**Section 1033.20 Definitions**

The definitions included in this Section apply to terms used in this Part in conjunction with the Higher Education Distance Learning Act and the National Council for State Authorization Reciprocity Agreement (SARA) Policy Manual issued and approved by the National Council for State Authorization Reciprocity Agreements on December 8, 2023 (with no later amendments or additions).

"Accredited" means holding institutional accreditation by name as a U.S.-based institution from an accreditor recognized by the U.S. Department of Education and whose scope of recognition, as specified by the U.S. Department of Education, includes distance education.

"Academic Term" means a portion of an academic year, the time during which an institution holds classes.

"Academic Year" means the period of time generally extending from August in one calendar year through July of the following calendar year, usually broken into academic terms such as semesters, trimesters, or quarters.

"Act" means the Higher Education Distance Learning Act [110 ILCS 145].

"Approve", "Approval", or "Authorization to Participate", in the context of an institutional application to operate under SARA, means a written statement issued by the Board that an institution meets the standards required by SARA and is eligible to operate under SARA.

*"Board" or "BHE" means the* Illinois *Board of Higher Education* (Section 10 of the Act).

"Complaint" means a formal assertion in writing that the terms and conditions of the state authorization reciprocity agreement between the Board and the National Council for State Authorization Reciprocity Agreements, or of laws, standards or regulations incorporated by that agreement, are being violated by a person, institution, state, agency or other organization or entity operating under the terms of that agreement, including student complaints.

"C-RAC Guidelines" refers to the Interregional Guidelines for the Evaluation of Distance Education Programs (Online Learning) for best practices in postsecondary distance education developed by leading practitioners of distance education and adopted by the Council of Regional Accrediting Commissions (C‑RAC) (see Appendix B of the SARA Policy Manual 23.1 (December 8, 2023, with not later amendments or additions).

*"Distance Learning" or "Distance Education" means instruction offered by any means where the student and faculty member are in separate physical locations. It includes, but is not limited to, online, interactive video or correspondence courses or programs.* (Section 10 of the Act)

"Executive Director" means the Executive Director of the Illinois Board of Higher Education.

"Home State" means a SARA-member state where an institution holds its legal domicile, authorization, and is accredited. To operate under SARA an institution must have a single Home State.

"Host State" or "Reciprocal State" means a SARA-member state in which an institution operates under the terms of the agreement, other than the home state.

"ICCB" means the Illinois Community College Board.

"Institution" means a degree-granting postsecondary entity.

"Member State" means any state, district or territory that has joined SARA.

"NC-SARA" or "National Council for SARA" means the National Council for State Authorization Reciprocity Agreements.

*"Participation Agreement" means the agreement that each participating institution is required to sign and abide by in order to take advantage of the reciprocity agreement* (Section 10 of the Act). For the purposes of the Act and this Part, the participation agreement constitutes the applications created by NC-SARA and the Board that contain the eligibility criteria and is to be completed and signed by the institution. The institution will submit the applications to the Board and, after the institution has been approved by the Board staff and NC-SARA, the application becomes the participation agreement, subject to annual renewal.

*"Participating Institution" means any institution of higher learning that offers an associate's degree or higher, in whole or in part, through distance learning and has voluntarily or willingly entered into a participation agreement to be regulated by a participating home state with respect to institutional and program approval, complaints, and institutional and program reviews* (Section 10 of the Act).

*"Physical Presence" means on-going occupation of a physical location for instructional purposes or maintenance of an administrative office to facilitate instruction* (Section 10 of the Act).

"Provisional Admission" or "Provisional Renewal" means conditional approval by the Board staff of an institution's participation in SARA that carries additional monitoring conditions of that institution by its home state.

"Provisional Status" means the SARA status of an institution provided provisional admission or provisional renewal by its home state.

"Public Institution of Higher Education" has the same meaning as that term is defined in the Board of Higher Education Act [110 ILCS 205/1].

"Regional Compact" means the New England Board of Higher Education, Midwestern Higher Education Compact (to which Illinois belongs), Southern Regional Education Board, or Western Interstate Commission for Higher Education.

"SARA" means the state authorization reciprocity agreement or the voluntary program that implements reciprocity agreements amongst states, institutions and the National Council for SARA.

"SARA Policy Manual" refers to the document adopted by the National Council for SARA to administer the voluntary, regional approach to state oversight of distance education.

*"State" means any state, commonwealth, district or territory of the United States that is a participant in good standing in a state authorization reciprocity agreement* (Section 10 of the Act).

"State Authorization Reciprocity Agreement","SARA"*, "Reciprocity Agreement",* or "Interstate Reciprocity Agreement" *means a voluntary agreement that establishes reciprocity between willing states for approval of postsecondary educational services delivered by distance learning beyond state boundaries* (Section 10 of the Act). The development of these agreements among and between the state portal agencies and/or the regional compacts will be facilitated through NC-SARA.

(Source: Amended at 48 Ill. Reg. 6686, effective April 22, 2024)