conviction" includes a conviction by a plea of guilt, finding of guilt, jury verdict, entry of judgment or sentencing of either a felony or a criminal offense as specified in Section 1095.40 of these rules that has not been sealed, expunged or reversed by a higher court.

*"Educational institution" or "institution" means an organization that promotes business and vocational education, even though the institution's principal effort may not be exclusively educational in nature.* (Section 15 of the Act)

*"Enrollment agreement" means any agreement or instrument, however named, that creates or evidences an obligation binding a student to purchase a program of study from a school*.(Section 15 of the Act)

"Faculty" means any individual or group of individuals who are qualified by education and experience to give expert instruction and evaluation in their specialties, to supervise curricular experiences, and to evaluate learning for credit.

"Institution size" means the total number of students enrolled in the school during a fiscal year (i.e., July 1 to June 30 of the following year).

"Mediated instruction" means, for the purposes of this Part, the delivery of instruction from a distance facilitated by technology, such as via teleconferencing, video-conferencing, or internet.

*"Non-degree program of study" or "program of study" means any designation, appellation, series of letters or words, or other symbol that signifies or purports to signify that the recipient has satisfactorily completed an organized academic program of study beyond the secondary school level, such as a certificate, but below the associate's degree level and that does not include any recognized degree program such as an associate's, baccalaureate, master's, or doctoral degree, a post-baccalaureate, professional degree, or a post-degree certificate,*

*such as a post-baccalaureate certificate, post-master's certificate, or post-doctoral certificate*.(Section 15 of the Act)

"Out-of-state school" means an institution described in this Part that is not otherwise exempted from approval and meets one of the following:

Private corporation, limited liability company, or other entity that is initially incorporated or organized under domestic laws other than the laws of this State, if required, and initially operated outside the State; or

Not-for-profit corporation, limited liability company, or other entity that maintains its primary place of business or home office outside this State.

*"Permit of approval" means a non-transferable permit, issued by and pursuant to the authority of the Board of Higher Education through its Division of Private Business and Vocational Schools to a private business and vocational school in the name of the school, that authorizes the school to solicit students and to offer and maintain one or more courses of instruction in compliance with the provisions of* the *Act and such standards and rules as may be adopted by the Board* in this Part. (Section 15 of the Act)

*"Program of study" as used in this definition means any academic program beyond the secondary school level, except for a program that is devoted entirely to religion or theology, a program offered by an institution operating under the authority of the Private College Act, the Academic Degree Act, or the Board of Higher Education Act, or a program of study of less than one year in length operating under the statutory authority granted to the Department of Financial and Professional Regulation*.(Section 15 of the Act)

"Tuition" means, solely for the purposes of this Part, the total cost of the course of instruction and all other fees for services and facilities furnished or made available to the student by or through the school and/or third parties, including, without limitation, corporate partners or donors, in connection with a student's matriculation and study and completion of a non-degree program of study, including all charges or expenditures made by the school and/or third parties, including, without limitation, corporate partners or donors, for tuition, room and board, books, materials, supplies, laboratory, shop and studio fees, and other expenses.

"Unearned prepaid tuition" means the amount paid to the school by a student or on behalf of a student for which educational services have not yet been rendered. For example, a student pays a school the total amount of $500 dollars prior to the first day of class. In this scenario, the school initially holds $500 in unearned prepaid tuition from that student. After 10% of the course is completed, the school will hold $450 in unearned prepaid tuition from that student. After 20% of the course is completed, the school will hold $400 in unearned prepaid tuition from that student and so on.

(Source: Amended at 42 Ill. Reg. 151, effective December 19, 2017)