

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Board of Higher Education Act is amended by
5 changing Sections 1, 2, 3, 9.03, 9.04, 9.07, and 9.29 as
6 follows:

7 (110 ILCS 205/1) (from Ch. 144, par. 181)

8 Sec. 1. The following terms shall have the meanings
9 respectively prescribed for them, except when the context
10 otherwise requires:

11 ~~(a)~~ "Public institutions of higher education": The
12 University of Illinois; Southern Illinois University; Chicago
13 State University; Eastern Illinois University; Governors State
14 University; Illinois State University; Northeastern Illinois
15 University; Northern Illinois University; Western Illinois
16 University; the public community colleges of the State and any
17 other public universities, colleges and community colleges now
18 or hereafter established or authorized by the General Assembly.

19 ~~(b)~~ "Board": The Board of Higher Education created by this
20 Act.

21 ~~(c) "Engineering college" has the meaning ascribed to it in~~
22 ~~the Professional Engineering Practice Act of 1989.~~

23 (Source: P.A. 89-4, eff. 1-1-96.)

1 (110 ILCS 205/2) (from Ch. 144, par. 182)

2 Sec. 2. There is created a Board of Higher Education to
3 consist of 16 members as follows: 10 members appointed by the
4 Governor, by and with the advice and consent of the Senate; one
5 member of a public university governing board, appointed by the
6 Governor without the advice and consent of the Senate; one
7 member of a private college or university board of trustees,
8 appointed by the Governor without the advice and consent of the
9 Senate; the chairman of the Illinois Community College Board;
10 the chairman of the Illinois Student Assistance Commission; and
11 2 student members selected by the recognized advisory committee
12 of students of the Board of Higher Education, one of whom must
13 be a non-traditional undergraduate student who is at least 24
14 years old and represents the views of non-traditional students,
15 such as a person who is employed or is a parent. ~~One Beginning~~
16 ~~on July 1, 2005, one~~ of the 10 members appointed by the
17 Governor, by and with the advice and consent of the Senate,
18 must be a faculty member at an Illinois public university. The
19 Governor shall designate the Chairman of the Board to serve
20 until a successor is designated. ~~The chairmen of the Board of~~
21 ~~Trustees of the University of Illinois, the Board of Trustees~~
22 ~~of Southern Illinois University, the Board of Governors of~~
23 ~~State Colleges and Universities, and the Board of Regents of~~
24 ~~Regency Universities shall cease to be members of the Board of~~
25 ~~Higher Education on the effective date of this amendatory Act~~

1 ~~of 1995.~~ No more than 7 of the members appointed by the
2 Governor, excluding the Chairman, shall be affiliated with the
3 same political party. The 10 members appointed by the Governor
4 with the advice and consent of the Senate shall be citizens of
5 the State and shall be selected, as far as may be practicable,
6 on the basis of their knowledge of, or interest or experience
7 in, problems of higher education. If the Senate is not in
8 session or is in recess, when appointments subject to its
9 confirmation are made, the Governor shall make temporary
10 appointments which shall be subject to subsequent Senate
11 approval.

12 (Source: P.A. 93-429, eff. 1-1-04; 94-905, eff. 1-1-07.)

13 (110 ILCS 205/3) (from Ch. 144, par. 183)

14 Sec. 3. Terms; vacancies.

15 (a) The members of the Board whose appointments are subject
16 to confirmation by the Senate shall be selected for 6-year
17 terms expiring on January 31 of odd numbered years. ~~Of the~~
18 ~~initial appointees, however, 2 shall be designated by the~~
19 ~~Governor to serve until January 31, 1963, 3 until January 31,~~
20 ~~1965, and 3 until January 31, 1967.~~

21 ~~Of the 2 appointees to be made by the Governor pursuant to~~
22 ~~this Act as amended by the 75th General Assembly, one shall be~~
23 ~~designated to serve until January 31, 1971 and one until~~
24 ~~January 31, 1973.~~

25 (b) The members of the Board shall continue to serve after

1 the expiration of their terms until their successors have been
2 appointed.

3 (c) Vacancies on the Board in offices appointed by the
4 Governor shall be filled by appointment by the Governor for the
5 unexpired term. If the appointment is subject to Senate
6 confirmation and the Senate is not in session or is in recess
7 when the appointment is made, the appointee shall serve subject
8 to subsequent Senate approval of the appointment.

9 (d) Each student member shall serve a term of one year
10 beginning on July 1 of each year, ~~except that the student~~
11 ~~member initially selected under this amendatory Act of the 94th~~
12 ~~General Assembly shall serve a term beginning on the date of~~
13 ~~such selection and expiring on the next succeeding June 30.~~

14 (e) The member of the Board representing public university
15 governing boards and the member of the Board representing
16 private college and university boards of trustees, who are
17 appointed by the Governor but not subject to confirmation by
18 the Senate, shall serve terms of one year beginning on July 1.

19 (Source: P.A. 94-905, eff. 1-1-07.)

20 (110 ILCS 205/9.03) (from Ch. 144, par. 189.03)

21 Sec. 9.03. To advise and counsel the Governor, at his or
22 her request, regarding any area of, or matter pertaining to,
23 higher education.

24 (Source: P.A. 79-94.)

1 (110 ILCS 205/9.04) (from Ch. 144, par. 189.04)

2 Sec. 9.04. To submit to the Governor and the General
3 Assembly a written report covering the activities engaged in
4 and recommendations made. This report shall be submitted in
5 accordance with the requirements of Section 3 of the State
6 Finance Act.

7 The requirement for reporting to the General Assembly shall
8 be satisfied by filing electronic or paper copies of the report
9 with the Speaker, the Minority Leader and the Clerk of the
10 House of Representatives and the President, the Minority Leader
11 and the Secretary of the Senate and the Legislative Research
12 Unit, as required by Section 3.1 of the General Assembly
13 Organization Act ~~"An Act to revise the law in relation to the~~
14 ~~General Assembly", approved February 25, 1874, as amended,~~ and
15 filing such additional electronic or paper copies with the
16 State Government Report Distribution Center for the General
17 Assembly as is required under paragraph (t) of Section 7 of the
18 State Library Act.

19 (Source: P.A. 90-730, eff. 8-10-98.)

20 (110 ILCS 205/9.07) (from Ch. 144, par. 189.07)

21 Sec. 9.07. Admission standards.

22 (a) Subject to the provisions of subsection (b), to
23 establish minimum admission standards for public community
24 colleges, colleges and state universities. However,
25 notwithstanding any other provision of this Section or any

1 other law of this State, the minimum admission standards
2 established by the Board shall not directly or indirectly
3 authorize or require a State college or university to
4 discriminate in the admissions process against an applicant for
5 admission because of the applicant's enrollment in a charter
6 school established under Article 27A of the School Code.
7 Admission standards for out-of-state students may be higher
8 than for Illinois residents.

9 (b) Implementation of the new statewide minimum admission
10 requirements and standards for public colleges and
11 universities in Illinois established and announced by the Board
12 in December, 1985 shall be deferred as provided in this
13 subsection. The Board shall not attempt to implement or
14 otherwise effect adoption and establishment of those minimum
15 admission requirements and standards in any public community
16 college, college or State university prior to the fall of 1993,
17 and no public community college, college or State university
18 shall be under any duty or obligation to implement, establish
19 or otherwise apply those minimum admission requirements and
20 standards to any entering freshmen prior to the fall of 1993.

21 The Board of Higher Education shall provide the State
22 Superintendent of Education, on or before January 1, 1990,
23 descriptions of course content, and such other criteria as are
24 necessary to determine and certify whether all school districts
25 maintaining grades 9-12 are offering courses which satisfy the
26 minimum admission requirements and standards established and

1 announced by the Board. ~~In addition, there shall be established~~
2 ~~a 9 member committee composed of 3 members selected by the~~
3 ~~Board of Higher Education, 3 members selected by the State~~
4 ~~Superintendent of Education and 3 members selected by the~~
5 ~~President of the Illinois Vocational Association. The~~
6 ~~committee shall be appointed within 30 days after the effective~~
7 ~~date of this amendatory Act. It shall be the duty and~~
8 ~~responsibility of the committee to identify and develop courses~~
9 ~~and curricula in the vocational education area which meet the~~
10 ~~minimum admission requirements and standards to be established~~
11 ~~and implemented under this Section. The first meeting of the~~
12 ~~committee shall be called by the Executive Director of the~~
13 ~~Board of Higher Education within 10 days after the committee is~~
14 ~~appointed. At its first meeting the committee shall organize~~
15 ~~and elect a chairperson. The committee's report shall be~~
16 ~~prepared and submitted by the committee to the Board of Higher~~
17 ~~Education, the Illinois State Board of Education and the~~
18 ~~General Assembly by April 1, 1989.~~

19 (c) By March 1, 1980, the Boards shall develop guidelines
20 which: (1) place the emphasis on postsecondary remedial
21 programs at Public Community Colleges and (2) reduces the role
22 of the state universities in offering remedial programs. By
23 June 30, 1981, the Board shall report to the General Assembly
24 the progress made toward this transition in the emphasis on
25 remedial programs at the postsecondary level and any
26 legislative action that it deems appropriate. Under the

1 guidelines, if a State university determines that a student
2 needs remedial coursework, then the university must require
3 that the student complete the remedial coursework before
4 pursuing his or her major course of study.

5 (Source: P.A. 95-272, eff. 8-17-07.)

6 (110 ILCS 205/9.29)

7 Sec. 9.29. Tuition and fee waiver report ~~and task force~~.
8 ~~(a)~~ The Board of Higher Education shall annually compile
9 information concerning tuition and fee waivers and tuition and
10 fee waiver programs that has been provided by the Boards of
11 Trustees of the University of Illinois, Southern Illinois
12 University, Chicago State University, Eastern Illinois
13 University, Governors State University, Illinois State
14 University, Northeastern Illinois University, Northern
15 Illinois University, and Western Illinois University and shall
16 report its findings and recommendations concerning tuition and
17 fee waivers and tuition and fee waiver programs to the General
18 Assembly by filing electronic or paper copies of its report by
19 December 31 of each year as provided in Section 3.1 of the
20 General Assembly Organization Act.

21 ~~(b) The General Assembly finds and declares (i) that the~~
22 ~~Board of Higher Education reports that in Fiscal Year 2011~~
23 ~~public institutions of higher education awarded tuition and fee~~
24 ~~waivers totaling nearly \$415 million; (ii) that 83.9% of these~~
25 ~~waivers were discretionary in that they were awarded at the~~

1 ~~discretion of each institution and valued at over \$348 million;~~
2 ~~(iii) that the remaining 16.1% of waivers were mandatory in~~
3 ~~that institutions had to award the waivers by statute; and (iv)~~
4 ~~that because of the significant cost of such waivers, it is~~
5 ~~important to review, evaluate, and verify that these waivers~~
6 ~~are in the public interest and impose a reasonable financial~~
7 ~~impact upon higher education.~~

8 ~~There is hereby created the Tuition and Fee Waiver Task~~
9 ~~Force. The Task Force shall consist of the following members:~~

10 ~~(1) 2 members appointed by the President of the Senate;~~

11 ~~(2) 2 members appointed by the Speaker of the House of~~
12 ~~Representatives;~~

13 ~~(3) 2 members appointed by the Minority Leader of the~~
14 ~~Senate; and~~

15 ~~(4) 2 members appointed by the Minority Leader of the~~
16 ~~House of Representatives.~~

17 ~~The President and Speaker shall designate one member each~~
18 ~~to serve as co chairpersons of the Task Force. Members must be~~
19 ~~adults and residents of this State. The individual or his or~~
20 ~~her successor who appointed a member may remove that appointed~~
21 ~~member before the expiration of his or her term on the Task~~
22 ~~Force for official misconduct, incompetence, or neglect of~~
23 ~~duty. Members shall serve without compensation, but may be~~
24 ~~reimbursed for expenses. Appointments must be made within 60~~
25 ~~calendar days after the effective date of this amendatory Act~~
26 ~~of the 97th General Assembly.~~

1 ~~(e) The purpose of the Tuition and Fee Waiver Task Force is~~
2 ~~to conduct a thorough review and evaluation of the tuition and~~
3 ~~fee waiver programs offered by the public institutions of~~
4 ~~higher education listed in subsection (a) of this Section, as~~
5 ~~well as the findings and recommendations made by the Board~~
6 ~~concerning these programs pursuant to subsection (a) of this~~
7 ~~Section. The Task Force shall also thoroughly review and~~
8 ~~evaluate tuition and fee waiver programs offered by public~~
9 ~~institutions of higher education not listed in subsection (a)~~
10 ~~of this Section.~~

11 ~~The Task Force shall review and evaluate each of the~~
12 ~~tuition and fee waiver programs offered by public institutions~~
13 ~~of higher education and determine the propriety of each such~~
14 ~~program. As part of its review and evaluation, the Task Force~~
15 ~~shall, among other things, consider the following:~~

16 ~~(1) the institution's justification of the need for the~~
17 ~~program;~~

18 ~~(2) the program's intended purposes and goals;~~

19 ~~(3) the program's eligibility and selection criteria;~~

20 ~~(4) the program's costs;~~

21 ~~(5) the purported benefits resulting from the program;~~

22 ~~and~~

23 ~~(6) whether the program serves the public interest or~~
24 ~~advances a private interest.~~

25 ~~(d) The Board shall provide administrative support to the~~
26 ~~Tuition and Fee Waiver Task Force. The Task Force shall conduct~~

1 ~~meetings and public hearings before filing any report mandated~~
2 ~~under this subsection (d). At the public hearings, the Task~~
3 ~~Force shall allow interested persons to present their views and~~
4 ~~comments. The Task Force shall submit a report setting forth~~
5 ~~its review and evaluation of the tuition and fee waiver~~
6 ~~programs offered by public institutions of higher education on~~
7 ~~or before April 15, 2013 to the Governor, the General Assembly,~~
8 ~~and the Board. Upon filing its reports, the Task Force is~~
9 ~~dissolved.~~

10 (Source: P.A. 97-772, eff. 7-11-12.)

11 (110 ILCS 205/9.13 rep.)

12 (110 ILCS 205/9.20 rep.)

13 (110 ILCS 205/9.25 rep.)

14 (110 ILCS 205/9.27 rep.)

15 Section 10. The Board of Higher Education Act is amended by
16 repealing Sections 9.13, 9.20, 9.25, and 9.27.