

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

The 97th General Assembly is at the midpoint of its spring session with legislators on Spring break returning Tuesday April 17th. Thus far, the Illinois General Assembly has introduced several measures impacting higher education with some measures passing from one house to the other.

When legislators return from their spring break they are expected to address several important measures affecting higher education. The most significant of these measures is related to articulation agreements (Senate Bill 3804) between community colleges and universities. Senate Bill 3804 requires the Illinois Board of Higher Education, in conjunction with the Illinois Community College Board, to establish a Statewide Articulation and Transfer Committee to conduct an audit of student transcripts and a report indicating where improvements are needed to maximize course transfer between two-year and four-year colleges. The transcript audit will look for areas where transfer students are being denied credit for completed coursework and recommend ways to strengthen the state's transfer system. A tremendous amount of work has been completed on the issue of articulation agreements and more work will continue. At present, the bill is on the Order of Third Reading and the Chief Sponsor has changed from Senator Kimberly Lightford to Senator Dan Kotowski and we anticipate continued discussion to avoid potential unintended consequences.

Another significant measure is the College Completion Report Card Act (Senate Bill 3803) sponsored by Senator Kimberly Lightford. This legislation seeks to make information on tuition and completion rates available to the public.

In an effort to discuss concerns and ensure the bill's intended effectiveness, stakeholders convened to offer suggestions on revised bill language, which led to the introduction of Senate Amendment Number 1. The stakeholders include members of the Illinois General Assembly, representatives from the Governor's Office and Lieutenant Governor's Office, public universities, community colleges, the Illinois Board of Higher Education, the Illinois Community College Board and statewide educational and public policy associations. This amendment made changes to the convening of the committee, the committee chairperson, data submission to the State longitudinal data system, report card template, data collection, preparation and completion of reports cards, updated report cards, and data dashboards. Discussions are ongoing and another amendment is expected to be introduced.

Summaries of legislation related to higher education follow.

Illinois Public Agenda Goal 1: Increase Educational Attainment

Senate Bill 3244, Frerichs (Chapa LaVia)

Referred to House Rules Committee

Requires the State Board of Education to coordinate the acquisition, adaptation, and development of middle and high school mathematics curriculum models to aid school districts and teachers in implementing standards for all students by March 1, 2013. Provides that the development process shall include the input of representatives of statewide educational organizations and stakeholders. Provides that the curriculum models and training programs must be made available to all school districts, which may choose to adopt or adapt the models in lieu of developing their own mathematics curricula. Requires the Illinois P-20 Council to submit a report to the Governor and the General Assembly on the extent and effect of utilization of the curriculum models by school districts. Provides that within four years after the effective date of the amendatory Act, State mathematics test results and higher education mathematics remediation data must be used to gauge the effectiveness of high school mathematics instruction and the extent of standards attainment, and be used to guide the continuous improvement of the mathematics curriculum and instruction.

Senate Bill 3259, Lightford

Placed on 3rd Reading

Adds a Graduation Incentive Program to explore diverse instructional delivery strategies to encourage all Illinois students experiencing difficulty in traditional high school education to complete a high school degree.

Illinois Public Agenda Goal 2: Ensure College Affordability

House Bill 3923, Durkin (Matt Murphy)

Referred to Senate Assignments

Amends the Open Meetings Act. Provides that the provision that authorizes closed meetings to be held to consider the the sale or purchase of securities, investments, or investment contracts does not apply to meetings held to consider the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

House Bill 4116, Durkin (Dillard)

Referred to Senate Assignments

Amends the Public Funds Investment Act. Deletes language providing that the Act does not apply to the Illinois Prepaid Tuition Trust Fund. Amends the Illinois Prepaid Tuition Act. Provides that the Illinois prepaid tuition program shall be bound by the terms of the Public Funds Investment Act.

House Bill 5531, Arroyo

Did Not Pass in the House

Amends various Acts relating to the governance of State universities. Repeals provisions that permit the children of employees of a State university who have been employed by one or more state university for an aggregate period of at least seven years to receive a 50% tuition waiver, unless household income is \$50,000 or less, or employee or child is a veteran.

House Resolution 897, Biss

Referred to House Rules Committee

Resolves that the Illinois Student Assistance Commission shall convene a task force to deliberate options for the adoption of new rules for the Monetary Award Program (MAP), with the goal of improving the outcomes for students who receive these awards.

Senate Bill 2818, Hunter (Howard)

Referred to House Rules Committee

Amends the Children and Family Services Act. Changes the class of persons who qualify for scholarships and fee waivers granted by the Department of Children and Family Services to youth (rather than children) under care, youth who aged out of care at age 18 or older, or youth formerly under the care who have been adopted or are in a guardianship placement. Adds to the Department's selection of scholarship recipients to students who have earned a high school diploma from a public school district or a recognized nonpublic school, or a certificate of general education development (GED).

Senate Bill 3800, Maloney

Arrived in the House

Amends the Higher Education Student Assistance Act. Authorizes the Illinois Student Assistance Commission to deduct from the salary, wages, commissions, and bonuses of any employee in this state and, as otherwise permitted, any employee outside the State of Illinois by serving a notice of administrative wage garnishment on an employer for the recovery of a student loan debt owned or serviced by the Commission. Provides that levy must not be made until the Commission has caused a demand to be made on the employee such that the employee is provided an opportunity to contest the existence or amount of the student loan obligation.

Illinois Public Agenda Goal 3: Increase College Completions

Senate Bill 3803, Lightford

Placed on 2nd Reading

Creates the College Completion Report Card Act. Provides that the report card must be (i) clearly linked to performance funding metrics and the goals of the Public Agenda and (ii) simple to read and clearly indicative of minority and low-income student access, student progress, and progress towards increasing college completion.

Senate Bill 3804, Kotowski

Placed on 3rd Reading

Amends the Board of Higher Education Act and the Public Community College Act. Requires the Board of Higher Education, in conjunction with the Illinois Community College Board, to establish a Statewide Articulation and Transfer Committee.

Budget

House Resolution 706, Madigan

Passed the House

Establishes the amounts and percentages of available general funds revenues allocated to each House appropriation committee. Establishes the amounts of the non-discretionary general funds spending items that shall be deducted from the allocations to the appropriation committees. Resolves that the amounts available to each appropriation committee are contingent upon actions being taken to reduce the accrual of Medicaid obligations incurred during State fiscal year 2013, in the amount of \$2,700,000,000. Provides that, if the reduction is not achieved in full, then the amounts available to each appropriation committee must be reduced accordingly. Resolves that if the actual amount of general funds that become available during State fiscal year 2013, exceeds the House's estimates, then that excess shall first be used to reduce the backlog of unpaid state obligations.

House Resolution 707, Madigan

Passed the House

Sets forth the amounts of general funds estimated by the House of Representatives to be available during State fiscal year 2013, totaling \$33.7 billion.

House Joint Resolution 68, Madigan (Radogno)

Adopted Both Houses

Sets forth the amounts of general funds estimated by the House of Representatives to be available during State fiscal year 2013, totaling \$33.7 billion.

House Joint Resolution 69, Madigan (Murphy)

Assigned to Senate Executive

Establishes the amounts and percentages of available general funds revenues allocated to each House appropriation committee. Establishes the amounts of the non-discretionary general funds spending items that shall be deducted from the allocations to the appropriation committees. Resolves that the amounts available to each appropriation committee are contingent upon actions being taken to reduce the accrual of Medicaid obligations incurred during State fiscal year 2013, in the amount of \$2,700,000,000. Provides that, if the reduction is not achieved in full, then the amounts available to each appropriation committee must be reduced accordingly. Resolves that if the actual amount of general funds that become available during State fiscal year 2013, exceeds the House's estimates, then that excess shall first be used to reduce the backlog of unpaid state obligations.

Community Colleges

House Bill 5248, Cunningham (Maloney)

Referred to Senate Assignments

Amends the Public Community College Act. Provides that the provisions of a Section requiring the award of a contract to the lowest responsible bidder do not prevent a community college from complying with the terms and conditions of a grant, gift, or bequest that calls for the procurement of a particular good or service, or the use of a particular contractor, provided that the grant, gift, or bequest provides all funding for the contract, and that the grant, gift, or bequest must comply with all applicable laws and must not interfere with, or otherwise impair, any collective bargaining agreements the community college may have with labor organizations.

Senate Bill 2929, Noland (Farnham)

Referred to House Rules Committee

Amends the Public Community College Act. Specifically includes the Procurement of Domestic Products Act as one of the laws (and related administrative requirements) that apply to the Public Community College Act. Removes a reference to the Public Works Preference Act, which has been repealed.

Senate Bill 3428, Maloney (Beiser)

Referred to House Rules Committee

Amends the Public Community College Act. Provides that, after the effective date of the amendatory Act, one of the 11 members of the Illinois Community College Board to be appointed by the Governor, and with the advice and consent of the Senate, must be the president of a public community college.

Senate Bill 3635, Maloney (Cunningham)

Referred to House Rules Committee

Amends the Public Community College Act. Provides that the provisions of a Section requiring the award of a contract to the lowest responsible bidder do not prevent a community college from complying with the terms and conditions of a grant, gift, or bequest that calls for the procurement of a particular good or service or the use of a particular contractor, provided that the grant, gift, or bequest provides all funding for the contract, and that the grant, gift, or bequest must comply with all applicable laws and must not interfere with or otherwise impair any collective bargaining agreements the community college may have with labor organizations

Universities

House Bill 5914, Rose

Placed on Senate Calendar- First Reading

Amends various Acts relating to the governance of public universities in Illinois. Prohibits hiring search committees from being funded with money derived from state taxes or tuition or fees charged students.

Senate Bill 3802 Link (Chapa LaVia)

Referred to House Rules Committee

Provides that state agreements for performance contracting and guaranteed energy savings contracting (instead of just performance contracting) shall be included in the definition of "contract." The provisions do not apply to agreements under the Public University Energy Conservation Act.

Miscellaneous

House Bill 4757, Moffitt

Passed the House

Amends the Fire Sprinkler Dormitory Act. Provides for an exception to the requirement that the dormitories of all post-secondary educational institutions have fire sprinkler systems by 2013, if a post-secondary educational institution files a compliance plan with the Office of the State Fire Marshal, approved by the Office, by January 1, 2013. Provides that the compliance plan shall include a detailed timeline that outlines completion of the planned sprinkler system installations; the Office of the State Fire Marshal may, at its discretion, require periodic updates from a post-secondary educational institution to document its efforts to comply with the Act; all sprinkler installations required by the Act shall be completed and operational by December 31, 2014; and a violation of the fire sprinkler systems requirements is a business offense punishable by a fine of not more than \$1,000 per day.

House Bill 3810, Crespo (Frerichs)

Assigned to Senate Executive

Amends the School Code. Provides that after June 1, 2012, persons may not be nominated for General Assembly scholarships, and that General Assembly scholarships may not be awarded after that date, unless the nomination is made prior to that date. Prevents both second nominations for any lapsed General Assembly scholarship and nominating persons to the unused or unexpired parts of any vacated General Assembly scholarship after June 1, 2012.

House Bill 4076, Kosel (Martinez)

Referred to Senate Assignments

Amends the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985. Provides a definition for the term "school" used within the Act.

House Bill 4687, Pihos (Dillard)

Referred to Senate Assignments

Amends Open Meetings Act. Provides that posting of the notice and agenda on a website that is maintained by the public body satisfies the requirement for continuous posting. Specifies that if a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the control of the public body, then that lack of availability does not invalidate any meeting or action taken at a meeting.

Senate Bill 2949, Silverstein (Mathias)

Referred to House Rules Committee

Amends the University Religious Observances Act. Provides that any student in an institution of higher learning, other than a religious or denominational institution of higher learning, who is unable, because of his or her religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination, study, or work requirement and shall be provided with an opportunity to make up the examination, study, or work requirement that he or she may have missed because of such absence on a particular day; provided that the make-up examination, study, or work does not create an unreasonable burden upon the institution. Prohibits fees of any kind from being charged by the institution for making available to the student such an opportunity. Provides that no adverse or prejudicial effects shall result to any student because of his or her availing himself or herself of these provisions. Requires publication of these provisions.

Senate Bill 3397, Holmes (Dunkin)

Referred to House Rules Committee

Amends the Illinois Procurement Code. In a Section concerning the applicability of the Code to public institutions of higher education, includes the Illinois Mathematics and Science Academy in the definition of "public institution of higher education."

Senate Bill 3794, Holmes (Madigan)

Referred to House Rules Committee

Creates the Financial Reporting Standards Board Act. Provides that the Board shall consist of two members appointed by the Governor and three members appointed by the Comptroller, all with the advice and consent of the Senate. Provides that the Board shall assist the State in improving the timeliness, quality, and processing of financial reporting for the State. Sets forth the powers of the Board. Requires the Internal Auditor of every state agency that submits a GAAP package to submit initial and annual audits to the Board. Provides that the Comptroller's Division of Financial Reporting shall cooperate with the Board in certain matters. Amends the State Finance Act to create the Financial Reporting Standards Revolving Fund. Provides that the Fund shall receive moneys or transfers for GAAP-related services provided to state agencies.

Pensions

House Bill 4622, Nekritz (Martinez)

Referred to Senate Assignments

Amends the State Universities Article of the Illinois Pension Code. Makes administrative and technical changes and corrects terminology relating to participants and annuitants, disability and disability retirement benefits, calculation of interest, and termination of employment. Extends from 90 to 180 days the period in which a participant in the portable benefit package may elect an optional form of retirement benefit.

House Bill 4996, Biss (Steans)

Referred to Senate Assignments

Amends the State Universities Article of the Illinois Pension Code concerning annuitants who return to employment. Requires notification and documentation of persons receiving a retirement annuity who are employed by university and community college employers. Defines "affected annuitant" as a person who, while receiving a retirement annuity, has been employed by a university or community college employer for more than 18 paid months and has received earnings in one academic year of more than 40% of his or her highest annual rate of earnings. Provides that the employer of an affected annuitant must pay to the System an employer contribution equal to the annuitant's annual retirement annuity. Provides procedures, payment deadlines, and penalties for noncompliance.

House Bill 5791, Senger (Harmon)

Referred to Senate Assignments

Amends the Illinois Pension Code. Requires the actuary of each of the five state-funded systems to conduct an investigation of the system at least once every three (rather than five) years.

Senate Bill 538, Kotowski (Franks)

Referred to House Rules Committee

Amends the Illinois Pension Code. Requires the five state-funded retirement systems, in their annual certification of the required state contribution for the next fiscal year, to specifically identify the System's predicted state normal cost for that fiscal year. Requires the State Universities Retirement System to also include the predicted state cost for the self-managed plan for the next fiscal year.