

Item #13.2b  
September 11, 2020

Illinois Community College Board

**PROPOSED AMENDMENTS TO THE ILLINOIS COMMUNITY COLLEGE BOARD  
ADMINISTRATIVE RULES  
Capital Projects**

The ICCB has recently completed a thorough review of its capital project submission and prioritization processes and facilities data collection. Based on this review, the ICCB is proposing changes to its administrative rules for state funded capital projects and reporting requirements.

This proposed rulemaking was published in the *Illinois Register* (44 Ill. Reg. 13177; August 14, 2020) for the formal public comment period. No public comments have been received in response to the proposed rules. The proposed amendments to the ICCB Administrative Rules are being submitted to the Board for approval prior to submission to JCAR for final review and adoption.

**RECOMMENDED ACTION**

It is recommended that the following motion be adopted:

The Illinois Community College Board hereby approves the following amendments to the *Administrative Rules of the Illinois Community College Board* and authorizes its Executive Director to process the amendments in accordance with the Illinois Administrative Procedures Act.

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501  
ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

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- 1501.516 ~~Deferred Maintenance~~ ~~Capital Renewal~~ Grants
- 1501.517 Retirees Health Insurance Grants (Repealed)
- 1501.518 Uncollectible Debts (Repealed)
- 1501.519 Special Initiatives Grants
- 1501.520 Lincoln's Challenge Scholarship Grants
- 1501.521 Technology Enhancement Grants (Repealed)
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- Section
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- 1501.APPENDIX A Fee Schedule for Data Matching

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [110 ILCS 805].

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2299, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill. Reg. 7515, effective May 26, 1995; amended at 21 Ill. Reg. 5891, effective April 22, 1997; amended at 22 Ill. Reg. 2087, effective January 12, 1998; amended at 22 Ill. Reg. 17472, effective July 10, 1998; amended at 24 Ill.

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Reg. 249, effective December 21, 1999; amended at 24 Ill. Reg. 17522, effective November 20, 2000; amended at 25 Ill. Reg. 7161, effective May 18, 2001; emergency amendment at 25 Ill. Reg. 12863, effective September 28, 2001, for a maximum of 150 days; emergency expired February 24, 2002; amended at 26 Ill. Reg. 646, effective January 7, 2002; amended at 27 Ill. Reg. 17204, effective October 31, 2003; amended at 28 Ill. Reg. 14092, effective October 18, 2004; amended at 29 Ill. Reg. 6239, effective April 25, 2005; amended at 30 Ill. Reg. 2755, effective February 21, 2006; amended at 32 Ill. Reg. 16396, effective September 23, 2008; amended at 40 Ill. Reg. 14054, effective September 29, 2016; amended at 41 Ill. Reg. 11274, effective August 28, 2017; amended at 41 Ill. Reg. 15723, effective December 18, 2017; amended at 42 Ill. Reg. 2819, effective January 24, 2018; amended at 42 Ill. Reg. 18869, effective October 3, 2018; amended at 42 Ill. Reg. 24855, effective December 17, 2018; amended at 43 Ill. Reg. 7454, effective June 20, 2019; amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART B: LOCAL DISTRICT ADMINISTRATION

**Section 1501.201 Reporting Requirements**

Complete and accurate reports shall be submitted by the district/college to ICCB in accordance with ICCB requirements and on forms provided by ICCB, where applicable. Listed in this Section is the schedule of due dates indicating when items from the community colleges are due at the Illinois Community College Board Office:

- |             |   |
|-------------|---|
| January 15  | • annual financial statements and notice of publication (see Section 1501.506)  |
| January 31  | • certificate of tax levy (see Section 1501.510(f))<br>• <del>construction project status reports (see Section 1501.607(a))</del>   |
| February 1  | • annual African American Employment Plan Survey (see Section 1501.308(b))<br>• annual Hispanic/Latino Employment Plan Survey (see Section 1501.308(b))<br>• annual Asian Employment Plan Survey (see Section 1501.308(b))<br>• annual Bilingual Needs and Bilingual Pay Survey (see Section 1501.308(b)) |
| February 15 | • spring semester (2 <sup>nd</sup> term) enrollment survey (see Section 1501.406(b))  |
| March 1     | • annual Underrepresented Groups Report (see Section 1501.406(c))   |
| March 31    | • policies for the award of academic credit for prior learning (see Section 1501.311(a))  |
| June 15     | • annual faculty, staff salary and benefits data (see Section 1501.308(a))  |
| July 1      | • Resource Allocation and Management Plan (RAMP/CC) (see Section 1501.510(a))<br>• <del>construction in progress and acreage (facility information) (see Section 1501.510(b))</del>   |
| July 15     | • report of out-of-state extensions (see Section 1501.307(h)(4))<br>• annual noncredit course enrollment (see Section 1501.406(d))  |
| August 1    | • annual student enrollment and completion data (see Section 1501.406(a))<br>• <del>square footage and acreage (facility information) (see Section 1501.510(b))</del>   |
| September 1 | • budget and tax survey (see Section 1501.510(d))   |

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- program review report (see Section 1501.303(d)(6))
  - program review listing (see Section 1501.303(d)(6))
  - facilities data (see ~~Sections~~Section 1501.510(e) and 1501.607(ae))
  - annual Student Identification data submission (see Section 1501.406(f))
  - annual report of student course information submission (see Section 1501.406(g))
- October 1
- fall semester enrollment data (see Section 1501.406(a))
  - fall semester enrollment survey (see Section 1501.406(b))
- October 15
- faculty, staff and salary data (see Section 1501.308(a))
  - fiscal year budget (see Section 1501.504)
- November 1
- summer graduate reporting (for the Integrated Postsecondary Education Data System Graduation Rate Survey) (see Section 1501.406(e))
- December 30
- external audit (see Section 1501.503(a))
  - annual instructional cost report (see Section 1501.510(c))
  - unexpended special initiative grant funds (see Section 1501.519(d))
  - credit hour claims (see Section 1501.406(b) and Section 1501.507(a))
- 30 days  
after the end  
of each term

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART E: FINANCE

**Section 1501.501 Definition of Terms**

"Annual Financial Statement" means an annual financial report and an annual program report that are required to be published by a district. An annual financial report includes a statement of revenues and expenditures, along with other basic financial data. An annual program report includes a narrative description of programs offered, goals of the district, and student and staff data.

"Attendance at Midterm" means a student is "in attendance at midterm" in a course if the student is currently enrolled in and actively pursuing completion of the course.

"Auditor" means a person who enrolls in a class without intent to obtain academic credit and whose status as an auditor is declared by the student, approved by college officials, and identified on college records before the end-of-registration date of the college for that particular term.

"~~Deferred Maintenance~~~~Capital Renewal~~ Grants" means State grants allocated proportionally to a community college district based on the latest fall on-campus nonresidential gross square feet of facilities as reported to ICCB. These grants are to be used for ~~miscellaneous~~ capital improvements such as rehabilitation, ~~remodeling~~, ~~improvement~~ and repair; architect/engineer services; supplies, fixed equipment and materials; and all other expenses required to complete the work.

"Lincoln's Challenge Scholarship Grants" means scholarships provided to a community college for graduates of the Lincoln's Challenge Program is administered by the Illinois

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Department of Military Affairs.

"Midterm Class List Certification" means the college's process for certifying to ICCB students in attendance at the midterm as part of the proof that a student's credit hours are eligible for State funding. The district shall file with ICCB a document outlining the process (including but not limited to specific steps and/or procedures, steps for obtaining an electronic midterm certification signature, etc.) it follows as part of that certification and the district shall file an amended process any time changes are made, but not less than once every five years.

"Midterm Certification Signature" means midterm class lists obtained and maintained by the college that are manually signed and dated by faculty or electronic signature of the faculty.

If the college chooses to accept an electronic signature of faculty, then the college must include in the midterm class list certification process a written summary explaining what steps are in place that ensure:

Appropriate administrative and operational controls are in place to ensure faculty only have access to midterm class lists they teach;

Appropriate controls are in place to only allow an electronic signature at the midpoint of the class during a specified period (that is, one or two weeks before and one or two weeks after the midpoint of the class);

A faculty member's identity is authenticated and attributed to the midterm certification signature;

The integrity of the electronically signed midterm class list of a course section has been secured and verified; and

The college has the capability of generating signed printed midterm class lists that support the ICCB credit hour claim submission.

A final grade sheet electronic signatures process, if adopted, should be implemented in the same manner as the electronic midterm certification signature.

"Residency – Applicability Proof" means the college's processes, in accordance with Section 2-16.02 of the Act, for verifying to ICCB the residency status of its students as part of the proof that its credit hours are eligible to receive ICCB grants. The process shall include the methods for verifying residency as defined in the general provisions, special State provisions, and district provisions of this Section. A district shall file descriptions of any revisions to its process with ICCB before their implementation.

"Residency – General Provisions". The following provisions apply both to State and district residency definitions:

To be classified as a resident of the State of Illinois or of the community college district, a student shall have occupied a dwelling within the State or district for at least 30 days immediately before the date established by the district for classes to

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begin.

The district shall maintain documentation verifying State or district residency of students.

Students occupying a dwelling in the State or district who fail to meet the 30-day residency requirement may not become residents simply by attending classes at a community college for 30 days or more.

Students who move from outside the State or district and who obtain residence in the State or district for reasons other than attending the community college shall be exempt from the 30-day requirement if they demonstrate through documentation a verifiable interest in establishing permanent residency.

Students who are currently under the legal guardianship of the Illinois Department of Children and Family Services or have been recently emancipated from the Department and had a placement change into a new community college district shall be exempt from the 30-day requirement if they demonstrate proof of current in-district residency. Documentation of current residency may be submitted to the district from the student, a caseworker or other personnel of the Department, or the student's attorney or guardian ad litem.

"District Provisions". Students shall not be classified as residents of the district where attending even though they may have met the general 30-day residency provision if they are:

federal job corps workers stationed in the district;

inmates of State or federal correctional/rehabilitation institutions located in the district;

full-time students attending a postsecondary educational institution in the district who have not demonstrated through documentation a verifiable interest in establishing permanent residency; or

students attending under a chargeback or contractual agreement with another community college.

"Special State Provisions". Students shall be classified as residents of the State without meeting the general 30-day residency provision if they are:

federal job corps workers stationed in Illinois;

members of the armed services stationed in Illinois;

inmates of State correctional/rehabilitation institutions located in Illinois; or

employed full time in Illinois.

"Senior Citizen" means a person 65 years or older whose annual household income is less



than the threshold amount provided in Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act [320 ILCS 25].

"Special Initiatives Grants" means funds for conducting special initiatives activities. Special initiatives activities are based upon criteria specified in a [Grant Agreement grant agreement](#) between the college or vendor and ICCB.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 1501.510 Reporting Requirements

A college shall submit the items listed in this Section in a format prescribed by ICCB and according to the schedules indicated.

- a) Resource Allocation and Management Plan (RAMP) data by July 1 of each year.
- b) Construction in progress and acreage by ~~July~~August 1 of each fiscal year.
- c) Annual Instruction Cost Report in a format prescribed by ICCB for the previous fiscal year by December 31 following the end of that fiscal year.
- d) A survey of local budget and tax extensions and collections by September 1 of each year.
- e) ~~Facilities~~F3, F6, B3, and R3 facilities data submission to report existing space in use for educational purposes at the end of the fiscal year (June 30) by September 1 following the end of the fiscal year.
- f) Certificate of Tax Levy by January 31 of each year.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 1501.516 ~~Deferred Maintenance~~Capital Renewal Grants

- a) Districts may apply annually to ICCB for approval of ~~deferred maintenance~~capital renewal grant projects. Requests for ICCB approval of ~~deferred maintenance~~capital renewal grant projects shall be submitted using forms prescribed by ICCB.
- b) Expenditures of funds from this grant are limited to ~~deferred maintenance~~capital renewal projects that are within the scope of the definition of ~~deferred maintenance~~capital renewal grants contained in Section 1501.501.
- c) Funds received from this grant shall be accounted for in the Operations and Maintenance Fund (Restricted) (see Section 1501.511(a)(7)).
- d) Other sources of funding may be added to ~~deferred maintenance~~capital renewal grant funds to finance larger projects.
- e) Projects shall be designed and constructed to meet all applicable facilities codes as specified in Section 1501.603(g).

- f) Authority to approve ~~deferred maintenance~~capital renewal grant projects is delegated to the ICCB ~~or its~~ Executive Director.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART F: CAPITAL PROJECTS

### Section 1501.601 Definition of Terms

"Alter" means to remodel or modify a facility, without changing its original purpose or adding to its total dimensions, that would have been constructed differently had existing accessibility, energy conservation, or environmental protection laws, codes or standards (as specified in Section 1501.603(g)(2)) been in effect at the time of construction.

"Building efficiency" means the ratio of the total net assignable square feet (NASF) of a building, which includes the interior of classrooms, class laboratories, offices, study areas, libraries, special or general use areas, and supporting areas for each of these space types, to the total gross square feet (GSF) of a building, which includes circulation areas, custodial areas, mechanical areas and structural areas plus the NASF.

"Capital Project Design Phase" of a capital project means development of detailed architectural plans, specifications and cost estimates.

"Capital Project Needs Assessment" means the initial conceptualization and justification of the scope of the project.

"Credits" means capital project local contribution allowances certified by ICCB at its Board meeting on September 18, 1987.

"Deferred Maintenance Project" means a project that keeps a facility or asset in efficient operating condition, preserves the condition of the property, or restores property to a sound state after prolonged use.

"Facility" means any physical structure or entity that is necessary for the delivery of the district's programs and related services.

"Hazard" means a risk or peril resulting from unsanitary conditions, deficiencies in codes specified in Section 1501.603(g)(2), conditions increasing the risk of fire, or conditions otherwise endangering human life to a degree greater than normal.

"Licensed Architect or Engineer" means an architect or engineer licensed by or registered with the Illinois Department of Financial and Professional Regulation.

"Locally Funded" means a capital project funded totally from local district bond issues, local district operating funds, federal grants, foundation or other grants, gifts, student fees, or any non-state appropriated source.

~~"Maintenance Project" means a project that keeps a facility or asset in efficient operating condition, preserves the condition of the property, or restores property to a sound state after prolonged use.~~

"Primary Site" means any site constituting a campus as defined in Section 1501.301.

"Repair" means rehabilitate or return a facility to its original condition after damage or deterioration, without changing its original purpose or adding to its total dimensions, when the condition of the facility poses a hazard to individuals or threatens the structural integrity of the facility.

"Scope" means the parameters of the project, primarily the physical dimensions of the project and the function of space included within the project.

"Secondary Site" means any location where the district maintains a permanent presence, but does not meet the criteria of a primary site.

"State-Funded" means a capital project partially or fully funded with a State appropriation.

"Structural Defect/Deficiency Project" means a capital project that has a defect or deficiency directly attributable to inadequate design or construction, or defective construction materials.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section 1501.603 State-Funded Capital Projects**

- a) Projects Eligible to Receive State Funds. State funds may be requested for capital projects, both those to be purchased and those to be constructed, as defined in this subsection (a). The funds shall be requested before construction and may include or consist of architectural and engineering fees associated with the project. These projects shall consist of:
  - 1) Buildings, Additions, and/or Structures (including fixed equipment). Types of buildings that may be included are:
    - A) Administration and student personnel services facilities;
    - B) Central utility facilities;
    - C) Classrooms;
    - D) Fine and applied arts classrooms and laboratories;
    - E) Libraries;
    - F) Occupational technical, and semi-technical laboratories, shops and classrooms;
    - G) Other structures used for the operation and maintenance of the campus;
    - H) Physical education instructional facilities;

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- I) Science laboratories and related science facilities; and
  - J) Student areas appropriate to the needs of a commuter institution, including food services, lounge areas, study areas, storage lockers, child care facilities, and facilities for student activities such as newspaper editing and student government.
- 2) Land.
  - 3) Movable Equipment.
  - 4) Utilities (those beyond a five-foot perimeter of buildings).
  - 5) Remodeling or Rehabilitation of Existing Facilities. These projects include provision for:
    - A) Access for students with disabilities;
    - B) Emergency repairs (including construction defects/deficiencies);
    - C) Energy conservation; and
    - D) Programmatic changes.
  - 6) Site Improvements.
    - A) Clearance;
    - B) Drainage;
    - C) Earth movement;
    - D) Finish grading, seeding, landscaping;
    - E) Other work required to make land usable as a building site;
    - F) Parking; and
    - G) Streets and walkways.
  - 7) Planning. A building project may be divided into sub-projects with planning funds (architect or engineering fees) requested for one fiscal year and construction funds requested in a subsequent year.
- b) Application Criteria for New Construction Projects at the Primary Site. The acquisition of buildings/additions/structures through construction of new facilities or purchase of existing facilities includes planning, qualifying fixed and moveable equipment as necessary to support the new facility, land acquisition required for the facility, and any site improvements or utility work necessary to support the facility. In order for capital

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projects for new construction to be considered for State funding, the following requirements shall be met:

- 1) Certification of local board approval of the projects requested shall be provided.
  - 2) Certification shall be provided that funds or credits are available to provide the local share of the cost of the projects in accordance with Articles IIIA and V of the Act.
  - 3) Certification shall be provided that a suitable construction site is available. Suitability is determined through a site feasibility study and a Capital Development Board technical evaluation. The feasibility study shall address, at a minimum, the following:
    - A) The location of the site in relation to geography and population of the entire district and in relation to sites of the district's other colleges;
    - B) The impact on the surrounding environment, including the effect of increased traffic flow;
    - C) Accessibility to the site by existing and planned highways and/or streets;
    - D) Cost of development of the site in relation to topography, soil condition and utilities;
    - E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost;
    - F) The number, location and characteristics (type of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered; and
    - G) The location of the site in relation to existing institutions of higher education.
  - 4) Requests for site acquisition shall include a local board of trustees authorization to purchase the site, a copy of the feasibility study, a local board of trustees resolution that local funds are available, a copy of the Capital Development Board evaluation, three appraisals of the property, and a written request for ICCB approval in addition to the information requested in the Resource Allocation and Management Plan/Community Colleges (RAMP/CC).
  - 5) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in subsection (e)(1)(C) or a specific program need basis as specified in subsection (e)(1)(D).
  - 6) The project shall be within the mission of a community college as set forth in Section 1-2(e) of the Act.
- c) Application Criteria for Remodeling and Rehabilitation Projects. Projects to remodel and

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rehabilitate a facility shall require submittal of the following:

- 1) An application on forms prescribed by ICCB;
  - 2) Certification of local board approval of the projects requested;
  - 3) Certification that funds or credits are available to provide the local share of the projects in accordance with Articles IIIA and V of the Act;
  - 4) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices, etc.); and
  - 5) A justification statement regarding the need to remodel.
- d) Application Criteria for Secondary Site Projects. Projects for the acquisition/construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:
- 1) A resolution by the local board of trustees stating that:
    - A) Local funds or credits are available to provide the local share of the projects in accordance with Articles IIIA and V of the Act; and
    - B) The programs offered have been approved by ICCB and Illinois Board of Higher Education (IBHE) or approval of these stated programs by those boards is pending.
  - 2) Copies of at least two appraisals of the property.
  - 3) Proof that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not prevent the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)
  - 4) Identification of the location of the site and its relationship to the main campus, community college facilities in contiguous districts, and other higher education facilities in contiguous districts.
  - 5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.
- e) Site Purchase. Requests for State funds for land purchases not related to new facilities acquisition will be evaluated based on the need to support existing campus facilities and services. Requests must meet applicable criteria specified in subsection (b) for land purchases at the primary site or subsection (d) for secondary site projects.

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- f) Utilities. Utilities projects (beyond a five-foot perimeter of buildings) not related to new facility acquisition will be evaluated based on the need to support existing campus facilities and services.
- g) Site Improvements. Site improvements not related to new facilities acquisition will be evaluated in conjunction with the facilities to which they relate and other demonstrated need.
- he) Project Priority Criteria. All projects must meet requirements as stated in Sections 5-3 and 5-4 of the Act. A maximum of 100 points will be awarded for each submitted capital project. Capital project priorities will be established ~~within the categories named in subsection (a) of this Section~~ according to the following criteria:
- 1) ~~New Facilities: The acquisition of buildings/ additions/structures through construction of new facilities or purchase of existing facilities includes planning, qualifying fixed and moveable equipment as necessary to support the new facility, land acquisition required for the facility, and any site improvements or utility work necessary to support the facility. All requests for new facilities must meet the criteria specified in either subsection (b) for new construction at a primary site or subsection (d) for secondary site projects. The following criteria will be considered in establishing priorities for new facilities:~~
- 1A) Type of Space (10%). Priorities will be assigned to colleges based on the typeType of space to be constructed, purchased, improved, or remodeled (in priority order). In the case of site purchases, utilities, and site improvements not related to new facilities acquisition, priorities will be assigned based upon the type of space associated with the project.:
- A†) Instructional, study, office and student areas (all weighted equally):
- i)• Instructional space, including basic classrooms, lecture halls, seminar rooms and other rooms used primarily for scheduled instruction, both credit and noncredit. These rooms may contain multimedia or telecommunications equipment. Space used as classroom service, that is, projection rooms, telecommunication control booths, closets, etc., are included (FICM Codes 110-115). Instructional space also includes laboratory facilities, both class and open, used for instructional purposes and service areas that serve as an extension of the activities of the laboratory (FICM Codes 210-255).
- ii)• Study areas, including all library facilities, any rooms or areas used by individuals at their convenience, general learning labs, and any service areas necessary to support the activities of these rooms (FICM Codes 410-455).
- iii)• Office facilities that provide work areas to support the academic, administrative, and service functions of the colleges. Also includes rooms such as student counseling rooms and testing areas, staff conference rooms, file rooms, and break rooms

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(FICM Codes 310-355).

- ~~iv)~~ Student service areas include general use facilities such as child care facilities (FICM Codes 640 and 645), food service facilities (FICM Codes 630 and 635), lounge facilities (FICM Codes 650 and 655), merchandise areas such as bookstores, student supply stores, or ticket outlet services (FICM Codes 660 and 665), and rooms used for recreation and amusement (FICM Codes 670 and 675). Meeting rooms used by the institution or the general public for a variety of nonclass meetings also are included (FICM Codes 680 and 685).
- ~~Bii)~~ Support areas, including central administrative computer and telecommunications rooms, maintenance shops, garages, warehouses, and storage facilities (FICM Codes 710-765).
- ~~Ciii)~~ Assembly areas, including theaters, auditoriums, arenas, exhibition rooms, and concert halls, used primarily for general presentations or performances (FICM Codes 610-625). Includes areas that serve as an extension of the activities in that facility.
- ~~Div)~~ Physical education areas used for physical education instructional programs and intercollegiate and recreational activities. Includes areas such as gymnasiums, athletic courts, swimming pools, and other special use athletic facilities (FICM Codes 520, 523, and 525). (Does not include specific classrooms more appropriately classified under FICM Code series 100.)
- ~~Eiv)~~ Special use facilities not included elsewhere, such as armory, armory services, media production services, clinics, etc. (FICM Codes 510, 515 and 530-590).
- ~~2B)~~ Core Campus Considerations (20%). Priorities will be assigned to colleges that do not have adequate core campus components in place. A core campus generally consists of classrooms, laboratories, student services, day care, learning resources/library, business and industry training services, and facilities to support high enrollment programmatic areas.
- ~~3C)~~ Space Criteria/Considerations (20%). Utilization of existing space will be calculated by annual full-time equivalent enrollment per net assignable square feet (NASF) of the most recently completed fiscal year. Priority will be assigned to those districts that have the highest utilization of owned space.

  - ~~i)~~ Utilization of Existing Space. Priorities will be assigned so that the higher utilization rate generated by weekly instructional hours for credit and noncredit courses offered at permanent locations owned by the college (college holds title, lease purchase, or purchasing contract for deed), the higher the priority that will be assigned. Instructional hours are defined as those enrollments generated by students taking credit and noncredit



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~~courses.~~

- ~~ii) Space per Student. Requests for space will be assigned priorities so that the less existing permanent space per student available at facilities owned by the college (college holds title, lease purchase, or contract for deed), the higher the priority assigned to the project.~~

- ~~4D) Program Considerations (20%). Consideration will be given to the need for special facilities based on the programs to be housed in the requested facilities. Priorities will be assigned so that the greater the need for special facilities, the higher the priority. Criteria evaluated for need will include (not in priority order), but not be limited to:
  - ~~Ai) Documented need as evidenced by the college's accountability and productivity reviews;~~
  - ~~Bi) Labor market demand for completers of the program (as indicated by current manpower data);~~
  - ~~Ciii) Unavailability of special facilities needed for the program; and~~
  - ~~Div) Other special needs or measures as described in the program justification statement submitted by the college with the project request.~~~~
- 5) College Ranking (10%). Priorities will be assigned to projects that are ranked as a high priority by the college.
- 6) Prior Commitment (10%). Additional consideration will be given to the project if it had previous ICCB approval for planning or construction or a commitment made through prior appropriations by the State.
- 7) Structural Considerations (5%). Additional consideration will be given for structural considerations (in priority order).
  - A) Those projects that will reduce physical health and safety hazards to the student body and staff (e.g., structural defects/deficiencies, accessibility modifications);
  - B) Overall condition of space and/or other structural integrity considerations;
  - C) Those projects that will result in financial and/or natural resource savings (energy conservation).
- 8) Local Resources (5%). Consideration will be given to districts that qualify for Equalization Grants (see Section 2-16.02 of the Act), have a high poverty level within the district, and have an economically disadvantaged student body.
- ~~2) Remodeling or Rehabilitation of Existing Facilities. Remodeling or~~

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~~rehabilitation projects will be evaluated on structural considerations and/or programmatic considerations and core campus considerations, if applicable to project. Requests for remodeling or rehabilitation projects must meet the criteria specified in subsection (c). The following criteria will establish the order of remodeling/rehabilitation projects:~~

- ~~A) Structural Considerations (in priority order):~~
  - ~~i) Those projects that will reduce physical health and safety hazards to the student body and staff (e.g., structural defects/deficiencies, accessibility modifications);~~
  - ~~ii) Overall condition of space and/or other structural integrity considerations;~~
  - ~~iii) Those projects that will result in financial and/or natural resource savings (e.g., energy conservation); and~~
  - ~~iv) Those projects that will result in the development of more efficient utilization of existing space.~~
  
- ~~B) Program Considerations. Consideration will be given to the need for remodeling or rehabilitation of facilities based on the programs to be housed in the facilities. Priorities will be assigned so that the greater the need for remodeling or rehabilitation, the higher the priority. Criteria evaluated for need will include (not in priority order), but not be limited to:~~
  - ~~i) Documented need as evidenced by the college's accountability and productivity reviews;~~
  - ~~ii) Labor market demand for completers of the program (as indicated by current manpower data);~~
  - ~~iii) Unavailability of special facilities needed for the program; and~~
  - ~~iv) Other special needs or measures as described in the program justification statement submitted by the college with the project request.~~
  
- ~~C) Core Campus Considerations. Priorities will be assigned to colleges that demonstrate the need for remodeling or rehabilitation of existing core campus components due to either structural integrity issues or increased demand for services. A core campus generally consists of classrooms, laboratories, student services, day care, learning resources/library, business and industry training services and facilities to support high enrollment programmatic areas.~~
  
- 3) Land. Requests for State funds for land purchases not related to new facilities acquisition will be evaluated based on the need to support existing campus

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~~facilities and services. Requests must meet applicable criteria specified in subsection (b) for land purchases at the primary site or subsection (d) for secondary site projects.~~

- ~~4) Utilities. Utilities projects (beyond a five foot perimeter of buildings) not related to new facility acquisition will be evaluated based on the need to support existing campus facilities and services.~~
- ~~5) Site Improvements. Site improvements not related to new facilities acquisition will be evaluated in conjunction with the facilities to which they relate and other demonstrated need.~~
- ~~6) Additional consideration may be given to the priority ranking of a project if it had previous ICCB approval for planning or construction.~~

~~if~~) Changes in budget and/or scope to approved construction projects shall be submitted for approval according to the following criteria:

- 1) Changes in budget/scope totaling five percent or less of the approved project budget/scope shall be reconciled at the completion of the project and submitted to ICCB for information purposes.
- 2) When changes in the project budget/scope have reached five percent, any subsequent change modifying the budget/scope of the project shall require approval by the ICCB Executive Director, prior to expenditure of funds on the additional work. The criteria the ICCB Executive Director will use for approving changes in the project budget/scope will be the same as are listed in this Section.

~~ig~~) Construction Standards. The standards listed in this subsection ~~(i)~~ shall be applied in the design and construction of facilities.

- 1) Building Efficiency. Campuswide building efficiency should be at least 70 percent. However, individual buildings may be below this level if they are high-rise (four or more floors), include a large number of small classrooms and/or labs, or if a large portion of the building is designed for custodial or mechanical purposes to serve the entire campus.
- 2) Facilities Codes. All construction, remodeling and rehabilitation of facilities shall be in compliance with the following standards:
  - A) All incorporations by reference refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified:
    - i) International Building Code, ~~2018~~2015 Edition (International Code Council, 4051 W. Flossmoor Rd., Country Club Hills, Illinois 60478-5795).
    - ii) International Mechanical Code, ~~2018~~2015 Edition (International Code Council, 4051 W. Flossmoor Rd., Country Club Hills,

Illinois 60478-5795).

- iii) National Electrical Code, NFPA 70, ~~2020~~2014 Edition (National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471).
  - iv) National Fire Protection Association 101, Life Safety Code, ~~2018~~2003 Edition (National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471).
- B) Illinois administrative rules that are referenced in this Part are:
- i) Illinois Plumbing Code (77 Ill. Adm. Code 890).
  - ii) Illinois Accessibility Code (71 Ill. Adm. Code 400) or the 2010 Americans with Disabilities Standards for Accessible Design (28 CFR 35 and 36), whichever is more stringent.
  - iii) Fire Prevention and Safety (41 Ill. Adm. Code 100).
  - iv) Illinois Energy Conservation Code (~~71~~74 Ill. Adm. Code 600).
- C) Any local building codes that may be more restrictive than the codes listed in this subsection (g)(2).
- 3) State of Illinois Building Related Requirements. To assist the architect in determining which statutes and rules might be applicable to a project, the Capital Development Board (CDB) has assembled a Directory of Illinois Construction-Related Statutes and Rules that lists statutory requirements relative to State construction. CDB also maintains a List of Codes Used Throughout the State of Illinois by City or County. Both resources are available on CDB's website (<http://www.illinois.gov/cdb/business/codes/Pages/BuildingCodesRegulations.aspx>).

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 1501.607 Reporting Requirements

A college shall submit the items listed in this Section in a format prescribed by ICCB by July 1 of each year~~and according to the schedules indicated:~~

- a) Annual facility data and project updates that shall include NASF of owned space by classroom, lab, office, study, support and special use categories.~~Progress reports (as of December 31) of all construction projects by January 31 of each year.~~
- b) Estimated deferred maintenance annual cost and current backlog.~~Course resource data (S6 and S7) showing the facilities used by a course offered for credit during the fall term within 30 days after the end of the term. Facility identifiers, building identifiers, and room identifiers reported in the course resource data should match identifiers that will be reported in the F3, F6, B3, and R3 records at the end of the current fiscal year.~~

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- c) ~~All completed and in-progress projects using State funds. An inventory of its facilities and an update of this inventory annually by September 1 immediately following the end of the fiscal year. This facilities data (F3, F6, B3, and R3 records) shall be submitted in the format designated by ICCB and shall represent existing facilities in service at June 30 of the fiscal year just ended.~~
- d) ~~All completed and in-progress local projects with a cost of \$250,000 or more. Course resource data (N6) for a non-credit offering (N1) showing the facilities used for each non-credit course offered during the fall term by August 15 following the end of the current fiscal year. Facility identifiers, building identifiers, and room identifiers reported in the N6 records should match identifiers that will be reported in the F3, F6, B3 and R3 records at the end of the current fiscal year.~~

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## **BACKGROUND**

The Illinois General Assembly created the Joint Committee on Administrative Rules (JCAR) in 1977. It is a bipartisan legislative oversight committee, and it has been delegated the responsibility to ensure that the laws enacted are appropriately implemented through administrative law. The Board, and all state agencies, has the authority to draft rules, publish them for public comment, and file them with JCAR for adoption. The compilation of all rules is known as the Illinois Administrative Code.

ICCB staff formed a workgroup within the community college system to discuss changes to the Capital Project Submissions and Project Prioritization and Facility Reports. Active participation by CFO's, architects, and facility coordinators led to several suggested changes in the processes that make up the capital submissions. The suggested changes were then brought to the entire system's CFO group to discuss. ICCB then came up with a plan to provide a more transparent process flow for project prioritization and data collection by amending administrative rules: 1501.603; 1501.604; 1501.607; 1501.608.