

LEGISLATIVE REPORT

Submitted for: Information.

Summary: This report updates the Board on General Assembly activity and gubernatorial action, including a summary of bills of particular interest to higher education.

Action Requested: None.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

LEGISLATIVE REPORT

**99th General Assembly
Spring 2016 Session
Summary of Legislation
Illinois Board of Higher Education**

APPOINTMENT MESSAGES

[Appointment Message 990222, Muñoz](#)

Appointment Confirmed

Nominates Alice Marie Jacobs to be a member of the Illinois Board of Higher Education.

[Appointment Message 990389, Muñoz](#)

Appointment Confirmed

Nominates Max Coffey to be a member of the Illinois Board of Higher Education.

[Appointment Message 990432, Muñoz](#)

Appointment Confirmed

Nominates Tom Cross to be a member and Chair of the Illinois Board of Higher Education.

[Appointment Message 990449, Muñoz](#)

Assigned to Executive Appointments

Nominates Kevin Huber to be a member and Chair of the Illinois Student Assistance Commission.

[Appointment Message 990452, Muñoz](#)

Assigned to Executive Appointments

Nominates Jack Thomas to be a member of the Illinois Board of Higher Education.

[Appointment Message 990464, Muñoz](#)

Assigned to Executive Appointments

Nominates John Bambenek to be a member of the Illinois Board of Higher Education.

[Appointment Message 990494, Muñoz](#)

Assigned to Executive Appointments

Nominates Jim Palos to be a member of the Illinois Board of Higher Education.

HOUSE BILLS

[House Bill 4330, Wheeler \(Martinez\)](#)

[Public Act 99-600](#)

Amends the School Code. For admissions purposes, requires each public university in this State to accept the State Seal of Biliteracy as equivalent to 2 years of foreign language coursework taken during high school if a student's high school transcript indicates that he or she will be receiving or has received the State Seal of Biliteracy. Provides that each public community college and public university in this State shall establish criteria to translate a State Seal of Biliteracy into course credit based on foreign language course equivalencies identified by the community college's or university's faculty and staff and, upon request from an enrolled student, the community college or university shall award foreign language course credit to a student who has received a State Seal of Biliteracy. Requires the State Board of Education's rules to ensure that the criteria that pupils must achieve to earn a State Seal of Biliteracy meet the course credit criteria. Requires students enrolled in a public community college or public university who have received a State Seal of Biliteracy to request course credit for their seal within 3 academic years after graduating from high school.

[House Bill 4627, Tryon \(Althoff\)](#)

[Public Act 99-806](#)

Amends various Acts relating to the governance of public universities in Illinois. Requires the governing board of each public university to establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. Allows the university to request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester. Effective immediately.

[House Bill 5561, McSweeney \(Connelly\)](#)

[Public Act 99-611](#)

Amends the Public Community College Act. Creates the Accelerate College pilot program. Authorizes a community college district board of trustees to enter into an Accelerate College educational partnership agreement with any school district wholly contained within the community college district's jurisdiction. Provides that an agreement must offer a group of high school students the right to take community college courses without paying tuition for those courses. Provides for the size of the program. Allows community colleges to charge fees limited to the actual operating costs and related student activities. Provides that any coursework completed by high school students in a community college shall be transferrable to all public universities in this State on the same basis as coursework completed by community college students who have previously earned high school diplomas. Requires the Illinois Community College Board to study the effectiveness of the program and to issue an annual report. Repeals the provisions 36 months after the effective date of the amendatory Act. Amends the School Code to make conforming changes. Effective immediately.

[House Bill 5566, Sims \(Trotter\)](#)

[Public Act 99-643](#)

Amends the School Code. Provides that the chairperson of the Illinois P-20 Council may authorize the creation of a working group to focus on tuition, financial aid, and other issues related to keeping postsecondary education affordable for Illinois residents.

[House Bill 5729, K. Burke \(Biss\)](#)

[Public Act 99-674](#)

Creates the Postsecondary and Workforce Readiness Act. Sets forth requirements concerning postsecondary career expectations; a competency-based, high school graduation requirements pilot program; transitional mathematics courses; reading and communication transitional competencies; College and Career Pathway Endorsements program; and administrative rules.

[House Bill 5894, Hammond \(Barickman\)](#)

[Public Act 99-650](#)

Amends the Adult Education Act with respect to Area Planning Councils. Makes changes concerning membership on an Area Planning Council, the election of officers and the development of bylaws, the chairperson of the Council, and the designation of sub-areas within a Council district. Requires the Illinois Community College Board to determine the guidelines for the bylaws and operation of a Council. Removes provisions concerning joint Councils and Councils for school districts not included within the boundaries of a community college district. Makes changes concerning an Area Adult Education Plan and the Board's annual report to the Governor and the General Assembly for adult education. Effective immediately.

[House Bill 5901, Guzzardi \(Martinez\)](#)

[Public Act 99-590](#)

Amends the School Code. Provides that, before the 30th day of each school year, beginning with the 2016-2017 school year, every school district shall report to the State Board of Education certain information concerning the administration of assessments to students. Requires the State Board of Education to compile the reported information and make that information available to the public. Requires each school to make that information publicly available to the parents and guardians of its students. Requires the reporting of every reliable assessment that measures a certain group or subset of students in the same manner with the same potential assessment items, is scored by a non-district entity, is administered either statewide or beyond Illinois, and will be administered by each school that school year. Effective January 1, 2016.

[House Bill 5938, Frese \(Althoff\)](#)

[Public Act 99-813](#)

Amends the Veterans' Home Nurses' Loan Repayment Act. Renames the Act as the Veterans' Home Medical Providers' Loan Repayment Act. Renames the Nurse Loan Repayment Program as the Medical Providers Loan Repayment Program. Requires that the program provide assistance, subject to appropriation, to eligible physicians and nurses (rather than only nurses). Provides that an applicant is eligible for a grant under the program if the Illinois Student Assistance Commission finds that the applicant is working as a physician, certified nurse practitioner, registered professional nurse, or certified nursing assistant. Makes related changes. Effective immediately.

[House Bill 6009, Hays \(McGuire\)](#)

[Public Act 99-655](#)

Amends the State Finance Act, the Board of Higher Education Act, and the Public Community College Act. Provides for the Board of Higher Education's master plan for community colleges to be made in cooperation with the Illinois Community College Board (ICCB). Provides that community college performance metrics must be adopted by ICCB by rule. Removes the need for approval from the Board of Higher Education or for ICCB approval with respect to certain community college provisions. Removes provisions requiring uniform financial accounting and reporting standards and principles for community colleges and requiring ICCB to file copies of uniform financial statements from audit reports with the Board of Higher Education. Requires a community college district to report administrator and faculty salaries and benefits to ICCB instead of the Board of Higher Education. Repeals Sections concerning a State university and college information system, an annual community college education study and report, the Academic Improvement Trust Fund for Community College Foundations, adverse court decision grants, State Community College District No. 601, and a mobile response workforce training pilot program. Removes language requiring the Executive Director of the Illinois Community College Board to approve projects and estimated amounts with respect to levying a tax to alter or repair community college facilities. Removes language requiring the Board to approve the project and estimated amount to borrow money for certain alterations or repairs to community college facilities. Provides that the Board shall set through administrative rule (rather than shall prepare and enforce) regulations and specifications for minimum requirements for certain renovations to community college property. Effective July 1, 2016.

[House Bill 6302, Durkin \(McConchie\)](#)

[Public Act 99-842](#)

Amends the Illinois Prepaid Tuition Act. Changes the definition of "eligible institution" to mean an eligible educational institution as defined in Section 529 of the federal Internal Revenue Code of 1986 and any regulations thereunder (instead of an institution of higher learning, as defined in the Higher Education Student Assistance Act, whose students are eligible to receive benefits under Section 529(a) of the Internal Revenue Code of 1986, as specified by the federal Small Business Act of 1996 and subsequent amendments to this federal law). Effective immediately.

SENATE BILLS

[Senate Bill 232, Morrison \(Andrade\)](#)

[Public Act 99-845](#)

Amends the Public Community College Act. With respect to grants to community colleges, provides that students shall be classified as residents of the community college district without meeting the 30-day residency requirement of the district if they are currently residing in the district and are youth (i) who are currently under the legal guardianship of the Illinois Department of Children and Family Services or have recently been emancipated from the Department and (ii) who had previously met the 30-day residency requirement of the district but who had a placement change into a new community college district. Requires the student, a caseworker or other personnel of the Department, or the student's attorney or guardian ad litem appointed under the Juvenile Court Act of 1987 to provide the district with proof of current in-district residency.

[Senate Bill 579, Martinez \(Hernandez\)](#)

[Public Act 99-734](#)

Amends various Acts related to the governance of public universities in Illinois. Provides that the student members of the Boards of Trustees shall not be deemed to have a direct conflict of interest

in and may vote on any item involving the employment or compensation of the Chancellor at any campus or President of the University or the election of officers. Effective immediately.

[Senate Bill 2155, Cunningham \(K. Burke\)](#)

[Public Act 99-691](#)

Amends the Public Community College Act. In the section regarding recognition, provides that recognition shall include a review of compliance with applicable State and federal laws regarding employment contracts and compensation. Provides that the Illinois Community College Board shall convene an advisory committee to review the findings and make recommendations for changes or additions to the laws or review procedures. Makes a technical change.

[Senate Bill 2156, Cunningham \(K. Burke\)](#)

[Public Act 99-897](#)

Amends the State Universities Article of the Illinois Pension Code. Provides that a participant may establish creditable service and earnings credit for periods of furlough (or voluntary reduction in pay taken in lieu of furlough) beginning on or after July 1, 2015 and ending on or before June 30, 2017 by paying, on an after-tax basis, specified employee and employer contributions, plus interest. In the provision requiring employers to make an additional contribution to the System under certain circumstances when an employee receives an increase in annual earnings exceeding 6%, provides that when assessing payment, the System shall include earnings that would have been paid to a participant had the participant not taken periods of voluntary or involuntary furlough (or voluntary reduction in pay taken in lieu of furlough) on or after July 1, 2015 and on or before June 30, 2017. Requires the employer to report such earnings in a manner prescribed by the System. Also requires the System to provide advance notice to a participant in the self-managed plan of the participant's obligation to direct the investment of employee and employer contributions into one or more investment funds selected by the System at the time he or she makes his or her initial retirement plan selection. Provides that if a participant in the self-managed plan fails to direct the investment of employee and employer contributions into the various investment options offered to the participant when making his or her initial retirement election choice, the System shall invest the employee and employer contributions in a default investment fund on behalf of the participant, and the investment shall be deemed to have been made at the participant's investment direction. Provides that the participant has the right to transfer account balances out of the default investment fund during time periods designated by the System.

[Senate Bill 2157, Cunningham \(K. Burke\)](#)

[Public Act 99-692](#)

Amends the Public Community College Act. Requires every voting member of a board of trustees (to which the provisions apply) to complete a minimum of 4 hours of professional development leadership training covering topics that include, but are not limited to, open meetings law, community college and labor law, freedom of information law, contract law, ethics, sexual violence on campus, financial oversight and accountability, audits, and fiduciary responsibilities of a community college trustee during the first, third, and fifth year of his or her term. Provides that the community college district shall maintain on its Internet website, if any, the names of all elected or appointed voting trustees of the board who have not successfully completed the training, as well as those who have completed the required training. Requires a board member to certify completion of the training to the secretary of the board. Provides that if a board member does not satisfy all of the requirements or the certification indicates that a board member has not completed the training, the secretary shall send a notice to all elected or appointed members serving on the board and the president or acting chief executive officer of the community college of that fact.

[Senate Bill 2158, Cunningham \(K. Burke\)](#)

[Public Act 99-693](#)

Amends the Public Community College Act. Provides that beginning 45 days prior to the Tuesday following the first Monday of April in odd-numbered years until the first organizational meeting of the new board, no addendum to modify or amend an employee agreement between a community college district and the district's president, chancellor, or chief executive officer may be agreed to or executed; makes a related change. Provides that if the current board must take such action at any time during the 45 days prior to the Tuesday following the first Monday of April in odd-numbered years until the first organizational meeting of the new board due to a reasonable emergency, then that action shall be terminated on the 60th day after the first organizational meeting, unless the new board reaffirms the agreed-upon addendum or new employment contract.

[Senate Bill 2159, Cunningham \(K. Burke\)](#)

[Public Act 99-694](#)

Amends various Acts relating to the governance of public universities in Illinois and the Public Community College Act. Sets forth provisions governing employment contracts of the president or all chancellors (rather than all employments contracts) entered into, amended, renewed, or extended after the effective date of this amendatory Act. With respect to employment contracts entered into with the president or all chancellors of a public university, sets forth provisions concerning severance, start and end date, and automatic rollover clauses. Provides that public notice given prior to action on the formation, renewal, extension, or termination of employment contracts must be compliant with the provisions of the Open Meetings Act and must include a copy of the governing board item or other documentation providing, at a minimum, a description of the proposed principal financial components of the president's or all chancellors' appointments. Provides that any performance-based bonus or incentive-based compensation to the president or all chancellors of the university or community college must be approved by the governing board in an open meeting. With respect to public community colleges, removes provisions concerning limitations of employment contracts entered into, amended, renewed, or extended after the effective date of this amendatory Act. Provides that severance payments or contract buyouts may not occur if there are pending criminal charges against the president or chancellors of the community college related to their employment. Provides that the criteria and goals upon which the bonus or incentive-based compensation for a president or all chancellors of a community college is based must be made available to the public no less than 48 hours before board approval of the performance-based bonus or incentive-based compensation. Provides that severance payments or contract buyouts may be placed in an escrow account (rather than may not occur) if there are pending criminal charges against the president or chancellors. Makes related changes.

[Senate Bill 2174, Cunningham \(Breen\)](#)

[Public Act 99-695](#)

Amends the Board of Higher Education Act. Provides that the Board of Higher Education shall require every voting member of the governing board of a public university appointed for a term beginning after January 1, 2016 to complete a minimum of 4 hours of professional development leadership training. Provides that a public university shall maintain on its Internet website the names of all voting members of the governing board who have successfully completed the training. Provides that after the effective date of this amendatory Act, by July 31 of each year, the chairperson of each governing board shall certify to the Board the number of hours of training that each member received during the preceding fiscal year. Sets forth provisions providing for if a board member has not completed the training. Provides that the training may be provided by the Board or by other qualified providers approved by the Board. Provides that the professional development leadership training shall include certain topics.

[Senate Bill 2204, Martinez \(Hernandez\)](#)

[Governor Vetoed](#)

Amends the University of Illinois Trustees Act. With respect to student members of the Board of Trustees, provides that any one of certain factors (instead of all of those factors) shall positively demonstrate residency in this State for the purposes of the residency requirement for student trustees and candidates for student trustee. Effective January 1, 2016.

[Senate Bill 2440, Bertino-Tarrant \(Pritchard\)](#)

[Public Act 99-623](#)

Amends the Educator Licensure Article of the School Code. Allows for a principal endorsement to be affixed to a Professional Educator License if a person has, among other qualifications, at least 4 total years of experience working in the capacity of school support personnel until June 30, 2021. Effective immediately.

[Senate Bill 2505, Steans \(Ammons\)](#)

[Public Act 99-624](#)

Amends the College and Career Success for All Students Act. Provides that scores of 4 or higher for International Baccalaureate Diploma Programme subjects shall be accepted for credit to satisfy degree requirements by all public institutions of higher education. Provides that each institution shall determine for each International Baccalaureate Diploma Programme subject whether credit will be granted for electives, general education requirements, or major requirements and the International Baccalaureate Diploma Programme subject scores required to grant credit for those purposes. Provides that the Board of Higher Education, in cooperation with the Illinois Community College Board, shall analyze each institution's Advanced Placement examination and International Baccalaureate Diploma Programme subject score course granting policy and research by the conclusion of the 2020-2021 academic year (instead of requiring the Board of Higher Education, in cooperation with the Illinois Community College Board, to analyze each institution's Advanced Placement examination score course granting policy and research by the conclusion of the 2019-2020 academic year). Provides for publication of the policy before the beginning of the 2017-2018 (instead of 2016-2017) academic year. Effective immediately.

[Senate Bill 2743, Harmon \(D. Burke\)](#)

[Public Act 99-705](#)

Amends the Private Business and Vocational Schools Act of 2012. Provides that a school or program within a school that exclusively provides yoga instruction, yoga teacher training, or both is not considered to be a private business and vocational school.

[Senate Bill 2824, McGuire \(Hoffman\)](#)

[Public Act 99-795](#)

Amends the Liquor Control Act of 1934. Provides that alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Southern Illinois University for events that the Board may determine are public events and not student-related activities. Provides that the Board of Trustees shall issue a written policy within 6 months after the effective date of the amendatory Act concerning the types of events that would be eligible for an exemption. Provides that the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. Specifies factors that the Board of Trustees shall, in addition to other factors it considers relevant and important, consider in forming its written policy. Provides that the provisions of the Act prohibiting the possession of alcoholic liquor by and the dispensing of alcoholic liquor to a person under 21 years of age do not apply in the case of a student under 21 years of age, but 18 years of age or older, who is participating in a fermentation science degree

program and meets certain other requirements. Adds a nonacceleration provision. Effective immediately.

[Senate Bill 2839, Silverstein \(Fine\)](#)

[Public Act 99-741](#)

Amends the Preventing Sexual Violence in Higher Education Act. Provides that sanctions for violation of a higher education institution's comprehensive policy may include, but are not limited to, suspension, expulsion, or removal of the student found, after complaint resolution procedures, to be in violation of the comprehensive policy. Effective immediately.

[Senate Bill 2840, Silverstein \(Franks\)](#)

[Public Act 99-742](#)

Amends the School Code. With respect to the High School Equivalency Testing Program, requires the regional superintendent of schools or the Illinois Community College Board to waive the required fees for certain applicants who qualify as homeless.

[Senate Bill 2960, Muñoz \(Kifowit\)](#)

Referred to House Rules Committee

Creates the Educational Credit for Military Experience Act. Provides that before June 1, 2017, each institution of higher education shall adopt a policy to award academic credit for military training applicable to the student's certificate or degree requirements. Requires the policy to apply to any individual who is enrolled in the institution of higher education and who has completed a military training course that meets certain requirements. Provides that institutions of higher education shall develop procedures for evaluating courses and awarding credit. Requires institutions of higher education to submit their policies for awarding credit to the Board of Higher Education and the Illinois Community College Board for review before June 30, 2017, and before June 30 of every other year thereafter. Requires the Board of Higher Education to collect data in the Illinois Higher Education Information System on students who are veterans or have military service to assess enrollment and completions outcomes. Provides that each institution of higher education shall adopt a policy regarding its awarding of academic credit (rather than shall adopt a policy to award academic credit) for military training considered applicable to the requirements of the student's certificate or degree program (rather than for military training applicable to the student's certificate or degree requirements).

[Senate Bill 3023, McGuire \(K. Burke\)](#)

Referred to House Rules Committee

Amends the Higher Education Cooperation Act. Makes changes to the definition of "nonpublic institution of higher education". Defines other terms. Provides that the purpose of the Act is to promote interinstitutional cooperation and public-private partnerships in order to leverage the use of public and private resources to provide workforce-valuable postsecondary education to improve outcomes for the higher educational system in this State. Permits a public institution of higher education to participate in the establishment and operation of programs of interinstitutional cooperation with private partners. Allows public institutions of higher education to participate in programs of interinstitutional cooperation or public-private partnerships that involve institutions or private partners based outside this State (instead of allowing public institutions of higher education to participate in interinstitutional programs that involve institutions based outside this State). Provides that the program of financial assistance is available to public-private partnerships; makes related changes. Provides that the Board of Higher Education may require the contribution of matching resources. Provides for the recognition of a not-for-profit corporation organized to administer a program of interinstitutional cooperation of higher education or public-private

partnership (instead of the recognition of a not-for-profit corporation organized to administer an interinstitutional program of higher education). Effective July 1, 2016.

[Senate Bill 3301, Rose \(Fortner\)](#)

[Public Act 99-636](#)

Creates the Illinois Articulation Initiative Act. Requires all public institutions of higher education to participate in the Illinois Articulation Initiative through submission and review of their courses for statewide transfer consistency. Requires (i) all courses approved for Illinois Articulation Initiative General Education Codes must be transferable as a part of the General Education Core Curriculum package; (ii) all institutions to maintain up to 4 core courses in an Illinois Articulation Initiative major, provided the institution has equivalent majors and courses; and (iii) all institutions to provide faculty, as appointed by the Board of Higher Education and the Illinois Community College Board, to serve on panels in the review of courses. Provides that all courses approved for Illinois Articulation Initiative codes must be directly transferable as a part of the General Education Core Curriculum package. Provides that students receiving the General Education Core Curriculum package must not be required to take additional freshmen or sophomore level general education courses. Sets forth the duties of the Board of Higher Education and the Illinois Community College Board. Makes other changes.

HOUSE APPROPRIATIONS BILLS

[House Bill 4167, Madigan \(Cullerton\)](#)

Governor Vetoed

Makes an appropriation to the Illinois Student Assistance Commission for grant awards to students eligible for the Monetary Award Program and agency administrative and operational costs. Provides that the appropriation authority granted in the Act is valid for costs incurred before September 1, 2016. Effective immediately.

[House Bill 6585, Durkin](#)

Referred to House Rules Committee

Makes appropriations for Fiscal Year 2016 and 2017. Makes appropriations for Fiscal Year 2016 and 2017. This includes \$600 million level of funding for higher education operations for both fiscal years at public universities and community colleges, full funding for adult education, and an appropriation for a full year's funding for the University Center of Lake County, as well as lump sum operating funds for IBHE, ICCB, and ISAC.

SENATE APPROPRIATIONS BILLS

[Senate Bill 1810, Trotter \(Currie\)](#)

[Public Act 99-523](#)

Creates the FY2017 Stopgap Budget Implementation Act. Provides that the purpose of the Act is to make the changes in State programs that are necessary to implement the Governor's FY2017 stopgap budget recommendations. Effective immediately.

[Senate Bill 2043, Cullerton \(K. Burke\)](#)

Total Veto Stands

Makes an appropriation to the Illinois Student Assistance Commission for grant awards to students eligible for the Monetary Award Program and for agency administrative and operational costs not to exceed 2% of the total appropriation. Makes appropriations to the Illinois Community College Board for: distribution of base operating and equalization grants to qualifying public community colleges and the City Colleges of Chicago for educational related expenses; career and technical

education activities; and adult education and literacy activities. Provides that the appropriation authority is valid only for costs incurred from July 1, 2015 through June 30, 2016. Effective immediately.

[Senate Bill 2046, Cullerton \(Currie\)](#)

Total Veto Stands

Makes appropriations and reappropriations to various State agencies and educational institutions for specified purposes. Provides that all appropriation authority granted in the Act shall be used only for costs for services for which spending authority has not been authorized for fiscal year 2016 by any order of any court. Provides that the appropriation authority granted in the Act shall be valid for costs incurred prior to July 1, 2016. Effective immediately.

[Senate Bill 2047, Trotter \(Currie\)](#)

Public Act 99-524

Makes appropriations for Fiscal Year 2016 and 2017. Appropriates almost \$1 billion for the first six months of FY17 to higher education institutions and agencies, which may be used to pay down FY16 expenses. Also, appropriates \$190 million to the State University Retirement System. Makes capital reappropriations for higher education in the amount of \$184 million. Effective immediately with certain provisions subject to specified conditions.

[Senate Bill 2059, Cullerton \(Currie\)](#)

Public Act 99-502

Appropriates \$600 million to: universities for specified purposes; the Illinois Community College Board for grants to community colleges; the Illinois Mathematics and Science Academy for ordinary and contingent expenses; and the Illinois Student Assistance Commission for grant awards to students eligible for the Monetary Award Program and agency administrative and operational costs. Provides that the appropriation authority is valid only for costs incurred before September 1, 2016. Effective immediately.

[Senate Bill 3435, Radogno](#)

Referred to Senate Assignments

Makes appropriations for Fiscal Year 2016 and 2017. This includes \$600 million level of funding for higher education operations for both fiscal years at public universities and community colleges, full funding for adult education, and an appropriation for a full year's funding for the University Center of Lake County, as well as lump sum operating funds for IBHE, ICCB, and ISAC.