**Section 590.360 Suspension or Termination of Educational Loan Repayment Funding**

a) Availability of Appropriation or Sufficiency of Funds

1) All awards are contingent upon and subject to the availability of funds. The Department may deny an application or may terminate or suspend any agreement, in whole or in part, without penalty or further payment being required, if:

A) The Illinois General Assembly fails to make an appropriation sufficient to pay the obligation or if funds needed are insufficient for any reason;

B) The Governor decreases the Department's funding by reserving some or all of the Department's appropriation or appropriations pursuant to power delegated to the Governor by the Illinois General Assembly; or

C) In accordance with the GATA Uniform Grant Agreement, the Department or the Governor determines that a reduction is necessary or advisable based upon actual or projected budgetary considerations.

2) The recipient will be notified in writing of the lack of appropriation or a reduction or decrease.

b) Termination for Cause

1) The Department may immediately terminate the agreement, in whole or in part, upon notice to the recipient, if:

A) The recipient is convicted of committing any illegal act other than a minor traffic violation;

B) The Department determines that the actions or inactions of the recipient have caused, or reasonably could cause, jeopardy to health, safety or property of any person or the Department itself;

C) The Department has notified the recipient that the Department is unable to perform the agreement; or

D) The Department has reasonable cause to believe that the recipient cannot lawfully perform the agreement.

2) If the Department believes that any breach has occurred, then the Department shall either refer the matter to the Illinois Attorney General for commencement of collection litigation or commence administrative recovery pursuant to the requirements of the Illinois Grant Funds Recovery Act. In either case, actions shall include all of the remedies referenced in Section 590.355. Any final order entered by the Director following the administrative recovery process shall be reviewable in the Circuit Court pursuant to the Administrative Review Law.

(Source: Amended at 47 Ill. Reg. 6528, effective April 27, 2023)