

**APPROVED
JUNE 13, 2017**

Item #VI-6
June 13, 2017

PROPOSED AMENDMENTS TO RULES: DUAL CREDIT COURSES

Submitted for: Action.

Summary: This item requests approval of the proposed amendments to the rules for Dual Credit Courses. On August 11, 2015, the Board established by vote the Ad Hoc Academic Affairs Committee which had the charge “to consider Illinois Board of Higher Education (IBHE) oversight of postsecondary institutions in an era of diminishing State resources that support the regulatory and other critical functions of the Academic Affairs division of the IBHE.” Membership included Teresa Garate, Jane Hays, Alice Marie Jacobs, and Christine Wiseman, who conferred with Academic Affairs staff. Staff reviewed Code line by line and suggested amendments to the Ad Hoc Committee and incorporated their directives in further updating the Code. The objectives of review of multiple Code included: alignment, where relevant, across Code governing Academic Affairs oversight of public degree-granting institutions, non-public degree-granting institutions, and non-degree institutions; alignment across long-standing and new mandates (examples of the latter including Illinois participation in the State Authorization Reciprocity Agreement and implementation of the Dual Credit Quality Act); recognition of changes in higher education, such as expansion of competency-based learning and growing importance of non-degree completion credentials; and updating fees structures to effectively support the work of the IBHE in the current era. Stakeholders were engaged through meetings and webinars. The Private Business and Vocational Schools Advisory Council, the Proprietary Advisory Committee, the Faculty Advisory Council, the public institutions’ Academic Leadership group, and members of the Federation of Independent Illinois Colleges and Universities were all consulted and provided opportunity to provide feedback. The Office of the Illinois Attorney General and staff of the Illinois Community College Board were given the opportunity to provide feedback.

The Illinois Administrative Procedures Act specifies a three-step process for the proposal and adoption of administrative rules: (1) initial Board approval; (2) a publication and public notice period including a period for review by the staff and members of the legislative Joint Committee on Administrative Rules; and (3) final adoption by the Board.

Action Requested:

That the Illinois Board of Higher Education approves the proposed rule amendments to Dual Credit Courses (23 Ill. Adm. Code 1009) for publication in the *Illinois Register*.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

PROPOSED AMENDMENTS TO RULES: DUAL CREDIT COURSES

This item requests approval of the proposed amendments to the Illinois Board of Higher Education rules for Dual Credit Courses.

On August 11, 2015, the Board established by vote the Ad Hoc Academic Affairs Committee which had the charge “to consider Illinois Board of Higher Education (IBHE) oversight of postsecondary institutions in an era of diminishing State resources that support the regulatory and other critical functions of the Academic Affairs division of the IBHE.” Membership included Teresa Garate, Jane Hays, Alice Marie Jacobs, and Christine Wiseman, who conferred with Academic Affairs staff. Staff met in person or remotely, by phone or webinar, on February 10, 2016, March 24, 2016, July 6, 2016, November 11, 2016, and April 26, 2017. Staff reviewed Code line by line and suggested amendments to the Ad Hoc Committee and incorporated their directives in further updating the Code. The objectives of review of multiple Code included: alignment, where relevant, across Code governing Academic Affairs oversight of public degree-granting institutions, non-public degree-granting institutions, and non-degree institutions; alignment across long-standing and new mandates (examples of the latter including Illinois participation in the State Authorization Reciprocity Agreement and implementation of the Dual Credit Quality Act); recognition of changes in higher education, such as expansion of competency-based learning and growing importance of non-degree completion credentials; and updating fees structures to effectively support the work of the IBHE in the current era.

The Private Business and Vocational Schools Advisory Council, the Proprietary Advisory Committee, the Faculty Advisory Council, the public institutions’ Academic Leadership group, and members of the Federation of Independent Illinois Colleges and Universities were all consulted and provided opportunity to provide feedback. The Office of the Illinois Attorney General and staff of the Illinois Community College Board were given the opportunity to provide feedback.

The need for one change to 23 Ill. Adm. Code 1009 was identified:

- Alignment of faculty qualifications with 23 Ill. Adm. Code 1030 and 23 Ill. Adm. Code 1050.

Once approved by the Illinois Board of Higher Education, the proposed amendments to the rules will be submitted to the Secretary of State for publication in the Illinois Register. The Illinois Administrative Procedures Act specifies a three-step process for the proposal and adoption of administrative rules: (1) initial Board approval; (2) a publication and public notice period including a period for review by the staff and members of the legislative Joint Committee on Administrative Rules; and (3) final adoption by the Board. Final presentation is scheduled for the December 2017 Board meeting.

Attachment 1 provides the administrative rule with the proposed amendment to subsection (a)(2) in Section 1009.30.

Staff Recommendation

Staff recommends the adoption of the following resolution:

The Illinois Board of Higher Education hereby approves the proposed amendments to the rules for the Dual Credit Courses (23 Ill. Adm. Code 1009) as detailed in the attached document for publication in the Illinois Register.

ATTACHMENT 1

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1009
DUAL CREDIT COURSES

Section	
1009.10	Purpose
1009.20	Definitions
1009.30	Institution Approval Requirements
1009.40	Application for Approval
1009.50	Reporting Requirements
1009.60	Concurrent Credit
1009.70	Board Review
1009.80	Revocation of Authority

AUTHORITY: Implementing and authorized by the Dual Credit Quality Act [110 ILCS 27].

SOURCE: Adopted at 39 Ill. Reg. 14018, effective October 7, 2015; amended at 41 Ill. Reg. _____,

Section 1009.10 Purpose

- a) *The Board of Higher Education is to develop policies to permit multiple appropriate measures using differentiated assessment for granting eligibility for dual credit to students. The measures developed shall ensure that a student is prepared for any coursework in which the student enrolls. (Section 15 of the Act)*
- b) This Part does not apply to Illinois community colleges, which are subject to rules adopted by the Illinois Community College Board for dual credit course requirements (23 Ill. Adm. Code 1501.507(b)(11)).

Section 1009.20 Definitions

"Accredited" means holding institutional accreditation by name as a U.S. based institution from an accreditor recognized by the U.S. Department of Education.

"Act" means the Dual Credit Quality Act [110 ILCS 27].

"Board" or "BHE" means the Illinois Board of Higher Education.

"Dual Credit" means an instructional arrangement in which an academically qualified student currently enrolled in high school enrolls in a college-level course and, upon

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successful course completion, concurrently earns both college credit and high school credit.

"ICCB" means the Illinois Community College Board.

"Institution" means an institution of higher learning as defined in the Higher Education Student Assistance Act [110 ILCS 947]. (Section 5 of the Act)

"Operating Authority" means, for the purposes of this Part, approval from the Board authorizing an institution to operate in the State under the Private College Act [110 ILCS 1005] and the Academic Degree Act [110 ILCS 1010].

Section 1009.30 Institution Approval Requirements

- a) In order to be approved to offer dual credit courses in Illinois, an institution must maintain the following standards:
 - 1) State Laws and Regulations and Accreditation Standards
 - A) Institutions must have operating authority, in the Higher Education Region in which coursework will be offered, under BHE rules (23 Ill. Adm. Code 1030 (Program Review (Private Colleges and Universities)) for private colleges and universities and 23 Ill. Adm. Code 1050 (Approval of New Units of Instruction, Research and Public Service at Public Institutions) for public universities).
 - B) Institutions must provide evidence of accreditation by a body recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation.
 - C) Institutions must comply with all State laws, State agency regulations, accreditation standards, and institution policies that apply to courses and instructional procedures.
 - D) All academic standards at the college or university must apply to college-level courses offered by the institution on campus, at off-campus sites, and at secondary schools.
 - E) These policies, regulations, instructional procedures and academic standards apply to students, faculty and staff associated with these courses.
 - 2) Faculty

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- A) The instructors for these courses shall be selected, assigned and evaluated by the college or university. They shall be selected from individuals with appropriate credentials and demonstrated teaching competencies at the college level.
- i) For transfer courses, these qualifications include a minimum of a Master's degree with 18 graduate hours appropriate to the academic field or discipline in which they are teaching.
 - ii) For Career and Technical Education (CTE) courses, these qualifications include 2,000 hours of work experience and the appropriate recognizable credential depending on the specific field.
 - iii) Exceptions may be made for professional experience, equivalent training and other qualifications; however, these should be the exceptions and not the rule in meeting faculty qualification requirements. These exceptions for faculty may be reviewed by the Board staff.
- B) *Institutions shall provide high school instructors with an orientation in course curriculum, assessment methods, and administrative requirements before high school instructors are permitted to teach dual credit courses (Section 20 of the Act).*
- C) *Dual credit instructors must be given the opportunity to participate in all activities available to other adjunct faculty, including professional development, seminars, site visits, and internal communication, provided that such opportunities do not interfere with an instructor's regular teaching duties (Section 20 of the Act).*
- 3) Qualification of Students
- A) Students accepted for enrollment in college-level courses must have appropriate academic qualifications, a high level of motivation, and adequate time to devote to studying a college-level course.
 - B) Students shall select dual credit courses in consultation with high school counselors and/or principals and participation is restricted

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to those who are able to demonstrate readiness for college-level work, as determined by placement procedures consistent with those that would be used with college-level students at the offering institution of higher education.

- C) Students shall meet all college criteria and follow all college or university procedures for enrolling in courses.
- 4) **Placement Testing and Prerequisites**
High school students enrolling in college-level courses must satisfy course placement tests or course prerequisites established and administered by the college or university, when applicable, to ensure that they have the same qualifications and preparation as other college students.
- 5) **Course Offerings**
Institutions shall offer for dual credit only coursework that is also offered on campus. Courses must have been articulated with at least three regionally-accredited Illinois universities.
- 6) **Course Requirements**
 - A) The content of each dual credit course shall be the same as courses offered on campus and at other off-campus sites and shall contain the same content as the master course that has been articulated with coursework at Illinois institutions.
 - B) Course prerequisites, descriptions, outlines, requirements, learning outcomes and methods of evaluating students shall be the same as for on-campus offerings.
 - C) *Every dual credit course must be reviewed annually by faculty through the appropriate college or university department to ensure consistency with campus courses (Section 20 of the Act).*
- 7) **Publications and Information**
Higher education institutions offering dual credit courses must provide students with catalog information including: course descriptions, course prerequisites, enrollment and admissions processes, course costs, fail and repeatability policies, transcripts and records information, and information about situations in which earned credits will be accepted.
- 8) **Distance Education**

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- A) The institution must provide students, faculty and staff with effective technical support and training for any educational technology hardware, software and delivery system that will be used.
- B) The help desk function must be available to students during hours when it is likely to be needed, which shall be, at a minimum, 18 hours a day.
- C) Appropriate admissions processes, policies and assessments must be used to ensure that students are capable of succeeding in an online environment and that students are adequately informed of the nature and expectations of online learning.
- D) Appropriate measures of security systems must be maintained.
- E) Assessments of student learning, especially exams, must take place in circumstances that include student identification and assurance of the integrity of student work.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 1009.40 Application for Approval

- a) Prior to offering dual credit courses in Illinois, institutions must seek approval from BHE and provide evidence of compliance with the requirements outlined in this Part.
- b) Following receipt of an institutional application, Board staff will review the documentation submitted and make a determination on an institution's compliance with the Act and this Part.
- c) Following the staff's decision to approve or deny the application, a letter signifying the decision will be sent to the institution.
- d) A letter of approval will serve as official authorization for the institution to offer dual credit courses in Illinois.

Section 1009.50 Reporting Requirements

- a) *Each institution shall report annually to the Board of Higher Education. The reports shall include, but not be limited to, the following data:*
 - 1) *Number and description of dual credit courses.*

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- 2) *Faculty teaching dual credit courses and their academic credentials.*
 - 3) *Enrollments in dual credit courses.*
 - 4) *Sites of dual credit offerings. (Section 25(e) of the Act)*
- b) *The Board of Higher Education shall include information regarding student participation and performance in dual credit programs and their success in postsecondary education in a statewide longitudinal data system.*
- 1) *The data system shall track dual credit students and courses on student records.*
 - 2) *Analysis of data relating to student success in dual credit courses, as well as performance in postsecondary education, must be incorporated into the evaluation of dual credit programs in both high school and college (Section 30 of the Act).*

Section 1009.60 Concurrent Credit

The determination of whether a college course is offered for concurrent high school and college credit shall be made at the secondary level, according to the school's policies and practices of the district.

Section 1009.70 Board Review

The staff of the Board may conduct reviews and/or visitations of authorized institutions and high school partner sites as necessary for the implementation of the Act and this Part. Board staff may review all course offerings, in cooperation with institutional staff, to verify the institution's implementation and maintenance of the conditions that were presented in its applications and that formed the basis upon which the authorizations were granted.

Section 1009.80 Revocation of Authority

The staff of the Board may deny a continuation of initial approval if the institution:

- a) Has failed to permit any duly authorized representative of the Board to enter upon the premises of the institution and to inspect or otherwise examine the institutional records regarding dual credit offerings in Illinois;
- b) Has failed to maintain the conditions under which the institution was authorized;

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- c) Has a loss of accreditation with an accrediting body with which the institution is or was affiliated; or
- d) Has a memorandum, letter or report issued by 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.

