

ILLINOIS STUDENT ASSISTANCE COMMISSION

Education Agency

FY14 Headcount: Unknown

<http://www.isac.org/>

SUMMARY OF AGENCY OPERATIONS:

Illinois Student Assistance Commission (ISAC) acts as a centralized source of information and guidance that offers a comprehensive array of programs and services to make college accessible and affordable for Illinois students.

Internal Hiring:

Employment background information:

All ISAC staff are employees of the State of Illinois. Our employment practices are governed by the Statutes and Rules of the State Universities Civil Service System (SUCSS).

SUCSS oversees the personnel administration for the non-exempt employees at public higher education agencies and institutions pursuant to the State Universities Civil Service Act (110 ILCS 70).

(5 ILCS 430/5-5) (Personnel policies)

Each of the following shall adopt and implement personnel policies for all State employees under his, her, or its jurisdiction and control: (viii) the Board of Higher Education

110 ILCS 70/36b (2) (Creation)

The purpose of the University System is to establish a sound program of personnel administration for the Illinois Community College Board, State Community College of East St. Louis (abolished under Section 2-12.1 of the Public Community College Act), Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, University of Illinois, State Universities Civil Service System, State Universities Retirement System, the State Scholarship Commission, and the Board of Higher Education. All certificates, appointments and promotions to positions in these agencies and institutions shall be made solely on the basis of merit and fitness, to be ascertained by examination, except as specified in Section 36e.

100 ILCS 70/36b (3)

The State Universities Civil Service System hereby created shall be a separate entity of the State of Illinois and shall be under the control of a Board to be known as the University Civil Service Merit Board, and is hereinafter referred to as the Merit Board.

110 ILCS 70/36d (5) (Powers and duties of the Merit Board)

To prescribe standards of examination for each class, the examinations to be related to the duties of such class. The Merit Board shall have power to delegate to the Director and his staff the preparation, conduct and grading of examinations. Examinations may be written, oral, by statement of training and experience, in the form of tests of knowledge, skill, capacity, intellect,

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aptitude; or, by any other method, which in the judgment of the Merit Board is reasonable and practical for any particular classification. Different examining procedures may be determined for the examinations in different classifications but all examinations in the same classification shall be uniform.

110 ILCS 70/36d (6)

To authorize the continuous recruitment of personnel and to that end, to delegate to the Director and his staff the power and the duty to conduct open and continuous competitive examinations for all classifications of employment)

110 ILCS 70/36d (7)

To cause to be established from the results of examinations registers for each class of positions in the classified service of the State Universities Civil Service System, of the persons who shall attain the minimum mark fixed by the Merit Board for the examination; and such persons shall take rank upon the registers as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination.

110 ILCS 70/36d (12)

To appoint a Director and such assistants and other clerical and technical help as may be necessary efficiently to administer Sections 36b to 36q, inclusive. To authorize the Director to appoint an assistant resident at the place of employment of each employer specified in Section 36e and this assistant may be authorized to give examinations and to certify names from the regional registers provided in Section 36k.

110 ILCS 70/36e (Coverage)

All employees of the Illinois Community College Board, State Community College of East St. Louis (abolished under Section 2-12.1 of the Public Community College Act), Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, University of Illinois, State Universities Civil Service System, State Universities Retirement System, the State Scholarship Commission, and the Board of Higher Education, shall be covered by the University System described in Sections 36b to 36q, inclusive, of this Act, except the following persons:

1. The members and officers of the Merit Board and the board of trustees, and the commissioners of the institutions and agencies covered hereunder
2. The presidents and vice-presidents of each educational institution
3. Other principal administrative employees of each institution and agency as determined by the Merit Board
4. The teaching, research and extension faculties of each institution and agency
5. Students employed under rules prescribed by the Merit Board, without examination or certification

110 ILCS 70/36f (Examinations)

All examinations given under the University System shall be open to all applicants who are citizens of or residents in the State of Illinois and who can qualify by training and experience for the position for which application is made. In examinations for technical positions for which no qualified residents of this State are available the residence requirement may be waived. The

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examinations shall be practical and shall relate to the classification for which the examination is given. No question in any examination shall relate to political or religious affiliation or racial origins of the examinee.

110 ILCS 805/2-6 (5)

In accordance with the provisions of “An Act to create the State Universities Civil Service System,” approved May 11, 1905, as now or hereafter amended, the Board shall employ and fix the compensation of an executive officer and such employees as it deems necessary for the purposes of this Act.

Statutory Restrictions Applicable to Internal Hiring:

Agency positions subject to restrictions based on criminal history:

110 ILCS 70/36h (Appointment)

No person shall be appointed to any police department of any university or college covered by the University System unless he possesses a high school diploma or an equivalent high school education, and unless he is a person of good character and is not a person who has been convicted of a felony or a crime involving moral turpitude.

Restriction Type: Mandatory

Restriction Duration: Not mentioned in the above listed statute

110 ILCS 70/46

Any person who shall wilfully, or through culpable negligence, violate any of the provisions of this act, or any board member, examiner, agent or employee of the board, or any applicant, who shall wilfully, or through culpable negligence, violate any rule promulgated in accordance with the provisions thereof, shall be guilty of a Class B misdemeanor.

All prosecution for violations of this act shall be instituted and conducted by the State's Attorney of the county where the offense occurred. In the case of conviction under the provisions of this act, the office or position held by the person convicted shall become vacant.

Administrative Code, Title 80, Subtitle A, Chapter VI, Part 250, Section 250.50 Examinations

c. Rejection or Disqualification of Applicants.

The employer may reject any applicant, or, after examination, the Executive Director may refuse to certify any candidate who, in addition to requirements specified in Section 36f of the State Universities Civil Service Act [110 ILCS 70/36f] and subsection (b), fails to pass a physical examination given to determine his/her physical qualifications for employment, uses intoxicating beverages to excess, uses narcotics, has been dismissed from either private or public service for a cause detrimental to his/her employment by an employer under the University System, has maintained an unsatisfactory employment record, has practiced deception or fraud in his/her application, examination, or material pertaining to these, or has committed an offense that in the judgment of the Executive Director disqualifies him/her for employment.

Restriction Type: Discretionary

Restriction Duration: Not mentioned in the above listed administrative code

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Administrative Code, Title 80, Subtitle A, Chapter VI, Part 250, Section 250.60 Eligible Registers

Agency positions subject to restrictions based on criminal history

None

This agency is subject to personnel or non personnel code.

This is a non personnel code agency

Background Check Procedures:

(1) Self-disclosure on application

Yes, on the employment application and the applicant complete the CMS-284 (1/99) IL 401-0938

Policy/Procedure/System

Procedures 4.0

ISAC will obtain criminal background check results through the Illinois State Police or an approved vender. All costs associated with the background checks will be the responsibility of ISAC.

Procedures 4.1 (New Hires)

Applicants will be informed at the time of application that a criminal background check will be required. Applicants being considered for Community Worker or other outreach positions will be required to submit to fingerprinting and any additional testing as required by the local school district or schools to which they are assigned. An applicant can receive a conditional offer for hire, with the understanding that s/he will have to undergo a criminal check.

Procedures 4.1.1

Applicants will be expected to sign a Request for Release of Information Form and provide other relevant information to complete a criminal background investigation.

Procedures 4.1.2

An applicant's failure to disclose a criminal conviction on the employment application will be considered falsification of records. Such actions may be grounds for ISAC's refusal to consider the application and withdraw a job offer.

(2) background check review procedure

Procedures 4.3 Consequences if Criminal Conviction Revealed:

The existence of a conviction does not automatically disqualify an applicant or existing ISAC employee from hire, reassignment, or promotion. If the criminal background check reveals a conviction, the internal review committee (IRC) will review and determine the applicant's or employee's continued eligibility for hire, reassignment, or promotion through posting or desk audit (only if the latter is initiated by the employee).

The IRC will consider the following factors in determining whether an external applicant or current ISAC employee with a criminal conviction will qualify to be hired, reassigned, or promoted through posting or desk audit:

- Nature and gravity of the conviction

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- Relationship the conviction bears to the duties and responsibilities of the position
- Time elapsed since the conviction and/or incarceration
- Number of convictions

Current ISAC employees with prohibited criminal convictions may be subject to disciplinary action, up to and including dismissal or discharge. Decisions will be based upon a number of factors considered by the IRC, including (without limitation) the factors described above. In addition to those factors, the IRC will consider:

- Whether the conviction occurred during the employee's tenure with ISAC
- If the employee revealed the conviction on the original employment application
- If the employee disclosed the conviction on the Annual Criminal Background Check certification

Exemption, waiver, or review mechanisms

Procedures 4.4 Contesting the Background Check Results and IRC Decision

External applicants and current employees will be advised if the criminal background check reveals a conviction. External applicants who contest the results of background check must contact the external vendor to contest the results. Instructions on how to contest a criminal background check with the third-party who conducted the check will be provided to the applicant/employee.

Current ISCA employees may contest the eligibility determination of the IRC, by submitting a written letter of contest to the Deputy Executive Director within two (2) calendar days after being notified of the eligibility results. The Deputy Executive Director will review the contest letter and provide a final determination, in writing, within a reasonable time after receipt of such request, but no later than fourteen days(14) days. The final determination may indicate that additional time is necessary to review the applicant's or employee's written letter of appeal. In that case, the Deputy Executive Director will identify the estimated date s/he will deliver the final determination.

ISAC may place current ISAC employees on a paid administrative leave pending the final determination of the Deputy Executive Director.

Total number of people who underwent a background check

Not mentioned in the agency report

AGENCY occupational licensing restrictions based on criminal history:

None

EMPLOYMENT contracting restrictions based on criminal history:

None

SUMMARY OF EMPLOYMENT RESTRICTIONS FROM AGENCY REPORT:

Applicants can receive a conditional offer to hire based on criminal background checks, which ISAC obtains through the Illinois State Police. Current employees must annually certify whether or not they have been convicted with a misdemeanor or felony within the past year.

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The existence of a conviction is not an automatic disqualifier. The internal review committee (IRC) considers the nature and gravity of the conviction and its relationship to the person's duties and responsibilities, the number of convictions, and the time elapsed since the conviction/incarceration. Applicants and employees are given instructions on how to contest a criminal background check, and current employees can contest the IRC determination via written letter to the Deputy Executive Officer within two calendar days of being notified of the eligibility results.