

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 Illinois Mathematics and Science Academy Law  
5 is amended by changing Sections 2 and 4 as follows:

6 (105 ILCS 305/2) (from Ch. 122, par. 1503-2)

7 Sec. 2. Establishment, Funding and Location. There is  
8 hereby created the Illinois Mathematics and Science Academy,  
9 which shall be a residential institution located in the Fox  
10 River Valley in close proximity to the national science  
11 laboratories based in Illinois. The Academy may develop  
12 additional campuses throughout the State, however, any  
13 additional campus does not need to serve as a residential  
14 institution. The Academy shall be a State agency, funded by  
15 State appropriations, private contributions and endowments.  
16 Minimal fees for residential students who are Illinois  
17 residents may be charged. Tuition, fees, and room and board  
18 costs shall be charged for students who are not Illinois  
19 residents, the totality of which must be sufficient to ensure  
20 that no State appropriations are used to fund the costs of  
21 those students attending the Academy. The Academy may admit  
22 ~~those~~ students (i) who are Illinois residents or who are not  
23 Illinois residents and (ii) who have completed the academic

1 equivalent of the 8th ~~9th~~ grade. No more than 25% of the  
2 Academy's student body may be composed of students who are not  
3 Illinois residents. The Academy ~~and~~ may offer a program of  
4 secondary and postsecondary course work. Admission shall be  
5 determined by competitive examination.

6 In order to be eligible for State appropriations, the  
7 Academy shall submit to the Board of Higher Education not later  
8 than the 1st day of October of each year its budget proposal  
9 for the operation and capital needs of the Academy for its next  
10 fiscal year and information demonstrating that students who are  
11 not Illinois residents have paid and will pay tuition, fees,  
12 and room and board costs sufficient to ensure that no State  
13 appropriations were used or will be used to fund the costs of  
14 those students attending the Academy.

15 (Source: P.A. 95-793, eff. 1-1-09.)

16 (105 ILCS 305/4) (from Ch. 122, par. 1503-4)

17 Sec. 4. Powers of the Board. The board is hereby authorized  
18 to:

19 (a) Accept donations, bequests, or other forms of financial  
20 assistance for educational purposes from any public or private  
21 person or agency and comply with rules and regulations  
22 governing grants from the federal government or from any other  
23 person or agency, which are not in contravention of the  
24 Illinois Constitution or the laws of the State of Illinois.

25 (b) Purchase equipment and make improvements to facilities

1 necessary for the use of the school, in accordance with  
2 applicable law.

3 (c) Adopt, amend, or repeal rules, regulations, and  
4 policies necessary or proper for the conduct of the business of  
5 the board.

6 (d) Award certificates and issue diplomas for successful  
7 completion of programs of study requirements.

8 (e) Select a Director who shall be the chief administrative  
9 officer of the Academy and who shall administer the rules,  
10 regulations, and policies adopted by the Board pursuant hereto.  
11 The Director shall also be the chief administrative officer of  
12 the Board and shall be responsible for all the administrative  
13 functions, duties, and needs of the Board.

14 (f) Determine faculty and staff positions necessary for the  
15 efficient operation of the school and select personnel for such  
16 positions.

17 (g) Prepare and adopt an annual budget necessary for the  
18 continued operation of the school.

19 (h) Enter into contracts and agreements which have been  
20 recommended by the Director, in accordance with applicable law,  
21 and to the extent that funds are specifically appropriated  
22 therefor, with other public agencies with respect to  
23 cooperative enterprises and undertaking related to or  
24 associated with an educational purpose or program affecting  
25 education in the school. This shall not preclude the Board from  
26 entering into other such contracts and agreements that it may

1 deem necessary to carry out its duties and functions.

2 (i) Perform such other functions as are necessary to the  
3 supervision and control of those phases of education under its  
4 supervision and control.

5 (j) The Board shall delegate to the Director such of its  
6 administrative powers and duties as it deems appropriate to aid  
7 the Director in the efficient administration of his  
8 responsibility for the implementation of the policies of the  
9 Board.

10 (k) The Academy shall be empowered to lease or purchase  
11 real and personal property on commercially reasonable terms for  
12 the use of the Academy. After July 1, 1988, any leases or  
13 purchases of real or personal property and any disposition  
14 thereof by the Academy must be in compliance with the  
15 provisions of The Civil Administrative Code of Illinois and the  
16 State Property Control Act. Personal property acquired for the  
17 use of the Academy shall be inventoried and disposed of in  
18 accordance with the State Property Control Act.

19 In addition to the authorities granted herein and any  
20 powers, duties, and responsibilities vested by any other  
21 applicable laws, the Board shall:

22 (1) Adopt rules, regulations, and policies necessary  
23 for the efficient operation of the school.

24 (2) Establish criteria to be used in determining  
25 eligibility of applicants for enrollment. Such criteria  
26 shall ensure adequate geographic representation of this

1       State and adequate 7 sexual and ethnic representation.

2           (3) Determine subjects and extracurricular activities  
3 to be offered.

4           (4) Pay salaries and expenses, including but not  
5 necessarily restricted to facilities, equipment, and  
6 supplies of the faculty and staff of the Academy out of  
7 funds appropriated or otherwise made available for the  
8 operating and administrative expenses of the Board and the  
9 Academy.

10          (5) Exercise budgetary responsibility and allocate for  
11 expenditure by the Academy and programs under its  
12 jurisdiction, all monies appropriated or otherwise made  
13 available for purposes of the Board and of such Academy and  
14 programs.

15          (6) Prescribe and select for use in the school free  
16 school books and other materials of instruction for  
17 children enrolled in the school and programs under its  
18 jurisdiction for which the General Assembly provides  
19 funds. However, free school books and other materials of  
20 instruction need not be provided to students who are not  
21 Illinois residents, and a fee may be charged to such  
22 students for books and materials.

23          (7) Prepare and adopt or approve programs of study and  
24 rules, bylaws, and regulations for the conduct of students  
25 and for the government of the school and programs under its  
26 jurisdiction.

1           (8) Employ such personnel as may be needed, establish  
2           policies governing their employment and dismissal, and fix  
3           the amount of their compensation. In the employment,  
4           establishment of policies and fixing of compensation the  
5           board may make no discrimination on account of sex, race,  
6           creed, color or national origin.

7           The Academy, its board of trustees, and its employees shall  
8           be represented and indemnified in certain civil law suits in  
9           accordance with "An Act to provide for representation and  
10          indemnification in certain civil law suits", approved December  
11          3, 1977, as amended.

12          Neither the Academy, nor its officers, employees or board  
13          members shall participate in the creation of any corporation,  
14          joint venture, partnership, association, or other  
15          organizational entity which exercises, expands, or enhances  
16          the powers, duties, or responsibilities of the Academy unless  
17          specifically authorized by the General Assembly by law.

18          This Section does not restrict the Academy from creating  
19          any organization entity which is within or a part of the  
20          Academy.

21          (Source: P.A. 86-109.)