

**96<sup>th</sup> GENERAL ASSEMBLY  
LEGISLATIVE REPORT**

**Submitted for:** Information.

**Summary:** This report updates the Board on the General Assembly's activity. The report includes a summary of bills of particular interest to higher education.

**Action Requested:** None.



STATE OF ILLINOIS  
ILLINOIS BOARD OF HIGHER EDUCATION

**96<sup>TH</sup> GENERAL ASSEMBLY**  
**LEGISLATIVE REPORT**  
**2010 LEGISLATIVE SESSION**

The General Assembly completed its spring legislative session May 27<sup>th</sup> after approving a budget that is admittedly out of balance with no clear or explicit way to scale a *multibillion* dollar mountain of unpaid bills. The Senate, which raised the mountaintop even further into thin air by failing to pass a \$4 billion pension borrowing plan, may return to Springfield in coming weeks if leaders can muster the three-fifths majority needed to enact the borrowing bill.

The budget bill, House Bill 859, maintains appropriations for public universities and community colleges in fiscal 2011 at the FY10 level by replacing \$94 million in federal stimulus funding with General Revenue Fund (GRF) dollars. However, it is important to note that colleges and universities are still owed nearly \$700 million in FY 10 appropriations, diminishing somewhat the enthusiasm for the new budget.

The budget bill also appropriates all grant funding for the Illinois Board of Higher Education (IBHE), the Illinois Community College Board (ICCB), and the Illinois Student Assistance Commission (ISAC) in lump sums, at fiscal 2010 levels. The one exception is the \$24.1 million allocated to ICCB for adult and career and technical education programs, a decrease of almost half the funding this fiscal year. If the cut is not restored through discretionary funds controlled by the Governor – as happened this year – many adult ed and career/technical ed programs will shrivel and federal funds will be jeopardized. The budget bill makes five percent cuts to all state agencies.

The budget gives the Governor \$1.2 billion to distribute as he sees fit and another \$2.2 billion targeted to human service programs. In addition, the legislature gave Governor Quinn vast authority to order state agencies, boards and commissions, and college and universities to set aside contingency reserves from their appropriations through the Emergency Budget Act (Senate Bill 3660).

Despite the ongoing instability of the state's fiscal health and the FY11 budget, legislators passed a number of important bills affecting higher education.

The most significant education legislation passed in the spring session was Senate Bill 226 (Sen. Deanna Demuzio/Rep. Mike Smith), which reforms the process for recruiting, training, and certifying K-12 school leaders. The legislation, which has been signed by the Governor, is the result of a report, *School Leader Preparation: A Blueprint for Change*, produced by the Board's Commission on School Leader Preparation in 2006. It creates a new and separate principal endorsement that emphasizes the unique preparation necessary to become an instructional leader of schools. and requires colleges and universities to redesign their principal preparation programs to strengthen recruitment, raise rigor and standards for training, and emphasize the role of the principal as a school's instructional leader, not just its building manager. The school leader act

also will be an important component in the consideration of Illinois' application for the second round of funding through the federal Race to the Top initiative.

Governor Quinn also has signed SB 642 (Sen. William Haine/Rep. John Bradley), which allows public universities to borrow funds to meet payroll and other operational needs, using tuition revenue and anticipated state appropriations as collateral. And the Governor signed House Bill 2615 (Sen. Gary Forby/Rep. John Bradley) to double the amount community colleges can borrow to help with cash flow issues. Colleges also will be able to open lines of credit, a new authority contained in the legislation.

The *Illinois Public Agenda for College and Career Success* had a good session, especially accounting for the state's grim fiscal outlook.

- Senate Joint Resolution 88 (Sen. Ed Maloney/Rep. Fred Crespo) passed both the Senate and House unanimously. The resolution directs IBHE to establish a Higher Education Finance Study Commission, comprised of four legislators and seven members appointed by the Board. The idea for the commission stems from a recommendation in Goal 2 of the *Illinois Public Agenda for College and Career Success*, and relates to suggestions presented at the College Affordability Summit.
- SB 3705 (Sen. Maloney/Rep. Keith Farnham) expands the College and Career Readiness (CCR) pilot project to additional community colleges. The CCR program, administered by the Illinois Community College Board, is designed to reduce or avoid the need for remedial coursework once the students enter college. The program was an important feature of the State's Race to the Top application for federal grant funds, and is embedded in Goal 1 of the *Illinois Public Agenda* as a measure to eliminate the achievement gap.
- SB 3699 (Sen. Michael Bond/Rep. Smith) addresses a need identified in the *Illinois Public Agenda*. It would establish a grant program to incentivize completion of associate degree programs and transfer to a baccalaureate institution. It is subject to appropriation, and no funding is contained in the state budget.

Other legislation affecting IBHE and the higher education community include:

- SB 2487 (Sen. James DeLeo/Rep. Barbara Flynn Currie) transfers administration of the Grow Your Own Teacher Education Act from the Illinois State Board of Education to IBHE.
- SB 3222 (Sen. Martin Sandoval/Rep. Dan Burke) would standardize practices at public universities for tuition increases for students whose studies extend beyond the four-year tuition guarantee. Under the bill, students in their fifth and sixth year of studies would be charged the tuition rate of the class immediately behind them, rather than experiencing the significant bump in tuition if they had to pay the prevailing rate for newly entering students.
- SB 3249 (Sen. Sandoval/Rep. Will Burns) requires compliance with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act (minority set-asides) for capital projects in excess of \$250,000. Public institutions already comply with

- HB 4644 (Rep. Raymond Poe/Sen. Larry Bomke) amends the State Universities Article of the Illinois Pension Code and allows a participant to establish creditable service and earnings credit for periods of furloughs beginning July 1, 2009 through June 30, 2011.
- HB 4984 (Rep. Smith/Sen. David Koehler) allows ISBE to expedite approval of private vocational schools if they are accredited by an accrediting agency recognized by the U.S. Department of Education. This is an interim measure, while ISBE, IBHE, and ICCB determine a process for approval of postsecondary certificate granting schools.
- HR 918 (Rep. Bob Pritchard) directs IBHE to create the Blue Ribbon Committee on Higher Education Mandates. The committee will rely heavily on previous work undertaken by the Board's Priorities, Productivity, and Accountability (PPA) initiative.
- HR 919 (Reps. Pritchard and Chapin Rose) directs IBHE to establish a commission to study the Illinois Procurement Code so that purchases by public universities can be completed more efficiently. A report to the General Assembly is due by September.
- P.A. 96-889, SB 1946 (Senate President John Cullerton/Speaker Michael Madigan) makes significant changes in the state pension systems for long-term savings for the state budget. It establishes a two-tier retirement system, with one set of benefits for current employees and a second set for employees hired as of January 1, 2011.
- SB 387 (Sen. Iris Martinez/Rep. Maria Berrios) requires each executive branch constitutional officer, each State institution of higher education, each public community college, and the Illinois Toll Highway Authority to annually report to the General Assembly on its activities, programs, and progress in hiring and promoting Hispanics and bilingual persons.

**LEGISLATIVE REPORT  
BILL SUMMARIES**

**96<sup>TH</sup> GENERAL ASSEMBLY  
2010 LEGISLATIVE SESSION**

**Affordability**

**House Bill 6206 (amended), McCarthy  
(Crotty)**

**Sent to the Governor**

Amends the Illinois Prepaid Tuition Act. Removes language defining “eligible institution” to include an institution not located in this State. Provides that institutional eligibility for out-of-state colleges and universities shall be determined by the Illinois Student Assistance Commission. Effective July 1, 2010.

**Senate Bill 365 (amended), Cullerton(Flider)**

**Placed Calendar Total Veto**

Amends the School Code. Numerous changes to the the General Assembly Scholarship program, relating to campaign contributions and awarding fo scholarships. Effective immediately.

**Senate Bill 1698 (amended), Kotowski  
(Hamos)**

**Public Act 96-0880**

Creates the Task Force on Higher Education Private Student Loans Act. Governor’s amendatory veto redefines selection of chairman and representatives from state agencies.

**Senate Bill 3222 (amended), Sandoval  
(Burke)**

**Sent to the Governor**

Standardizes practices at public universities for tuition increases for students whose studies extend beyond the four-year tuition guarantee. Students in their fifth and sixth year of studies would be charged the tuition rate of the class immediately behind them.

**Senate Bill 3699 (amended), Bond (Smith)**

**Sent to the Governor**

Creates the Community College Transfer Grant Program Act to provide financial assistance to eligible students who have received an associate's degree at a public community college and who have financial need to attend public or private baccalaureate institutions.

**Budget and Appropriations**

**House Bill 859 (amended), Currie (Trotter)**

**Passed Both Houses**

Fiscal 2011 budget act. Maintains appropriations for public universities and community colleges at FY10 level by replacing \$94 million in federal stimulus funding with General Revenue dollars. Appropriates all grant funding for IBHE, ICCB, and ISAC in lump sums at FY10 levels with exception of Adult Education and Career and Technical Education, which is cut in half.

**Senate Bill 2548, Demuzio (Black)**

**Public Act 96-0911**

Requires the Illinois Community College Board (ICCB) submit monthly, rather than quarterly, vouchers to the State Comptroller for base operating grants and equalization grants.

**Senate Bill 3045, Maloney (Joyce)**

**Sent to the Governor**

Raises from \$15,000 to \$100,000 the limit for fund transfers for the Illinois Mathematics and Science Academy.

**House Bill 5571 (amended), Osmond (Righter)**

**Passed Both Houses**

Provides that for 2 years no state agency or grantee may expend General Revenue Fund dollars for promotional calendars, pens, buttons, pins, magnets, and similar items. Exempts contracts entered into before the effective date of the act.

**House Resolution 920 (amended), Bost**

**Resolution Adopted**

Directs the Board of Higher Education to study the feasibility of developing a 2-year budgeting cycle for public institutions of higher education.

**Senate Bill 642 (amended), Haine (Bradley)**

**Public Act 96-0909**

Permits public universities to borrow money, in anticipation of receiving tuition, payments from the State, or other revenues, provided that the money shall be repaid within 12 months.

**Senate Bill 2615, Forby (Bradley)**

**Public Act 96-0912**

Increases the borrowing authority for community colleges from 75% to 150% of anticipated property tax receipts to assist in cash flow management.

**Senate Bill 3660 (amended), Cullerton (Currie)**

**Passed Both Houses**

Creates the Emergency Budget Act of Fiscal Year 2011, giving the Governor powers to unilaterally direct state agencies, boards and commissions, and colleges and universities to set aside a contingency reserve from certain FY11 appropriations. The authority expires on January 9, 2011.

**Senate Joint Resolution 88, Maloney (Crespo)**

**Resolution Adopted**

Directs the Board of Higher Education to establish a Higher Education Finance Study Commission, comprised of four legislators and seven members appointed by the Board. The study shall include a the history of higher education funding in Illinois; a comparison of productivity of Illinois' higher education system with other states and a comparison of public institutions with their peers; an analysis of best practices for incentivizing certificate and degree completion; a review of financial aid policies and practices and their role in achieving enhanced degree completion; and consideration of alternative funding schemes for higher education.

**Capital**

**House Joint Resolution 84, Brady (Rutherford)**

**Resolution Adopted**

Approves projects on land owned by Illinois State University or privately owned land, or both, and leased for the construction of housing for ISU students.

**Senate Bill 2810 (amended), Harmon (Currie)**

**Sent to the Governor**

Amends the Local Government Energy Conservation Act, the School Code, and the Public University Energy Conservation Act relating to publication of requests for proposals and conflicts of interest.

**Senate Bill 3249 (amended), Sandoval (Burns)**

**Sent to the Governor**

Requires compliance with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of the Illinois Human Rights Act for capital projects in excess of \$250,000, including both public and private institutions of higher education.

**Community Colleges**

**House Bill 4972, Soto (Maloney)**

**Public Act 96-0910**

Eliminates statutory language permitting advance payment of expenses for non-voting student members of the Illinois Community College Board and eliminates payment of expenses for members of ICCB advisory committees.

**Senate Bill 2538, Maloney (Davis)**

**Motion to Recede from HA 1 Is Pending in the House**

Requires that community college minimum tuition and fee rates equal 70% of the state-average rates, as determined by ICCB; or the total revenue received by the community college district from in-district tuition and fees must be at least 30% of total revenue received by the community college district for equalization funding, as determined by ICCB. The Senate rejected a House amendment establishing the minimum tuition and fee rate as related to equalization funding. A motion for the House to recede from its amendment is pending for House action.

**Senate Bill 2801, Burzynski (Pritchard)**

**Sent to the Governor**

Authorizes Kishwaukee Community College District to issue bonds for building purposes for 25 years (instead of 20 years) if approved at referendum and specified conditions are met.

**Miscellaneous**

**House Bill 547 (amended), Pihos (Radogno)**

**Public Act 96-0874**

Creates the Identity Protection Act. Prohibits a State or local government agency from using an individual's social security number in certain ways, subject to various exceptions. Requires each State or local government agency to develop and implement an identity protection policy.

**House Bill 4984 (amended), Smith (Koehler)**

**Passed Both Houses**

Amends the Private Business and Vocational Schools Act to permit, from July 1, 2010, until June 30, 2012, private business and vocational schools to submit evidence of national accreditation for approval of new programs by the Illinois State Board of Education. If no action is taken by ISBE within 30 days, a certificate of approval must be issued.

**House Bill 5065 (amended), Jackson (Lightford)**

**Passed Both Houses**

Requires that the higher education chief procurement officer (and other state entities) provide the Procurement Policy Board with the information and resources necessary to provide notice of contracts to minority, female, and disadvantaged organizations.

**House Bill 5154 (amended), LaVia  
(Lightford)**

**Sent to the Governor**

Exempts performance evaluations from disclosure under the Freedom of Information Act.

**House Bill 5157 (amended), Jakobsson  
(Link)**

**Sent to the Governor**

Repeals a provision in the Election Code permitting the filing of "temporarily absent student" notices with election authorities for the purpose of absentee voting.

**House Bill 5411 (amended), Burns (Raoul)**

**Sent to the Governor**

Amends the Medical School Matriculant Criminal History Records Check Act. Changes language to provide that compliance with required criminal history record checks may also be accomplished using a private entity that checks criminal history records for violent felony convictions.

**House Bill 5483 (amended), Kosel (Garrett)**

**Passed Both Houses**

Amends the Open Meetings Act relating to approval of minutes of a public meeting and making minutes available for public inspection. It also requires that any person be permitted to address public officials at meetings under rules established and recorded by the public body.

**House Bill 5664 (amended), Burke  
(Frerichs)**

**Sent to the Governor**

Creates the Greek Housing Fire Safety Act to require installation of automatic fire sprinkler systems in any sorority or fraternity house under construction as of January 1, 2011. For Greek housing structures built before January 1, 2011, automatic fire sprinkler systems are required in by January 1, 2019.

**House Resolution 918 (amended), Pritchard**

**Resolution Adopted**

Establishes a Blue Ribbon Committee on Higher Education Mandates within the Board of Higher Education to review State mandates on public universities. A report is due to the General Assembly August 1, 2010.

**House Resolution 919, Prichard, Rose**

**Resolution Adopted**

Directs the Board of Higher Education to establish a commission to study the Illinois Procurement Code. A report is due by September, 2010.

**House Resolution 955, Rose**

**Resolution Adopted**

Directs the Board of Higher Education to take steps to implement the rural campus designation program in correlation with the federal program.

**Senate Bill 375 (amended), Kotowski  
(Walker)**

**Passed Both Houses**

Amends the Illinois Procurement Code to require that the chief procurement officer shall file a proposed extension or renewal of a contract with the Procurement Policy Board if the cost is \$250,000 or more.

**Senate Bill 387 (amended), Martinez (Berrios)**

**Sent to the Governor**

Requires that each executive branch constitutional officer, institution of higher education, public community college, and the Illinois Toll Highway Authority report to the General Assembly annually on activities and progress in hiring and promoting Hispanics and bilingual persons at supervisory, technical, professional, and managerial levels.

**Senate Bill 1332 (amended), Dillard (Coladipietro)**

**Passed Both Houses**

Exempts certain businesses that assist public colleges and universities in disbursing refunds to students from the prohibition on releasing students' private information to credit card companies.

**Senate Bill 2802, Lightford (Jefferson)**

**Sent to the Governor**

Extends the repeal of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act from June 30, 2010 to June 30, 2012.

**Senate Bill 3148, Maloney**

**Senate, 3rd Reading**

Creates the Interdependence of Generations Task Force Act to develop Illinois' growing retiree population as a resource for mobilizing citizens of all ages and addressing community needs across generations.

**Senate Bill 3315, Garrett (Currie)**

**Sent to the Governor**

Amends the Medical Practice Act to exempt from a statutory prohibition on fee splitting certain Illinois not-for-profit groups that are accredited to offer medical education.

**Senate Bill 3531 (amended), Hunter (Ford)**

**Passed Both Houses**

Creates the African American Employment Plan Act to improve services and expand employment opportunities in state government for African Americans. The legislation also calls for creation of an African American Employment Plan Advisory Council. It also mirrors provisions of SB 387 regarding reports to the General Assembly on progress in expanding employment opportunities to Hispanics.

**Senate Bill 3588, Demuzio (Joyce)**

**Sent to the Governor**

Amends the Personnel Record Review Act to allow public employers to notify employees when a Freedom of Information Act request is made for records of disciplinary actions relating to the employee.

**Senate Bill 3630 (amended), Sullivan (Pritchard)**

**Passed Both Houses**

Redefines eligibility criteria for a veteran or family member to receive MIA/POW scholarships.

**Senate Bill 3728, Frerichs (Black)**

**Sent to the Governor**

Changes the effective date of the University of Illinois Scientific Surveys Act.

**House Bill 4209 (amended), Nekritz  
(Garrett)**

**Sent to the Governor**

Creates the Instructional Mandates Task Force that shall examine all instructional mandates governing the public schools, make recommendations concerning the propriety of all existing mandates, the imposition of future mandates, and waivers of instructional mandates and the necessary funding for fulfilling the mandates. The task force s to report to the General Assembly on or before July 1, 2011.

**House Bill 6092 (amended), McCarthy  
(Maloney)**

**Sent to the Governor**

Amends the P-20 Longitudinal Education Data System Act to 1) add nonprofit colleges and universities offering graduate and professional degrees to the reporting requirements of the act; 2) affirm that the State shall adequately support the development of a consortium of nonprofit institutions required to submit data and extend the July 1, 2012 deadline for nonpublic institution participation in a consortium up to 2 years, pending State appropriations to support the development of the consortium; and 3) prohibit data from the consortium of nonpublic colleges and universities from being included in any interstate data-sharing agreements without agreement of the consortium.

**Senate Bill 3705 (amended), Maloney  
(Farnham)**

**Sent to the Governor**

Extends for 3 years and expands to 7 new community colleges the College and Career Readiness Pilot Program administered by ICCB. The legislation also changes the criteria for selection of participating colleges, redefines ICCB responsibilities in developing an appropriate evaluation process to measure effectiveness of intervention strategies, and requires ICCB to submit a report to the General Assembly outlining findings and recommendations by December 31, 2013.

**Pensions**

**House Bill 4644 (amended), Poe (Bomke)**

**Passed Both Houses**

Amends the State Employee and State Universities Articles of the Illinois Pension Code to allow a member to establish service credit for voluntary or involuntary furlough beginning on or after July 1, 2009 and ending on or before June 30, 2011.

**Senate Bill 1946(amended), Cullerton  
(Madigan)**

**Public Act 96-0889**

Amends the Illinois Public Labor Relations Act. Makes a variety of changes to state pension systems to impose requirements and alter benefits for employees hired as of January 1, 2011.

**Research/Economic Development**

**House Bill 6153 (amended), Hoffman  
(Haine)**

**Sent to the Governor**

Authorizes the Department of Commerce and Economic Opportunity to create financial incentive and grant programs to encourage private companies to share their new energy technologies with public institutions of higher education, public utilities, State and federal agencies.

## **Teacher and School Leader Preparation**

### **Senate Bill 226 (amended), Demuzio(Smith)**

**Public Act 96-0903**

Amends the School Code to create a new principal endorsement and reform the process for recruiting, training, and certifying K-12 school leaders. The new principal endorsement emphasizes the unique preparation necessary to become an instructional leader of schools. Colleges and universities are required, by July 1, 2014, to redesign principal preparation programs to strengthen recruitment of principal candidates, raise rigor and standards for training and emphasize the role of the principal as the school instructional leader.

### **Senate Bill 2487 (amended), Martinez (Currie)**

**Passed Both Houses**

Transfers administration of the Grow Your Own Teacher Education Act from the Illinois State Board of Education to the Illinois Board of Higher Education.