



Rep. Michael J. Zalewski

Adopted in House on Oct 29, 2019

10100HB0745ham001

LRB101 03379 NHT 63939 a

1 AMENDMENT TO HOUSE BILL 745

2 AMENDMENT NO. _____. Amend House Bill 745 by replacing
3 everything after the enacting clause with the following:

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

1 for no other purpose, and shall be contractually obligated:

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

4 (2) to provide the notices and information described in
5 this Act; and to maintain records and documents which
6 demonstrate the eligibility of the students for whom
7 scholarships and grants are claimed.

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

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

24 (d) The Commission shall administer the scholarship and
25 grant accounts and related records of each student who is
26 attending an institution of higher learning under financial

1 assistance awarded pursuant to this Act, and at each proper
2 time shall certify to the State Comptroller, in the manner
3 prescribed by law, the current payment to be made to the
4 institution on account of such financial assistance, in
5 accordance with an appropriate certificate from the
6 institution. The Commission may require the participating
7 institution of higher learning to perform specific eligibility
8 evaluation procedures as a condition of participation.

9 (e) The Commission shall conduct on-site audits of
10 educational institutions participating in Commission
11 administered programs. When institutions have claimed and
12 received funds on behalf of ineligible recipients, the
13 Commission may adjust subsequent institutional payments to
14 recover those funds.

15 (f) The Commission may, upon the request of any institution
16 which received payment for scholarship and grant awards for
17 each of the last 5 years, certify to the Comptroller an advance
18 payment for the current term to be made to the institution on
19 account of such financial assistance in an amount not to exceed
20 75% of announced awards for the institution for such financial
21 assistance for the current term, adjusted for attrition over
22 the last 5 years. For the purposes of this Section, "attrition"
23 is the number of announced award winners enrolled on the 10th
24 class day as a percentage of the total announced awards. The
25 request for an advance payment for the current term shall not
26 be submitted until 10 class days after the last day for

1 registration for that term. Upon appropriate certification
2 from the institution presented for each payment period, after
3 the standard tuition and mandatory fees have been established
4 for all students for the term of payment and the award
5 recipient has enrolled, the Commission shall certify to the
6 State Comptroller the balance of the current payment to be made
7 to the institution on account of such financial assistance. If
8 an advance payment received by an institution exceeds the
9 payment to which that institution is entitled, the Commission
10 shall reduce subsequent payments to that institution for later
11 terms within the same academic year as the overpayment by an
12 amount equal to the overpayment; if the reduction cannot be
13 made, the institution shall refund the overpayment to the
14 Commission. The Commission may deny or reduce the advance
15 payment provided to any institution under this Section if it
16 has reason to believe that the advance payment for the current
17 term may exceed the full payment the institution is entitled to
18 receive for such assistance for that term.

19 (g) The personal identity and address of a scholarship,
20 grant, or other financial assistance applicant or recipient
21 under a non-discretionary program administered by the
22 Commission, including, but not limited to, the Monetary Award
23 Program under Section 35 of this Act, ~~where eligibility data is~~
24 ~~obtained from the Free Application for Federal Student Aid~~
25 ~~authorized by 20 U.S.C. 1090 or is protected from disclosure~~
26 ~~under federal or State law or under rules and regulations~~

1 ~~implementing federal or State law,~~ is information that is
2 intended to remain private and shall be exempt from inspection
3 and copying under the Freedom of Information Act. This
4 subsection does not apply to the publication of the names of
5 State Scholars designated pursuant to Section 25 of this Act or
6 information disclosed in the aggregate in which a person's
7 identity cannot be determined.

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".