

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 2015 Session
Summary of Legislation
Illinois Board of Higher Education**

HOUSE BILLS

House Bill 170, Currie (Landek)

Re-referred to Senate Assignments

Amends the Illinois Procurement Code. Re-enacts a provision concerning the applicability of the Illinois Procurement Code to public institutions of higher education.

House Bill 306, Guzzardi (Delgado)

Referred to Senate Assignments

Amends the School Code to require the State Board of Education to ensure that the State Board, regional superintendents of schools, and school boards take no negative action against a student, school, school district, or district employee, through grades or evaluations, due to a student being excused from taking a State assessment. Provides that once each school year, before any State assessments are administered, a school district shall communicate with the parents and guardians of students to explain the right to opt out of a particular State assessment and shall make opt-out forms available. Requires a school district to accept any letter expressing a parent's or guardian's intent for his or her child to be excused from taking a particular State assessment in lieu of the opt-out form as long as the letter is signed by the parent or guardian. Prohibits a school district and its teachers, principals, and other administrators from encouraging or discouraging students or their parents or guardians, either individually or collectively, to opt out of State assessments. Requires the State Board to determine appropriate sanctions for a violation of this prohibition.

House Bill 317, (amended) Madigan (Steans)

Public Act 99-1

Makes changes and additions to Fiscal Year 2015 appropriations.

House Bill 318, (amended) Madigan (Steans)

Public Act 99-2

Authorizes transfers from the designated funds into the General Revenue Fund for Fiscal Year 2015 budget.

House Bill 810, (amended) Drury (Delgado)

Referred to Senate Assignments

Amends the School Code to add provisions concerning student and educator data privacy. Amends the Illinois School Student Records Act to make changes concerning definitions. Sets forth provisions allowing disclosure of student records to researchers at an accredited post-secondary educational institution or an organization conducting research if specified requirements are met. Amends the Children's Privacy Protection and Parental Empowerment Act to change the definition of "child" to mean a person under the age of 18 (instead of 16).

House Bill 821, (amended) Mussman (Hutchinson)

Public Act 99-426

Creates the Preventing Sexual Violence in Higher Education Act. Requires public universities, public community colleges, and independent, not-for-profit or for-profit higher education institutions to adopt a comprehensive policy to address student allegations of sexual violence, domestic violence, dating violence, and stalking.

House Bill 1490, (amended) Ford (Martinez)

Public Act 99-338

Creates the Commission on Young Adult Employment Act. Provides that Chicago State University shall provide administrative support to the Commission. Provides that the Commission shall identify issues concerning the readiness and ability of young adults to find employment after graduating from college or otherwise completing their education that may be addressed by the current and future General Assemblies. Provides that the Commission shall consult with State agencies, community stakeholders, other universities and institutions of higher education, and local school boards. Provides that the Commission shall file annual reports setting forth its findings and recommendations. Repeals the Act on January 1, 2019.

House Bill 2657, (amended) Winger (Bertino-Tarrant)

Public Act 99-58

Makes changes in Illinois State Board of Education educator licensure, including removing the requirement that IBHE approves alternative licensure programs for teachers or principal preparation programs offered by not-for-profit entities.

House Bill 3102, Ammons (Bennett)

Public Act 99-72

Amends the State Universities Civil Service Act in provisions concerning appointments and promotions, including changing references from the Director of the University Civil Service Merit Board to the Executive Director of the University Civil Service Merit Board.

House Bill 3197, (amended) Chapa LaVia (Collins)

Public Act 99-432

Creates the Attendance Commission within the State Board of Education to study chronic absenteeism and make recommendations for strategies to prevent chronic absenteeism. Includes representation from the Illinois Board of Higher Education and the Illinois Community College Board.

House Bill 3284, (amended) Flowers (Hutchinson)

Public Act 99-416

Creates the Opportunities for At-Risk Women Act. Provides that the Task Force on Opportunities for At-Risk Women shall assist at-risk women who are at increased risk of incarceration because of poverty, abuse, addiction, financial challenges, illiteracy, or other causes. Includes representation from the Illinois Community College Board.

House Bill 3428, (amended) Sente (McGuire)

Public Act 99-358

Amends the College and Career Success for All Students Act. Provides that a student who takes a College Board Advanced Placement examination and receives a score of three or higher is entitled to receive postsecondary level course credit at a public institution of higher education.

House Bill 3476, Chapa La Via (Munoz)

Placed on 2nd Reading in the Senate

Amends the Higher Education Student Assistance Act. Creates a new tuition and fee exemption at state universities for the children of wounded military personnel.

House Bill 3485, (amended) Davis (Hunter)

Public Act 99-0451

Creates the Fair Practices in Contracting Task Force. Provides that the Task Force shall address the disparity in State procurement awards to African-American-owned businesses.

House Bill 3528, Hernandez

Re-referred to Rules Committee

Amends various Acts relating to the governance of state universities. Provides that notwithstanding any other provision of law to the contrary, a student who is not a citizen or permanent resident, but meets the requisite requirements, is eligible to apply or receive consideration for any student aid or benefit funded or administered by the State, state agencies, public institutions, or the University, including but not limited to scholarships, grants, awards, stipends, room and board, tuition waivers, or other financial or in-kind assistance.

House Bill 3577, (amended) Rita (Jones, III)

Public Act 99-359

Amends the Higher Education Student Assistance Act. Requires the Illinois Student Assistance Commission to administer a new grant program for students enrolled in training that would lead to certification to work as a medical assistant in the Roseland Community Medical District.

House Bill 3593, (amended) Ives (Connelly)

Public Act 99-482

Amends the Public Community College Act. With respect to employment contracts, other than collective bargaining agreements, entered into with an employee of a community college district, provides that the initial term of a rolling contract may not exceed three years, and a rollover term or terms may not exceed one year. Provides that severance under the contract may not exceed one year salary and applicable benefits). Provides that a contract with a determinate start and end date may not exceed four years. Effective immediately.

HB 3599, (amended) Leitch (Koehler)

Public Act 99-278

Creates the Student Optional Disclosure of Private Mental Health Act. Provides that an institution of higher learning may disclose a student's mental information if a physician, clinical psychologist, or qualified examiner makes a determination that the student poses a clear danger to himself, herself, or others to protect the student or other person against a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the person or by the student on himself, herself, or another. Provides that the physician, clinical psychologist, or qualified examiner shall notify the designated person that the physician, clinical psychologist, or qualified examiner has made a determination that the student poses a clear, imminent danger (rather than a clear and present danger) to himself, herself, or others. Provides that all institutions of higher learning shall create a policy and supporting procedures to ensure that every new student is given the opportunity to complete and submit the authorization form if he or she so desires.

House Bill 3692, Cloonen (Bertino-Tarrant)

Public Act 99-309

Amends various Acts relating to the governance of public universities and the Public Community College Act. Provides that beginning with the 2015-2016 academic years, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the corresponding board of trustees shall deem that person an Illinois resident for tuition purposes. Once enacted, this ensures that veterans will be eligible for all Federal benefits that could total as much as \$30 million, as specified by the U.S. Department of Veteran Affairs' Section 702 compliance.

House Bill 3897, (amended) Hays (Righter)

Public Act 99-198

Amends the Higher Education Student Assistance Act. Removes the prohibition on allowing the student member of the Illinois Student Assistance Commission to receive a scholarship or grant pursuant to the Act during his or her term of office with the Commission.

House Bill 3932, (amended) Currie (Raoul)

Placed on 3rd Reading in the Senate

Amends the Private College Campus Police Act. Provides that information and records in the custody or possession of a campus police department shall be open to inspection or copying to the extent the information and records relate to the members of the campus police department's exercise of the powers of municipal peace officers or county sheriffs.

House Bill 4113, (amended) Costello, II (Forby)

Amendatory Veto

Recommends replacing references to Southern Illinois University in the new Section of the Illinois Procurement Code with references to public institution of higher education; and deleting the provisions amending the Southern Illinois University Management Act.

House Bill 4146, (amended) Madigan (Cullerton)

Total Veto

Makes Fiscal Year 2016 appropriations to the Illinois Student Assistance Commission for the Monetary Award Program and specified purposes. Effective July 1, 2015.

House Bill 4147, (amended) Madigan (Cullerton)

Total Veto

Makes Fiscal Year 2016 appropriations to various entities relating to higher education, including Illinois Board of Higher Education operations and grants, Illinois Mathematics and Science Academy, Southern Illinois University, and University of Illinois. Effective July 1, 2015.

House Bill 4148, (amended) Madigan (Cullerton)

Total Veto

Makes Fiscal Year 2016 appropriations to various entities relating to higher education, including Eastern Illinois University, Illinois State University, Illinois Student Assistance Commission, Northern Illinois University, and Western Illinois University.

House Bill 4205, Ford

Referred to Rules Committee

Amends the Higher Education Student Assistance Act. Requires the Illinois Student Assistance Commission to award grants to applicants who are teachers licensed under the School Code and are employed by a school district within an area designated as a poverty area by the Department of Commerce and Economic Opportunity to obtain additional course credit or an additional degree at a public university located in this State. Provides that the amount of the grant shall equal 50% of the tuition and other necessary fees required of the teacher by the public university at which the teacher enrolls. Requires grant recipients to contract with the Commission to teach for an additional 2 years in the school district in which they were employed at the time of application for the grant. Sets forth provisions concerning this commitment.

House Bill 4215, Batinick

Referred to Rules Committee

Creates the Illinois College Procurement Reform Act. Allows the governing body of a public university to provide by resolution that the Illinois Procurement Code does not apply to the university as provided in the Illinois Procurement Code. Provides that the Board of Higher Education shall administer the Act and may adopt any rules necessary to implement and administer the Act. Amends the Illinois Procurement Code to provide that "State agency" does not apply to those public universities whose governing bodies have adopted a resolution under the Act. Provides that such universities shall procure their needs in a manner substantially in accordance with the requirements of the Code with respect to emerging businesses.

House Bill 4526, Ives

Referred to Rules Committee

Amends the State Universities Article of the Illinois Pension Code. Provides that for an employee who becomes a participant on or after the effective date of the amendatory Act, "basic compensation" does not include (1) the value of maintenance, board, living quarters, personal laundry, or other allowances furnished in lieu of salary which are considered gross income under the Internal Revenue Code; (2) certain employee contributions to the System; (3) certain employer contributions to a custodial account; and (4) fringe benefits that an employee elects to receive, in lieu of cash salary or wages, that are not taxable under the Internal Revenue Code. Effective immediately.

House Resolution 55, (amended) Ives

Resolution Adopted

Directs the Auditor General to conduct a performance audit of the State moneys provided to the College of DuPage.

House Resolution 240, Chapa LaVia

Resolution Adopted

States the belief that a public or private postsecondary educational institution should include a student veteran on its governing board if the institution wishes to call itself "veteran friendly."

House Resolution 333, Dunkin

Resolution Adopted

Urges all public and private colleges and universities in the State to work together to strengthen the Illinois Articulation Initiative to allow greater uniformity in community college transferable credit allowances. Calls upon the Illinois Board of Higher Education, the Illinois Community College Board, and the Illinois State Board of Education to work together to make changes to the Illinois Articulation Initiative to create a more uniform set of transfer credit allowances between community colleges and public and private four-year colleges and universities.

House Resolution 404, Wheeler

Resolution Adopted

Urges the Governor, in conjunction with the State Board of Education, to reevaluate its contract with the Partnership for Assessment of Readiness for College and Careers, and urges the State Board to better communicate changes to the General Assembly and the public before entering into the rulemaking process.

House Resolution 460, Conroy

Resolution Adopted

Urges the College of DuPage to report all administrative expenses for Fiscal Year 2015 and all forthcoming years to the General Assembly; urges Trustees of the College of DuPage to participate in professional board development training to enhance their knowledge of board governance and duties of Trustees; and urges the College of DuPage Board of Trustees to establish a finance committee to evaluate and implement best practices in accounting, transparency, and budgeting.

House Resolution 732, Bennett

Resolution Adopted

Commends Governor Rauner for his proclamation of July 15, 2015 through July 15, 2016 as The Year of the Community College and recognizes the Illinois Community College System on its rich 50 years of history.

House Resolution 477, Chapa La Via

Resolution Adopted

Encourages the agencies participating in the Illinois Pathways Interagency Committee (IPIC), which was formed by intergovernmental agreement among the State Board of Education, the Illinois Community College Board, the Board of Higher Education, the Illinois Student Assistance Commission, the Department of Commerce and Economic Opportunity, and the Department of Employment Security (the IPIC Agencies), to study methods to better prepare high school graduates for success in college or in a career.

House Joint Resolution 35, Brady (Stadelman)

Assigned to Senate Commerce and Economic Development Committee

Affirms that community colleges play a dynamic and essential role in driving the economy and workforce of the State.

House Joint Resolution 52, Burke (Cunningham)

Adopted Both Houses

Resolves that the Illinois Board of Higher Education establish a Higher Education Commission on the Future of the Workforce to ensure that the State has an educated workforce to meet the needs of business and industry.

SENATE BILLS

Senate Bill 221, (amended) McGuire

Placed on 3rd Reading

Creates the Political Events on College Campuses Act. Provides that first priority for the use of campus facilities shall be given to regularly scheduled public university or community college activities and that, in reviewing conflicting requests to use public university or community college facilities, primary consideration shall be given to activities specifically related to the public university or community college's mission. Specifies the activities for which public university and community college facilities may be used. Sets forth provisions concerning the restrictions of the use of public university and community college facilities for political activities.

Senate Bill 223, (amended) Kotowski (Ford)

Public Act 99-199

Amends the Higher Education Student Assistance Act. Provides for the issuance of grants to exonerated persons, subject to appropriation. Defines "exonerated person" as an individual who has received a pardon from the Governor of the State of Illinois stating that such a pardon is issued on the grounds of innocence of the crime for which he or she was imprisoned or an individual who has received a certificate of innocence from a circuit court. Provides for the payment of tuition and fees only at a public university or community college. Provides that an exonerated person who has not yet received a high school diploma or a high school equivalency certificate and completes a high school equivalency preparation course through an Illinois Community College Board-approved provider may use grant funds to pay costs associated with obtaining a high school equivalency certificate.

Senate Bill 672, Lightford (Beiser)

Public Act 99-284

Amends the School Code. Adds the subjects of consumer debt, higher education student loans, and identity-theft security to the list of subjects that are required to be included in the financial literacy component of consumer education. Effective July 1, 2015.

Senate Bill 760, (amended) Clayborne (Dunkin)

Public Act 99-468

Creates the Career and Workforce Transition Act. Requires a public community college to accept up to 30 credit hours transferred from an institution approved by the Private Business and Vocational School Act, for certain completed programs. The Illinois Community College Board must review the credit requests.

Senate Bill 806, (amended) Kotowski (Crespo)

Public Act 99-316

Creates the Student Transfer Achievement Reform Act. Provides that a public community college student who earns an associate degree for transfer receives junior status for transfer into the baccalaureate program of a state university, meeting certain requirements.

Senate Bill 1145, (amended) Connelly (Ives)

Referred to House Rules Committee

Amends various Acts relating to the governance of public universities in Illinois. Prohibits the governing board of each public university from knowingly entering into an indemnification agreement with an employee or former employee of the university beyond what is provided for in the State Employee Indemnification Act. Effective immediately.

Senate Bill 1334, (amended) Clayborne (Turner)

Public Act 99-462

Amends the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. Provides that each state agency and public institution of higher education that manages professional service contracts shall adopt policies and implementation procedures for increasing the use of businesses owned by minorities, females, and persons with disabilities to not less than 20 percent of state contracts.

Senate Bill 1393, (amended) Bennett (Beiser)

Re-referred to House Rules Committee

Amends the School Code. Requires the Illinois State Board of Education to annually confer with the Illinois Community College Board to: (i) identify industries and occupations within this State that face workforce shortages; (ii) notify school districts of these identified industries and occupations; and (iii) approve industry-recognized certification programs designed to mitigate workforce shortages.

Senate Bill 1455, (amended) Delgado (Golar)

Public Act 99-185

Amends the School Code. Provides that one of the State assessments for high school students shall include an assessment for the purpose of student application or admissions to public institutions of higher education.

Senate Bill 1457, (amended) Althoff (Chapa La Via)

Public Act 99-395

Amends the Illinois Board of Higher Education Act. Creates the Military Prior Learning Assessment Task Force within the Illinois Board of Higher Education to study and make recommendations on how to best effectuate the recognition of military learning for academic credit, industry-recognized credentials, and college degrees through the use of the Prior Learning Assessment.

Senate Bill 1506, (amended) Bertino-Tarrant (Bradley) **Placed on 3rd Reading in the House**

Amends the Higher Education Student Assistance Act, providing for exemption from tuition at public universities for Golden Apple Scholars.

Senate Bill 1818, (amended) McGuire (Chapa LaVia)

Public Act 99-377

Amends the University of Illinois Act in section concerning scholarships for the children of veterans. Provides that the total number of scholarships annually granted to recipients from each county may not exceed three. Removes the Civil War and World War I as periods of hostilities for which a county may award a scholarship, and adds any time during the siege of Beirut and the Grenada Conflict.

Senate Bill 2029, (amended) Cullerton (Madigan)

Total Veto

Makes Fiscal Year 2016 appropriations to various entities relating to higher education, including Chicago State University, Governors State University, Northeastern Illinois University, and the Illinois Community College Board. Effective July 1, 2015.

Senate Bill 2030, (amended) Cullerton (Madigan)

Total Veto

Makes Fiscal Year 2016 appropriations to State Universities Civil Service System and State Universities Retirement System. Effective July 1, 2015.

Senate Bill 2040, (amended) Steans (Madigan)

Governor Vetoed

Makes appropriations for specified personnel expenditures for each payroll period during which appropriations that provide for personnel expenditures have not been made available for Fiscal Year 2016, provided that the amounts appropriated shall not exceed the amounts appropriated for the same purpose in Fiscal Year 2015.

Senate Bill 2042, (amended) Cullerton (Madigan)

Public Act 99-409

Appropriates funds from the Federal Support Agreement Revolving Fund, the Federal Student Loan Fund, the Federal Mass Transit trust Fund, and other named funds to the Department of Military Affairs, the Illinois Student Assistance Commission, the Department of Transportation, and other named State agencies for specified FY16 expenses. Effective July 1, 2015.

Senate Bill 2043, (amended) Cullerton (Burke)

Referred to Rules Committee

Makes an FY16 appropriation to the Illinois Student Assistance Commission from the General Revenue Fund for grant awards to students eligible for the Monetary Award Program and for agency administrative and operational costs. Effective immediately.

Senate Bill 2186, Manar

Referred to Senate Assignments

Creates the Illinois College Promise Program Act. Provides that the Illinois Community College Board shall administer the Program for Illinois residents seeking an associate's degree, certificate, or diploma from an eligible community college. Sets forth provisions concerning the eligibility requirements for a student to be awarded the Illinois College Promise scholarship. Sets forth provisions concerning the administration of the Illinois College Promise Scholarship Fund. Amends the State Finance Act. Creates the Illinois College Promise Scholarship Fund as a special fund in the State Treasury. Effective July 1, 2016.

Senate Bill 2149, Kotowski

Referred to Senate Assignments

Amends the Illinois Income Tax Act. Creates a credit for taxpayers who (1) have an adjusted gross income of \$200,000 or less and (2) are college or university students or may claim a college or university student as a dependent. Provides that the credit shall be equal to a portion of the tuition and fee expenses paid by the taxpayer during the taxable year on behalf of the qualifying student. Sets forth the amount of the credit. Effective immediately.

Senate Bill 2155, Cunningham

Referred to Senate Assignments

Amends the Illinois State Auditing Act. Provides that the Auditor General shall annually conduct or cause to be conducted a financial and compliance audit of one-third of community colleges such that every community college is audited by the Auditor General every 3 years. Sets forth provisions concerning the filing, public inspection, and costs of the audit. Requires a community college to make available to the Auditor General its books and records and any other documentation necessary to conduct the audit as required. Provides that certain audits under the Public Community College Act shall not be prohibited in years a community college is not audited by the Auditor General. Amends the Public Community College Act. Makes a related change.

Senate Bill 2156, Cunningham

Referred to Senate Assignments

Amends the State Universities Article of the Illinois Pension Code. Provides that severance payments are not included in the definition of "earnings."

Senate Bill 2157, Cunningham

Referred to Senate Assignments

Amends the Public Community College Act. With regard to all community college districts with elected board trustees who have been elected after the effective date of this amendatory Act or appointed to fill a vacancy of at least one year's duration of an elected trustee after the effective date of this amendatory Act, provides that every voting member of a community college district's board elected or appointed for an elected trustee for a term beginning after the effective date of this amendatory Act, within a year after the effective date of this amendatory Act and during the third and fifth year of his or her term, shall complete a minimum of 4 hours of professional development leadership training. Provides that the community college district shall maintain on its Internet website, if any, the names of all elected voting trustees of the community college district's board who have successfully complete the training. Provides that the training may be provided by an association established for the purpose of training community college district board trustees or by other qualified providers approved by the Illinois Community College Board. Effective January 1, 2017.

Senate Bill 2158, Cunningham

Referred to Senate Assignments

Amends the Public Community College Act. Provides that, beginning 60 days prior to the Tuesday following the first Monday of April in odd-numbered years until the first organizational meeting of a new board of trustees of a community college district, no addendum to modify and amend an employee agreement between a district and another party may be agreed to or executed, nor may an employment contract be made and entered into between the board of an established district and another party.

Senate Bill 2159, Cunningham

Referred to Senate Assignments

Amends various Acts relating to the governance of public universities in Illinois and the Public Community College Act. Sets forth provisions governing employment contracts entered into, amended, renewed, or extended after the effective date of the amendatory Act, excluding collective bargaining agreements. Requires the governing board of a university or community college district to complete an annual performance review of the president and any chancellors of the higher education institution. Provides that such annual performance review must be considered when the board contemplates a bonus, raise, or severance agreement for the president or chancellor.

Senate Bill 2170, Cullerton, Thomas

Referred to Senate Assignments

Creates the Public University Administrative Cost Decrease Act. Provides that all public universities shall annually submit a cost certification that certifies the level of spending dedicated to administrative costs for the current academic year. Provides that beginning with the 2017-2018 school year, a Board of Trustees of a public university may not enact a budget that contains tuition or fee increases above that of the tuition and fees set in the 2015-2016 academic year until the Auditor General has verified that the cost certification submitted by the public university and due in the same calendar year of the proposed tuition or fees increase has shown a decrease of administrative costs by 25%. Amends the Illinois State Auditing Act. Effective immediately.

Senate Bill 2174, Cunningham

Referred to Senate Assignments

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.