**Section 1033.40 Application Process and Participation**

The following are the processes for institutional participation in SARA:

a) Eligibility

1) Any degree-granting institution whose main campus is located in Illinois and holds its principal institutional accreditation in Illinois, including public, private nonprofit and private for-profit institutions, can voluntarily apply to the Board to participate in SARA. The Board shall approve Illinois institutions meeting the eligibility requirements as described in this Section.

2) Institutions are eligible to participate in SARA if they are in compliance with the standards, procedures and requirements established by the NC‑SARA and this Part. Approved institutions are required to maintain the conditions of approval throughout the participation period. Any institution that fails to maintain conditions of approval may lose eligibility to participate in SARA and be removed at any time by the Board. The following are the criteria to determine eligibility:

A) The Interregional Guidelines for the Evaluation of Distance Education (see the C-RAC Guidelines) for the interstate distance learning reciprocity program must be maintained by the institution at all times during the participation period. Participating institutions must comply with the following C-RAC Guidelines:

i) Online learning is appropriate to the institution's mission and purposes;

ii) The institution's plans for developing, sustaining and, if appropriate, expanding online learning offerings are integrated into its regular planning and evaluation processes;

iii) Online learning is incorporated into the institution's systems of governance and academic oversight;

iv) Curricula for the institution's online learning offerings are coherent, cohesive and comparable in academic rigor to programs offered in traditional instructional formats;

v) The institution evaluates the effectiveness of its online learning offerings, including the extent to which the online learning goals are achieved, and uses the results of its evaluations to enhance the attainment of the goals;

vi) Faculty responsible for delivering the online learning curricula and evaluating the students' success in achieving the online learning goals are appropriately qualified and effectively supported;

vii) The institution provides effective student and academic services to support students enrolled in online learning offerings;

viii) The institution provides sufficient resources to support and, if appropriate, expand its online learning offerings; and

ix) The institution assures the integrity of its online offerings.

B) Authorization to operate under SARA shall last for 12 months. Every year following the initial approval, the Board shall determine if participating institutions still meet SARA requirements. Any institution that does not seek to renew and pay the applicable participation fees outlined in this Section will no longer be eligible to participate in SARA.

C) Community colleges may be deemed eligible by participating in a comparable approval process required by ICCB.

3) In the review of institutions' applications to participate in SARA, Board staff shall consider actions of federal or state regulatory agencies or Offices of Attorneys General, Offices of Inspectors General, or similar bodies that affect an institution's status with those bodies.

4) Institutions applying to participate in SARA should be financially stable as described in Section 1033.30(a)(1)(C) and capable of assuring the revenues needed for meeting stated objectives and fulfilling commitments to students. The eligible institution submitting financial evidence as described in Section 1033.30(a)(1)(C) must be in compliance with federal and state regulations and statutes, including payment of unearned tuition and for applicable proprietary institution participating in federal student aid, compliance with requirements of 34 CFR 668.28, "Non-Federal Education Assistance Funds (90/10 rule)".

b) Participation Fees

1) Institutions are assessed fees by the Board and by the National Council for SARA to participate in SARA.

A) The Board assesses an annual fee of $1,750 to institutions participating in SARA and whose applications are managed by the Board. Full payment of these fees is required prior to Board staff review of the SARA application.

B) The National Council for SARA assesses initial and recurring fees to participating institutions. In order to be considered eligible to be a SARA institution by the Board, the institution must be in good standing with the National Council for SARA, including compliance with all Council fee requirements.

2) Remittance

A) Board fees shall be submitted as check, certified check, cashier's check or money order payable to the Illinois Board of Higher Education.

B) The Board shall return fees, minus a fee of $250 for processing, if, after a preliminary, the Board determines that the institution is not eligible to participate in SARA. No refund shall be issued for any application that has been fully reviewed by Board staff. Applications withdrawn by the institution shall receive no refund.

C) Board fees shall be submitted to:

Illinois Board of Higher Education

Academic Affairs Fee Remittance

1 N. Old Capitol Plaza, Suite 333

Springfield IL 62701-1377

D) Applications submitted with insufficient or incorrect fees shall be considered incomplete. The Board will notify the institution of the correct amount due. No further action will be taken by the Board until the full or correct amount due is submitted.

c) Application and Approval Process

1) Any institution seeking to participate is required to complete an application and pay the participation fees.

2) The Board will provide SARA application forms to institutions, and Board staff will review the application to determine the institution's eligibility to participate in SARA.

3) Board participation fees shall be paid in full before an application is reviewed by staff.

4) Community colleges may be deemed SARA eligible by participating in a comparable ICCB approval process. No fee will be assessed by the Board of Higher Education.

5) Upon approval by the Board to participate in SARA, the institution will be sent an electronic link to make payment to the NC-SARA. The Board shall notify the Council when an institution has completed the application process.

d) Maintenance of Approval

Institutions are approved to participate in SARA if they are in compliance with the standards, procedures and requirements of this Section. Approved institutions are required to maintain the conditions of approval throughout the participation period. Any institution that fails to maintain conditions of approval may lose eligibility to participate in SARA and be removed at any time by the Board.

1) Renewal

Approval to participate in SARA is for 12 months. Any institution participating in SARA is required to renew annually and pay the required renewal fees to the Board and to NC-SARA. Any institution that does not renew the participation agreement with the Board or pay required fees will no longer be eligible to participate in SARA. The Board will not process any institution's application for renewal until the full amount due is paid.

2) Data Reporting

Participating institutions must comply with the annual data reporting mandated by NC-SARA as set forth in the Data Reporting Handbook available at: www.nc-sara.org/institutional-data-reporting.

3) Reviews

The staff of the Board may request reviews and visitations of SARA participating institutions as necessary for the implementation of the Act and this Part.

4) Investigations of Institutions

A) The Board staff shall initiate an investigation upon receipt by the Executive Director of a verified written complaint or a complaint submitted online at www.complaints.ibhe.org, regarding any incident occurring within two years prior to the date the complaint was submitted. Complaints subject to investigation include those arising from students, other SARA participating institutions, other SARA member states, the U.S. Department of Education, employers and licensing boards. Investigations may be initiated concerning any of the following:

i) Any violation of SARA consumer protection provisions concerning dishonest or fraudulent claims, including but not limited to recruitment and marketing materials; job placement data; tuition, fees and financial aid; admission requirements for courses and programs; accreditation status of institutions; professional licensing requirements or the requirements of specialized accrediting bodies; and any coursework transfer to other institutions that causes harm or financial loss to students.

ii) Any violation of theC-RAC Guidelines for the interstate distance learning reciprocity program.

iii) Any violation of the provisions of the Private College Act, the Academic Degree Act, and 23 Ill. Adm. Code 1030(Program Review (Private Colleges and Universities)).

iv) Loss, suspension, probation or similar adverse action taken by an accrediting body with which the institution is or was affiliated.

v) Actions of federal or state regulatory agencies or Offices of Attorneys General, Offices of Inspectors General, or similar bodies that may affect an institution's status with those bodies and/or affect the delivery of SARA programs.

vi) Failure to maintain financial stability as described in Section 1033.30(a)(1)(C).

vii) Failure to continue to meet any requirement in this Section.

B) The institution involved in an investigation will be informed of the alleged violations and the processes of investigation. SARA participating institutions must work directly with the students to resolve certain SARA related complaints (e.g., complaints about grades or student conduct violations). The following are complaint procedures:

i) Any complaints not resolved internally by the institution shall be reported by the institution to the BHE Executive Director for investigation and final resolution.

ii) After the Executive Director receives an unresolved complaint, the Executive Director will initiate an investigation. The institution involved will be notified by the Board staff prior to initiating an investigation.

iii) Upon completion of an investigation, the Board staff will inform the institution of the status of the investigation. In the event that the alleged violations are substantiated, the institution may be removed from participating in SARA or be placed on provisional status in accordance with Sections 1033.50 and 1033.60. If removed from participating in SARA, the institution will be required to stop recruiting students for distance education under SARA until it gets a written clearance from the Board reauthorizing participation.

C) The institution shall provide in its catalog and print promotional materials and on its website the institution's complaint policies and procedures for reporting complaints, as well as the Board's website link for reporting complaints. The website information must include an electronic link to the institution's complaint portal as well as the Board's website on the first page (as registered with standard web/internet search engines).

D) Community colleges may be deemed compliant by abiding by comparable ICCB processes.

e) Revocation of Eligibility

1) Grounds for revocation of eligibility to participate in SARA include the following:

A) Failure to renew the SARA and/or pay required fees;

B) Violation of any applicable Illinois State laws or any provisions in the SARA Policy Manual;

C) Failure by an approved institution to maintain institutional accreditation or to report negative changes to its accreditation to the Board;

D) Failure to maintain financial stability; or

E) Failure to continue to meet any requirement of this Section.

2) Neither NC-SARA nor the Board will issue a refund if an institution's eligibility is revoked due to violations of applicable Illinois laws or the SARA Policy Manual. Neither will any institution that voluntarily withdraws at any time during the participation year receive any refund.

3) Procedures for Revocation

A) Following the Board staff investigation of institutional practices, the staff may recommend to the Executive Director revocation of eligibility to participate in the SARA.

B) The Executive Director shall send to the institution an official letter of revocation.

f) State Withdrawal

If Illinois withdraws from SARA, institutions approved and operating under SARA through Illinois may continue to do so for the remainder of the academic term or 90 days after the receipt of the Illinois withdrawal notice, whichever is later, but not to exceed six months from the date of notice.

g) Registers

The Board shall maintain a register on the Board web site with the names of the institutions that have been approved by the Board and NC-SARA to participate in the SARA program (www.ibhe.org). In addition, NC-SARA publishes a list of participating states and institutions on its web site (www.nc-sara.org).

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