**Section 1100.50 Department Decision on Application for Registration**

1. In deciding whether to grant a registration, the Department may consider:

1) Whether the proposed research project studies the cultivation or marketing of industrial hemp;

2) The feasibility of the proposed research project;

3) The feasibility and adequacy of the security plan;

4) Prior violations of this Part or the Act by the institution of higher education or the Agent in Charge; and

5) Whether the proposed research project would comply with local, Illinois and federal law specifically including Section 7606 of the Agricultural Act of 2014.

b) The Department may request fingerprint-based background checks for any individual identified in the Application for Registration if it determines that there are concerns about the individual in question or if the Department receives communication from an identifiable individual or entity stating a reason why the Department should question the fitness of the applicant to work with a hemp program. Concerns that could lead to a request for a background check may include, but are not limited to, information related to criminal convictions; convictions/charges related to drug use, manufacturing or trafficking; mental illness or developmental disability, criminal affiliation, problems/issues that developed in association with previous involvement with a hemp program; etc. If background checks are requested, the Department will accept background checks from a livescan fingerprint vendor licensed by DFPR or from local law enforcement, or the Department will accept a background check that is on file with, or that was submitted to, the individual's employer, if that background check was performed within the 2 years prior to submission of the Application for Registration. The Department will consider any failure to submit to a background check as part of its evaluation of the Application for Registration. The results of any background check shall be kept confidential by the Department.

c) The Department shall notify the institution of higher education of its decision in writing within 30 days. The Department's decision is a final administrative decision and reviewable under the Administrative Review Law [735 ILCS 5/Art. III].

d) The Application for Registration shall be incorporated into the registration and be binding on the institution of higher education, along with any other conditions imposed by the Department. The Department may, at any time, impose additional conditions on the registration, including, but not limited to, security and disposal of industrial hemp.

e) The term of the registration shall be as specified by the Department on the registration, not to exceed three years unless a longer period is authorized under Section 1100.60.