

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 Higher Education Student Assistance Act is  
5 amended by changing Section 70 as follows:

6 (110 ILCS 947/70)

7 Sec. 70. Administration of scholarship and grant programs.

8 (a) An applicant to whom the Commission has awarded a  
9 scholarship or grant under this Act may apply for enrollment as  
10 a student in any qualified institution of higher learning. The  
11 institution is not required to accept the applicant for  
12 enrollment, but is free to exact compliance with its own  
13 admissions requirements, standards, and policies. The  
14 institution may receive the payments of tuition and other  
15 necessary fees provided by the scholarship or grant, for credit  
16 against the student's obligation for such tuition and fees, and  
17 for no other purpose, and shall be contractually obligated:

18 (1) to provide facilities and instruction to the  
19 student on the same terms as to other students generally;

20 (2) to provide the notices and information described in  
21 this Act; and to maintain records and documents which  
22 demonstrate the eligibility of the students for whom  
23 scholarships and grants are claimed.

1 (b) If, in the course of any academic period, any student  
2 enrolled in any institution pursuant to a scholarship or grant  
3 awarded under this Act for any reason ceases to be a student in  
4 good standing, the institution shall promptly give written  
5 notice to the Commission concerning that change of status and  
6 the reason therefor. For purposes of this Section, a student  
7 does not cease to be a student in good standing merely because  
8 he or she is not classified as a full-time student.

9 (c) A student to whom a renewal scholarship or grant has  
10 been awarded may either re-enroll in the institution which he  
11 or she attended during the preceding year, or enroll in any  
12 other qualified institution of higher learning; and in either  
13 event, the institution accepting the student for enrollment or  
14 re-enrollment shall notify the Commission of that acceptance  
15 and may receive payments and shall be contractually obligated  
16 as provided with respect to a first-year scholarship or grant.

17 (d) The Commission shall administer the scholarship and  
18 grant accounts and related records of each student who is  
19 attending an institution of higher learning under financial  
20 assistance awarded pursuant to this Act, and at each proper  
21 time shall certify to the State Comptroller, in the manner  
22 prescribed by law, the current payment to be made to the  
23 institution on account of such financial assistance, in  
24 accordance with an appropriate certificate from the  
25 institution. The Commission may require the participating  
26 institution of higher learning to perform specific eligibility

1 evaluation procedures as a condition of participation.

2 (e) The Commission shall conduct on-site audits of  
3 educational institutions participating in Commission  
4 administered programs. When institutions have claimed and  
5 received funds on behalf of ineligible recipients, the  
6 Commission may adjust subsequent institutional payments to  
7 recover those funds.

8 (f) The Commission may, upon the request of any institution  
9 which received payment for scholarship and grant awards for  
10 each of the last 5 years, certify to the Comptroller an advance  
11 payment for the current term to be made to the institution on  
12 account of such financial assistance in an amount not to exceed  
13 75% of announced awards for the institution for such financial  
14 assistance for the current term, adjusted for attrition over  
15 the last 5 years. For the purposes of this Section, "attrition"  
16 is the number of announced award winners enrolled on the 10th  
17 class day as a percentage of the total announced awards. The  
18 request for an advance payment for the current term shall not  
19 be submitted until 10 class days after the last day for  
20 registration for that term. Upon appropriate certification  
21 from the institution presented for each payment period, after  
22 the standard tuition and mandatory fees have been established  
23 for all students for the term of payment and the award  
24 recipient has enrolled, the Commission shall certify to the  
25 State Comptroller the balance of the current payment to be made  
26 to the institution on account of such financial assistance. If

1 an advance payment received by an institution exceeds the  
2 payment to which that institution is entitled, the Commission  
3 shall reduce subsequent payments to that institution for later  
4 terms within the same academic year as the overpayment by an  
5 amount equal to the overpayment; if the reduction cannot be  
6 made, the institution shall refund the overpayment to the  
7 Commission. The Commission may deny or reduce the advance  
8 payment provided to any institution under this Section if it  
9 has reason to believe that the advance payment for the current  
10 term may exceed the full payment the institution is entitled to  
11 receive for such assistance for that term.

12 (g) The personal identity and address of a scholarship,  
13 grant, or other financial assistance applicant or recipient  
14 under a non-discretionary program administered by the  
15 Commission, including, but not limited to, the Monetary Award  
16 Program under Section 35 of this Act, ~~where eligibility data is  
17 obtained from the Free Application for Federal Student Aid  
18 authorized by 20 U.S.C. 1090 or is protected from disclosure  
19 under federal or State law or under rules and regulations  
20 implementing federal or State law,~~ is information that is  
21 intended to remain private and shall be exempt from inspection  
22 and copying under the Freedom of Information Act. This  
23 subsection does not apply to the publication of the names of  
24 State Scholars designated pursuant to Section 25 of this Act or  
25 information disclosed in the aggregate in which a person's  
26 identity cannot be determined.

1 (Source: P.A. 100-887, eff. 8-14-18.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.