



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 1212

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1212 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Course Equity Act.

6 Section 5. Definitions. In this Act:

7 "Board" means the State Board of Education.

8 "Course Equity Catalog" means the website and online  
9 catalog developed by or for the Board that provides a listing  
10 of all courses authorized and available to students in this  
11 State, includes detailed information about these courses in  
12 order to inform these students' enrollment decisions, and  
13 provides the functionality for these students to submit their  
14 course enrollments.

15 "Course Equity Program" means the Program created by this  
16 Act.

1 "Course Provider" means an entity authorized by the Board  
2 to offer Course Equity Program courses.

3 "Eligible funded student" means a student who is currently  
4 enrolled in a public school in this State and is participating  
5 in the Course Equity Program either (1) with permission of his  
6 or her school district or (2) in a course that is not available  
7 to the student at his or her school district and is required  
8 for high school graduation or required or recommended for  
9 admission to a public university in this State.

10 Section 10. Course Equity Program.

11 (a) The Board shall establish and administer a Course  
12 Equity Program under this Act that preserves any existing  
13 contractual agreements and relationships between the Board and  
14 virtual course providers that are active and outstanding  
15 immediately before the effective date of this Act, while also  
16 establishing guidelines to improve equitable access to course  
17 offerings.

18 (b) The Board must require all Course Equity Program  
19 courses to align with both:

20 (1) the Illinois Learning Standards, appropriate  
21 industry standards, or, for subjects without State  
22 academic standards, other relevant standards; and

23 (2) Board-adopted course quality standards, which may  
24 be identical to those developed by a national or  
25 international organization that supports high-quality

1 online learning or may modify existing standards to create  
2 Illinois-specific online course quality standards.

3 (c) The funding structure for Course Equity Program courses  
4 must maximize access to courses for low-income students and  
5 school districts by adhering to both of the following:

6 (1) Regularly calculating the actual cost of providing  
7 a course to a student and creating a graduated payment  
8 structure around that amount. In calculating this cost, the  
9 Course Provider may not offset the actual cost by any State  
10 or school district funding. The Course Provider may  
11 establish different actual costs for different courses if  
12 there is an actual variance in the costs or may establish  
13 several tiers of costs into which each course is assigned.

14 (2) Subject to appropriation, charging each school  
15 district an amount per pupil per course enrollment equal  
16 to:

17 (A) the actual cost, for school districts whose  
18 Final Percent of Adequacy under Section 18-8.15 of the  
19 School Code is above 100%;

20 (B) the actual cost multiplied by the percentage of  
21 a school district's Final Percent of Adequacy, for  
22 school districts whose Final Percent of Adequacy under  
23 Section 18-8.15 of the School Code is between 90% and  
24 100%; and

25 (C) the actual cost multiplied by the square of the  
26 percentage of a school district's Final Percentage of

1 Adequacy, for school districts whose Final Percent of  
2 Adequacy under Section 18-8.15 is less than 90%.

3 If the amount of the appropriation is insufficient to cover  
4 the subsidies needed to carry out subparagraph (B) of this  
5 paragraph, the Board must adopt a modified, equitable  
6 funding structure that remains consistent with the goal of  
7 maximizing course access for low-income students and  
8 school districts.

9 For a public school student who enrolls in a Course Equity  
10 Program course independently or without the consent of his or  
11 her school and does not otherwise qualify as an eligible funded  
12 student, the Course Provider may establish a sliding payment  
13 scale that offers lower fees if the student is a low-income  
14 student. School districts must choose to either cover the costs  
15 of the fee or pass all or a portion of costs to students  
16 enrolled in Course Equity Program courses, provided that no  
17 school district may pass on the cost of the fee to a student  
18 who is eligible for (i) Medicaid, (ii) the Children's Health  
19 Insurance Program under the Children's Health Insurance  
20 Program Act, (iii) the Temporary Assistance for Needy Families  
21 program, or (iv) the Supplemental Nutrition Assistance  
22 Program. No student may be denied approval to take a Course  
23 Equity Program course solely because of his or her low-income  
24 status.

25 (d) Any public or nonpublic school student in this State  
26 may enroll in a Course Equity Program course, provided the

1 student has completed all applicable prerequisite course  
2 requirements; however, transcript recognition and payment by  
3 the school or school district is only required for eligible  
4 funded students. Students who are not eligible funded students  
5 must pay the course fees to the Course Provider.

6 (e) If a public school denies a student's request to enroll  
7 in a Course Equity Program course, the school must submit the  
8 reason for the denial to the school board, and the reason must  
9 be included in board materials at a public hearing without any  
10 of the student's personally identifiable information.

11 (f) A school district must recognize on an eligible funded  
12 student's transcript each Course Equity Program course  
13 completed by the student. A school district may recognize on  
14 the transcript of a student who is not an eligible funded  
15 student a completed Course Equity Program course.

16 (g) Each Course Provider must provide a transcript to each  
17 student in the Program that includes his or her course  
18 enrollments, course completions, and the final percentage  
19 grade earned in each course; however, no Course Equity Program  
20 provider may grant a high school diploma.

21 (h) Course Equity Program teachers must hold a valid  
22 Professional Educator License under the School Code.

23 Section 15. Course Provider authorization process. The  
24 Board must perform all of the following:

25 (1) Establish an authorization process for Course

1 Providers that may include multiple opportunities for  
2 submission each school year.

3 (2) No later than 90 calendar days from the initial  
4 submission date, authorize a Course Provider if it complies  
5 with the criteria and instructional rigor required under  
6 this Act.

7 (3) No later than 90 calendar days from the initial  
8 submission date, provide a written explanation to a Course  
9 Provider that is denied Course Provider authorization. If a  
10 Course Provider is denied authorization, the Provider may  
11 reapply to the Board in the future.

12 (4) Publish the process established under Section 30,  
13 including any deadlines and guidelines applicable to the  
14 submission and authorization process for Course Providers.

15 If the Board determines that there are insufficient funds  
16 available for evaluating and authorizing Course Providers and  
17 administering the Course Equity Program, it may charge  
18 applicant Course Providers a fee no greater than the amount of  
19 the costs to ensure that evaluation, authorization, course  
20 quality reviews, and administration of the Course Equity  
21 Program occurs.

22 Section 20. Course Provider authorization criteria. To be  
23 authorized as a Course Provider through the Course Equity  
24 Program, a Course Provider must do all of the following:

25 (1) Comply with all applicable anti-discrimination

1 laws and applicable State and federal student data privacy  
2 laws, including the federal Family Educational Rights and  
3 Privacy Act of 1974.

4 (2) Provide an assurance that all online information  
5 and resources for courses are fully accessible to students  
6 of all abilities and that:

7 (A) all of the courses submitted for approval are  
8 reviewed to ensure they meet legal accessibility  
9 standards;

10 (B) the Course Provider has policies to ensure its  
11 organizational and course websites meet accessibility  
12 requirements; and

13 (C) the Course Provider has no gateway exam or test  
14 in which a specific score is required to participate in  
15 Course Equity Program courses beyond completion of  
16 prerequisite coursework or demonstrated mastery of  
17 prerequisite material.

18 (3) Demonstrate either:

19 (A) prior evidence of delivery of quality outcomes  
20 for students, as demonstrated by metrics determined by  
21 the Board, including, but not limited to, completion  
22 rates, student level growth, proficiency, or other  
23 quantifiable outcomes; or

24 (B) for an applicant applying to be a Course  
25 Provider and offering a course for the first time, a  
26 detailed justification, in a manner determined by the

1 Board, of how its subject matter, instructional, or  
2 technical expertise will lead to successful outcomes  
3 for students.

4 (4) Ensure that instructional courses align with the  
5 Illinois Learning Standards, appropriate industry  
6 standards, or other relevant standards in courses without  
7 State academic standards and course quality standards.

8 (5) Provide assurances that the Course Provider will  
9 electronically provide, in a manner and format determined  
10 by the Board, a detailed student record of enrollment,  
11 performance, completion, and grading information to the  
12 schools with participating students that are enrolled  
13 full-time.

14 Section 25. Course quality review and approval. The Board  
15 shall establish a course review and approval process for Course  
16 Providers. The process may be implemented by the Board or an  
17 entity designated by the Board. To be approved and added to the  
18 Course Equity Catalog, a course must have all of the following  
19 qualifications:

20 (1) Be, at a minimum, equivalent in instructional rigor  
21 and scope to a course that is provided in a traditional  
22 classroom setting.

23 (2) Align with the Illinois Learning Standards,  
24 appropriate industry standards, or other relevant  
25 standards for subjects without State academic standards.



1           (3) Possess an assessment component for determining  
2 student growth and proficiency.

3           (4) Be designed and implemented consistently with  
4 standards established by the Board.

5           Section 30. Course Provider and course monitoring and  
6 reauthorization.

7           (a) The initial authorization of a Course Provider and  
8 courses shall be for a one-year period. After the initial  
9 authorization period, the Board may reauthorize Course  
10 Providers for additional periods of up to 3 years after  
11 thorough review of the Course Provider's performance.

12           (b) Course Providers must annually report to the Board, in  
13 a manner determined by the Board, all of the following:

14           (1) Student enrollment data, including ethnic, income,  
15 and gender demographics, which may be calculated based on  
16 self-identification by the students.

17           (2) Student outcomes, including student growth and  
18 proficiency measures and completion rates for each course.

19           (3) Student and parental feedback on overall  
20 satisfaction and quality.

21           (c) If the performance of a Course Provider does not meet  
22 the standards determined by the Board, the Board must do one of  
23 the following:

24           (1) Terminate the entity's status as a Course Provider.

25           (2) Place the Course Provider on probation and require

1 it to submit a plan for improvement. The Board shall  
2 determine the terms of the probation. The Board shall, at  
3 its own discretion, determine if the Course Provider has  
4 met the results required to return to good standing. If a  
5 Course Provider fails to return to good standing within the  
6 timeframe cited in its terms of probation, the Board must  
7 terminate its status as a Course Provider.

8 (d) The Board may exclude a course provided by an  
9 authorized Course Provider if it determines any of the  
10 following:

11 (1) The course is no longer adequately aligned with  
12 State academic standards.

13 (2) The course no longer provides a detailed and  
14 quality curriculum and accountability plan.

15 (3) The course fails to deliver outcomes as determined  
16 by the Board.

17 Section 35. Board responsibilities. The Board is  
18 responsible for all of the following:

19 (1) Publishing the criteria required under Section 25  
20 for the courses that may be offered through the Course  
21 Equity Program.

22 (2) Creating the Course Equity Catalog.

23 (3) Publishing a link to the Course Equity Catalog in a  
24 prominent location on the Board's website, which shall  
25 include a list of courses offered by Course Providers

1 available through the Course Equity Program, a detailed  
2 description of the courses, and any available parent and  
3 student survey and outcome data. The data in this catalog  
4 must be published online in an open format that can be  
5 retrieved, downloaded, indexed, and searched by commonly  
6 used web search applications. An open format is one that is  
7 platform independent, machine readable, and made available  
8 to the public without restrictions that would impede the  
9 re-use of that information.

10 (4) Establishing and publishing a time frame or  
11 specific dates by which students are able to withdraw from  
12 a course provided through the Course Equity Program without  
13 the student, school district, or Course Provider incurring  
14 a penalty.

15 (5) Submitting an annual report on the Course Equity  
16 Program to the Governor and the General Assembly. The  
17 report shall, at a minimum, include all of the following  
18 information:

19 (A) The annual number of students participating in  
20 courses authorized under this Act and the total number  
21 of courses in which students are enrolled.

22 (B) The number of authorized Course Providers.

23 (C) The number of authorized courses and the number  
24 of students enrolled in each course.

25 (D) The number of courses available by subject.

26 (E) The number of students enrolled in courses by

1 subject.

2 (F) Student outcome data reported for all students  
3 and for subgroups of students, as determined by the  
4 Board, by course.

5 Section 40. School district responsibilities. A school  
6 district is responsible for both of the following:

7 (1) Publishing Program information and eligibility  
8 guidelines on the school district's website with a link to  
9 the Board's Course Equity Catalog.

10 (2) Establishing policies and procedures in which, for  
11 each eligible funded student, credits earned through a  
12 Course Provider appear on the student's official  
13 transcript and count fully toward the requirements of any  
14 approved diploma.

15 Section 45. Rules. The Board may adopt any rules necessary  
16 to implement this Act.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law."