

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY
CHAPTER I: CAPITAL DEVELOPMENT BOARD
SUBCHAPTER a: RULESPART 43
EARLY CHILDHOOD CONSTRUCTION GRANT RULES

Section

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AUTHORITY: Implementing and authorized by Section 5-300 of the School Construction Law [105 ILCS 230/5-300].

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Section 43.100 Definitions

As used in this Part, the following terms shall be defined as follows:

"Act" means Section 5-300 of the School Construction Law [105 ILCS 230/5-300].

"Board" means the Capital Development Board.

"Early Childhood Center" means a facility where a public school district or not-for-profit entity provides educational, health, social and/or child development services to young children, ages 0 to 5 years old, and their families as defined in the Illinois State Board of Education (SBE) Early Childhood Block Grant Program rules (23 Ill. Adm. Code 235).

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"Early Childhood Provider" means a public school district or not-for-profit entity that provides educational, health, social and/or child development services to young children, ages 0 to 5 years old, and their families, as defined in 23 Ill. Adm. Code 235.10 of the SBE Early Childhood Block Grant Program rules.

"Early Childhood Construction Grant" or "Grant" means the Early Childhood Construction Grant created by the Act.

"Early Childhood Construction Project" or "Project" means a project, other than a school construction project, school maintenance project, or school energy efficiency project as defined in Section 5-5 of the School Construction Law, intended to provide for the construction, addition or renovation of an early childhood center, but does not include ongoing operational costs. A project may involve renovation, equipping or expansion of an existing facility or construction or acquisition of a new facility.

"Equipment" means movable equipment, including all items of equipment, other than built-in equipment, necessary and appropriate for the functioning of a particular facility for its specific purpose, and that will be used solely or primarily for purposes related to the early childhood center. Further, equipment is defined as manufactured items that have an extended useful life, are not affixed to a building and are capable of being moved or relocated from room to room or building to building, are not consumed in use, and have an identity and function that will not be lost through incorporation into a more complex unit. The following guidelines should be applied in defining durable, movable equipment:

No commodities will be purchased from bond funds.

Office/household equipment and furniture will be bondable.

Machinery, implements and major tools will be bondable.

Scientific instruments and apparatus will be bondable with the exception of those items that are subject to short useful life, i.e., glassware, tubing, crockery, light bulbs, etc.

Library books, maps, and paintings are not bondable.

Livestock, for any use, is not bondable.

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Rolling stock, including cars, trucks and boats and related items are not bondable.

Spare and replacement parts are not bondable.

Transportation costs and installation costs incurred with an outside source will be considered as part of the equipment cost.

Computer hardware meeting the requirements of this definition is considered bondable.

"Not-for-profit Corporation" means a public charity with a legitimate corporate purpose and formal structure to fulfill its mission that is publicly accountable and exempt from certain federal corporate income taxes under IRC section 501(c)(3).

"Not-for-profit Entity" means an organization:

incorporated under State laws and approved by both the Illinois Secretary of State and the entity's taxing authority; and

operating for educational, charitable, social, religious, civic or humanitarian purposes.

Section 43.110 Eligible Applicants

- a) Eligible applicants for Early Childhood Construction Grants include any public school district or private not-for-profit entity with experience in providing educational, health, social and/or child development services to young children and their families.
- b) If an early childhood center is operated in or by a child care center subject to the licensure requirement of the Illinois Department of Children and Family Services (DCFS), then that child care center must hold the appropriate licensure in accordance with DCFS rules (see 89 Ill. Adm. Code 403 (Licensing Standards for Group Homes), 405 (Licensing Standards for Day Care Agencies), 406 (Licensing Standards for Day Care Homes), 407 (Licensing Standards for Day Care Centers) and 408 (Licensing Standards for Group Day Care Homes)).

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Section 43.120 Early Childhood Construction Project Grants Eligibility Requirements

Eligible applicants must meet the following criteria:

- a) Applicants must be willing to enter into a grant agreement with the Board that outlines the roles, responsibilities and obligations of each party;
- b) Applicants must demonstrate that the facility will be operational upon completion of the capital project, including funding and staffing;
- c) If applicants are requesting capital grant funds for a portion of the total project costs, applicants must demonstrate that they have or will be able to secure sufficient sources of funding for total costs associated with the entire project;
- d) Applicants must demonstrate that the proposed new or expanded center addresses the needs of underserved populations of young children in the community;
- e) Applicants must provide a narrative describing the proposed project, including the following components:
 - 1) General project description and rationale;
 - 2) New or expanded services/programs to be offered, the number of children to be served by each, and the number of new classrooms and the estimated date/year of completion;
 - 3) Site analysis;
 - 4) Funding sources and cost estimates;
 - 5) Time schedule of major events; and
 - 6) Impact, if any, on ability to meet licensing and/or accreditation standards;
- f) Applicants must provide a description of the population to be served. The description shall include:
 - 1) How the eligible population will be recruited;

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- 2) The geographic area to be served;
- 3) The estimated number of children and/or families to be enrolled;
- 4) Population of children to be served by new/expanded programs, including the ages and percentage of high-need children;
- 5) Staff to child ratios for new/expanded programs and, if applicable, proposed changes to current staff to child ratios; and
- 6) Other proposed program improvements and components.

Section 43.130 Award of Early Childhood Construction Project Grants

- a) Not-for-profit Applicants/Applicants that are not School Districts with Populations Exceeding 500,000
 - 1) The Board is authorized to make grants to public school districts and not-for-profit entities for early childhood construction projects. These grants shall be paid out of monies appropriated for that purpose. The grants shall be for the purpose of:
 - A) Constructing an addition onto an existing building;
 - B) New construction of a facility or renovations to an existing facility in order to create a new early childhood center;
 - C) Acquisition of facility;
 - D) Purchase or replacement of equipment;
 - E) Safety improvements; and
 - F) Classroom conversions.
 - 2) An applicant that submits a complete and accurate application that is in compliance with this Section and that indicates that the applicant has a qualifying project shall be awarded a grant for the approved project, provided that the available State funding is sufficient to fund the grant.

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- 3) If the available State funding for any fiscal year is insufficient to fund all approved projects, grants shall be awarded in a priority order until the available State funding is exhausted. Priority order permits the Board to give preference to *projects located in communities in the State with the greatest underserved population of young children, utilizing Census data and other reliable local early childhood service data* (Section 5-300(c) of the Act).
- b) Applicant School Districts with Populations Exceeding 500,000
A school district with a population exceeding 500,000 that submits a complete and accurate application in compliance with the Act and this Section shall be awarded a grant in the amount provided by the Act provided that State funding is sufficient to fund the grant.

Section 43.140 Use of Grant Monies

- a) A recipient of a grant under the Act and this Part may use the grant monies to do one or more of the following:
 - 1) Construction of an addition to an existing building;
 - 2) New construction of a facility or renovations to an existing facility in order to create a new early childhood center;
 - 3) Acquisition of a facility;
 - 4) Purchase or replacement of equipment;
 - 5) Safety improvements; and
 - 6) Classroom conversions.
- b) Grant funds shall not be used for the following:
 - 1) To offset existing debt;
 - 2) To supplant existing funds that support a service, program or activity for which grant support is requested;

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- 3) To fund expenses associated with the operations of the early childhood center;
- 4) To lease/rent space for occupancy;
- 5) To use for sectarian instruction, religious worship or a school or department of divinity; and
- 6) To use for the proportional share of joint use facilities that either provide personal residential space for those who are not students or provide space for business activities unrelated to the educational mission of the early childhood center.

Section 43.150 Evaluation Process

- a) The Board will review applications for eligibility and will notify those applicants that fail to meet eligibility requirements. This does not prohibit applicants from submitting future applications if funding is available.
- b) Applications will be reviewed based upon the following criteria:
 - 1) Documented need for the project with priority given to projects located in those communities in the State with the greatest underserved population of young children.
 - 2) Ability to successfully complete project objectives described in the grant application.
 - 3) Ability to implement and sustain the early childhood center's new operations upon completion of the capital project.
 - 4) Realistic budget and timeline for the completion of the project, including a detailed description of additional funds to be used toward the applicant's financial contribution and the readiness of the project to begin once the grant funds are awarded.

Section 43.160 Grant Award Process

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- a) Grants will be awarded by the Board.
- b) Grants shall be subject to the Illinois Grant Funds Recovery Act [30 ILCS 705]. Any grant funds not legally obligated within two years after disbursement by the State shall be returned to the Board within 45 days.
- c) Grant funds may only be used for the project described in the grant agreement. The applicant must provide matching funds in an amount equal to 10% of the grant amount. The grant amount shall not exceed more than 90% of the total project expenditures.
- d) Applicants may apply for up to \$5,000,000 per provider per application period and must demonstrate their ability to obtain balance of the funds required for the proposed project.
- e) Grant awards of \$250,000 or more are conditioned upon the recipient's written certification complying with the practices for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities of the Business Enterprise for Minorities, Females and Persons with Disabilities Act [30 ILCS 575] and the equal employment practices of Section 2-105 of the Illinois Human Rights Act [775 ILCS 5/2-105].
- f) Grants will be awarded based on the availability of funding within a given application period.
- g) *For grants awarded to not-for-profit corporations for the acquisition or construction of new facilities, the Board or any State agency it designates shall hold title to or place a lien on the facility for a period of 10 years after the date of the grant award, after which title to the facility shall be transferred to the not-for-profit corporation or the lien shall be removed, provided that the not-for-profit corporation has complied with the terms of its grant agreement. (Section 5-300(b-5) of the Act)*

Section 43.170 Reporting

- a) The grant recipient must submit a progress report to the Board. The Board may assist each grant recipient in meeting the goals and objectives stated in the original grant proposal submitted by the recipient, and may assist the grant recipient in ensuring that grant monies are being used for appropriate purposes,

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and that residents of the community are being served by the early childhood centers established with grant monies.

- b) For grants in excess of \$25,000, the grant recipient must submit quarterly reports to the Board describing the progress of the program, project or use and the related expenditure of the grant funds.

Section 43.180 Payment Schedules

Grant funds will be disbursed as agreed to in the Grant Agreement.