

SB3540



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3540

Introduced 2/14/2020, by Sen. Andy Manar

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-14.9 new
110 ILCS 947/52 rep.
625 ILCS 5/3-648

Amends the School Code to transfer the administration of the Golden Apple Scholars of Illinois Program from the Illinois Student Assistance Commission to the State Board of Education. Amends the Higher Education Student Assistance Act and the Illinois Vehicle Code to make corresponding changes. Effective July 1, 2020.

LRB101 17861 NHT 67296 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 School Code is amended by adding Section
5 30-14.9 as follows:

6 (105 ILCS 5/30-14.9 new)

7 Sec. 30-14.9. Golden Apple Scholars of Illinois Program;
8 Golden Apple Foundation for Excellence in Teaching.

9 (a) In this Section:

10 "Foundation" means the Golden Apple Foundation for
11 Excellence in Teaching, a registered 501(c)(3) not-for-profit
12 corporation.

13 "Institution of higher learning" has the meaning given to
14 that term in the Higher Education Student Assistance Act.

15 "State Board" means the State Board of Education.

16 (b) In order to encourage academically talented Illinois
17 students, especially minority students, to pursue teaching
18 careers, especially in teacher shortage disciplines (which
19 shall be defined to include early childhood education) or at
20 hard-to-staff schools (as defined by the State Board), to
21 provide those students with the crucial mentoring, guidance,
22 and in-service support that will significantly increase the
23 likelihood that they will complete their full teaching

1 commitments and elect to continue teaching in targeted
2 disciplines and hard-to-staff schools, and to ensure that
3 students in this State will continue to have access to a pool
4 of highly-qualified teachers, each qualified student shall be
5 awarded a Golden Apple Scholars of Illinois Program scholarship
6 to any Illinois institution of higher learning. The State Board
7 shall administer the Golden Apple Scholars of Illinois Program,
8 which shall be managed by the Foundation pursuant to the terms
9 of a grant agreement meeting the requirements of Section 4 of
10 the Illinois Grant Funds Recovery Act.

11 (c) For purposes of this Section, a qualified student shall
12 be a student who meets the following qualifications:

13 (1) is a resident of this State and a citizen or
14 eligible noncitizen of the United States;

15 (2) is a high school graduate or a person who has
16 received a high school equivalency certificate;

17 (3) is enrolled or accepted, on at least a half-time
18 basis, at an institution of higher learning;

19 (4) is pursuing a postsecondary course of study leading
20 to initial licensure or pursuing additional course work
21 needed to gain State Board of Education approval to teach,
22 including alternative teacher licensure; and

23 (5) is a participant in programs managed by and is
24 approved to receive a scholarship from the Foundation.

25 (d) Funds designated for the Golden Apple Scholars of
26 Illinois Program shall be used by the State Board for the

1 payment of scholarship assistance under this Section or for the
2 award of grant funds, subject to the Illinois Grant Funds
3 Recovery Act, to the Foundation. Subject to appropriation,
4 awards of grant funds to the Foundation shall be made on an
5 annual basis and following an application for grant funds by
6 the Foundation.

7 (e) Each year, the Foundation shall include in its
8 application to the State Board for grant funds an estimate of
9 the amount of scholarship assistance to be provided to
10 qualified students during the grant period. Any amount of
11 appropriated funds exceeding the estimated amount of
12 scholarship assistance may be awarded by the State Board to the
13 Foundation for management expenses expected to be incurred by
14 the Foundation in providing the mentoring, guidance, and
15 in-service supports that will increase the likelihood that
16 qualified students will complete their teaching commitments
17 and elect to continue teaching in hard-to-staff schools. If the
18 estimate of the amount of scholarship assistance described in
19 the Foundation's application is less than the actual amount
20 required for the award of scholarship assistance to qualified
21 students, the Foundation shall be responsible for using awarded
22 grant funds to ensure all qualified students receive
23 scholarship assistance under this Section.

24 (f) All grant funds not expended or legally obligated
25 within the time specified in a grant agreement between the
26 Foundation and the State Board shall be returned to the State

1 Board within 45 days. Any funds legally obligated by the end of
2 a grant agreement shall be liquidated within 45 days or
3 otherwise returned to the State Board within 90 days after the
4 end of the grant agreement that resulted in the award of grant
5 funds.

6 (g) Each scholarship awarded under this Section shall be in
7 an amount sufficient to pay the tuition and fees and room and
8 board costs of the institution of higher learning at which the
9 recipient is enrolled, up to an annual maximum of \$5,000;
10 except that in the case of a recipient who does not reside
11 on-campus at the institution of higher learning at which he or
12 she is enrolled, the amount of the scholarship shall be
13 sufficient to pay tuition and fee expenses and a commuter
14 allowance, up to an annual maximum of \$5,000. All scholarship
15 funds distributed in accordance with this Section shall be paid
16 to the institution on behalf of recipients.

17 (h) The total amount of scholarship assistance awarded by
18 the State Board under this Section to an individual in any
19 given fiscal year, when added to other financial assistance
20 awarded to that individual for that year, shall not exceed the
21 cost of attendance at the institution of higher learning at
22 which the student is enrolled. In any academic year for which a
23 qualified student under this Section accepts financial
24 assistance through any other teacher scholarship program
25 administered by the Illinois Student Assistance Commission, a
26 qualified student shall not be eligible for scholarship

1 assistance awarded under this Section.

2 (i) A recipient may receive up to 8 semesters or 12
3 quarters of scholarship assistance under this Section.
4 Scholarship funds are applicable toward 2 semesters or 3
5 quarters of enrollment each academic year.

6 (j) All applications for scholarship assistance to be
7 awarded under this Section shall be made to the Foundation in a
8 form determined by the Foundation. Each year, the Foundation
9 shall notify the State Board of the individuals awarded
10 scholarship assistance under this Section. Each year, at least
11 30% of the Golden Apple Scholars of Illinois Program
12 scholarships shall be awarded to students residing in counties
13 having a population of less than 500,000.

14 (k) The State Board shall administer the payment of
15 scholarship assistance provided through the Golden Apple
16 Scholars of Illinois Program and shall make all necessary and
17 proper rules not inconsistent with this Section for the
18 effective implementation of this Section.

19 (l) Prior to receiving scholarship assistance for any
20 academic year, each recipient of a scholarship awarded under
21 this Section shall be required by the Foundation to sign an
22 agreement under which the recipient pledges that, within the
23 2-year period following the termination of the academic program
24 for which the recipient was awarded a scholarship, the
25 recipient: (i) shall begin teaching for a period of not less
26 than 5 years, (ii) shall fulfill this teaching obligation at a

1 nonprofit Illinois public, private, or parochial preschool or
2 an Illinois public elementary or secondary school that
3 qualifies for teacher loan cancellation under Section
4 465(a)(2)(A) of the federal Higher Education Act of 1965 (20
5 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed
6 eligible for fulfilling the teaching commitment as designated
7 by the Foundation, and (iii) shall, upon request of the
8 Foundation, provide the Foundation with evidence that he or she
9 is fulfilling or has fulfilled the terms of the teaching
10 agreement provided for in this subsection (l). Upon request,
11 the Foundation shall provide evidence of teacher fulfillment to
12 the State Board.

13 (m) If a recipient of a scholarship awarded under this
14 Section fails to fulfill the teaching obligation set forth in
15 subsection (l), the State Board shall require the recipient to
16 repay the amount of the scholarships received, prorated
17 according to the fraction of the teaching obligation not
18 completed, plus interest at a rate of 5% and if applicable,
19 reasonable collection fees. Payments received by the State
20 Board under this subsection (m) shall be remitted to the State
21 Comptroller for deposit into the General Revenue Fund, except
22 that that portion of a recipient's repayment that equals the
23 amount in expenses that the State Board has reasonably incurred
24 in attempting collection from that recipient shall be remitted
25 to the State Comptroller for deposit into the State Board's
26 Accounts Receivable Fund.

1 (n) A recipient of a scholarship awarded by the Foundation
2 under this Section shall not be considered to have failed to
3 fulfill the teaching obligations of the agreement entered into
4 pursuant to subsection (l) if the recipient (i) enrolls on a
5 full-time basis as a graduate student in a course of study
6 related to the field of teaching at an institution of higher
7 learning; (ii) is serving as a member of the armed services of
8 the United States; (iii) is a person with a temporary total
9 disability, as established by sworn affidavit of a qualified
10 physician; (iv) is seeking and unable to find full-time
11 employment as a teacher at a school that satisfies the criteria
12 set forth in subsection (l) and is able to provide evidence of
13 that fact; (v) is taking additional courses, on at least a
14 half-time basis, needed to obtain licensure as a teacher in
15 Illinois; (vi) is fulfilling teaching requirements associated
16 with other programs administered by the Illinois Student
17 Assistance Commission and cannot concurrently fulfill them
18 under this Section in a period of time equal to the length of
19 the teaching obligation; or (vii) is participating in a program
20 established under Executive Order 10924 of the President of the
21 United States or the federal National Community Service Act of
22 1990 (42 U.S.C. 12501 et seq.). Any such extension of the
23 period during which the teaching requirement must be fulfilled
24 shall be subject to limitations of duration as established by
25 the State Board.

26 (o) A recipient who fails to fulfill the teaching

1 obligations of the agreement entered into pursuant to
2 subsection (l) shall repay the amount of scholarship assistance
3 awarded to him or her under this Section within 10 years.

4 (p) Annually, at a time determined by the State Board in
5 consultation with the Foundation, the Foundation shall submit a
6 report to assist the State Board in monitoring the Foundation's
7 performance of grant activities. The report shall describe the
8 following:

9 (1) the Foundation's anticipated expenditures for the
10 next fiscal year;

11 (2) the number of qualified students receiving
12 scholarship assistance at each institution of higher
13 learning where a qualified student was enrolled under this
14 Section during the previous fiscal year;

15 (3) the total monetary value of scholarship funds paid
16 to each institution of higher learning at which a qualified
17 student was enrolled during the previous fiscal year;

18 (4) the number of scholarship recipients who completed
19 a baccalaureate degree during the previous fiscal year;

20 (5) the number of scholarship recipients who fulfilled
21 their teaching obligation during the previous fiscal year;

22 (6) the number of scholarship recipients who failed to
23 fulfill their teaching obligation during the previous
24 fiscal year;

25 (7) the number of scholarship recipients granted an
26 extension described in subsection (n) during the previous

1 fiscal year;

2 (8) the number of scholarship recipients required to
3 repay scholarship assistance in accordance with subsection
4 (m) during the previous fiscal year;

5 (9) the number of scholarship recipients who
6 successfully repaid scholarship assistance in full during
7 the previous fiscal year;

8 (10) the number of scholarship recipients who
9 defaulted on their obligation to repay scholarship
10 assistance during the previous fiscal year;

11 (11) the amount of scholarship assistance subject to
12 collection in accordance with subsection (m) at the end of
13 the previous fiscal year;

14 (12) the amount of collected funds to be remitted to
15 the State Comptroller in accordance with subsection (m) at
16 the end of the previous fiscal year; and

17 (13) other information that the State Board may
18 reasonably request.

19 (q) The Auditor General shall prepare an annual audit of
20 the operations and finances of the Golden Apple Scholars of
21 Illinois Program. This audit shall be provided to the Governor,
22 General Assembly, and State Board.

23 (r) The suspension of grant making authority found in
24 Section 4.2 of the Illinois Grant Funds Recovery Act shall not
25 apply to grants made pursuant to this Section.

26 (s) On July 1, 2020, there is transferred to the State

1 Board from the Illinois Student Assistance Commission all
2 authority and responsibility exercised by the Commission
3 before July 1, 2020 with respect to the administration of the
4 Golden Apple Scholars of Illinois Program. On and after July 1,
5 2020, the State Board shall administer, in accordance with all
6 applicable laws and rules, the conduct and operation of the
7 Golden Apple Scholars of Illinois Program.

8 On July 1, 2020, the Illinois Student Assistance Commission
9 shall transfer to the State Board, as successor to the
10 Commission for all purposes of administering the Golden Apple
11 Scholars of Illinois Program, all books, accounts, records,
12 papers, documents, contracts, agreements, and pending business
13 in the possession or under the control of the Commission and
14 relating to its administration of the Golden Apple Scholars of
15 Illinois Program. All pending applications made before July 1,
16 2020 for scholarship awards under the Golden Apple Scholars of
17 Illinois Program and all scholarships awarded under that
18 program before July 1, 2020 shall be unaffected by the transfer
19 to the State Board of all responsibilities and authority
20 formerly exercised by the Commission with respect to that
21 program. The Commission shall furnish to the State Board such
22 other information as the State Board may request to assist it
23 in administering this Section.

24 On July 1, 2020, references in any law, appropriation,
25 rule, form, or other document to the Illinois Student
26 Assistance Commission are deemed, in appropriate contexts, to

1 be references to the State Board of Education for all purposes
2 of administering the Golden Apple Scholars of Illinois Program.

3 (110 ILCS 947/52 rep.)

4 Section 10. The Higher Education Student Assistance Act is
5 amended by repealing Section 52.

6 Section 15. The Illinois Vehicle Code is amended by
7 changing Section 3-648 as follows:

8 (625 ILCS 5/3-648)

9 Sec. 3-648. Education license plates.

10 (a) The Secretary, upon receipt of an application made in
11 the form prescribed by the Secretary, may issue special
12 registration plates designated as Education license plates.
13 The special plates issued under this Section shall be affixed
14 only to passenger vehicles of the first division and motor
15 vehicles of the second division weighing not more than 8,000
16 pounds. Plates issued under this Section shall expire according
17 to the multi-year procedure established by Section 3-414.1 of
18 this Code.

19 (b) The design and color of the plates shall be determined
20 by a contest that every elementary school pupil in the State of
21 Illinois is eligible to enter. The designs submitted for the
22 contest shall be judged on September 30, 2002, and the winning
23 design shall be selected by a committee composed of the

1 Secretary, the Director of State Police, 2 members of the
2 Senate, one member chosen by the President of the Senate and
3 one member chosen by the Senate Minority Leader, and 2 members
4 of the House of Representatives, one member chosen by the
5 Speaker of the House and one member chosen by the House
6 Minority Leader. The Secretary may allow the plates to be
7 issued as vanity or personalized plates under Section 3-405.1
8 of the Code. The Secretary shall prescribe stickers or decals
9 as provided under Section 3-412 of this Code.

10 (c) An applicant for the special plate shall be charged a
11 \$40 fee for original issuance, in addition to the appropriate
12 registration fee. Of this \$40 additional original issuance fee,
13 \$15 shall be deposited into the Secretary of State Special
14 License Plate Fund, to be used by the Secretary to help defray
15 the administrative processing costs, and \$25 shall be deposited
16 into the Golden Apple Scholars of Illinois Fund. For each
17 registration renewal period, a \$40 fee, in addition to the
18 appropriate registration fee, shall be charged. Of this \$40
19 additional renewal fee, \$2 shall be deposited into the
20 Secretary of State Special License Plate Fund and \$38 shall be
21 deposited into the Golden Apple Scholars of Illinois Fund. Each
22 fiscal year, once deposits from the additional original
23 issuance and renewal fees into the Secretary of State Special
24 License Plate Fund have reached \$500,000, all the amounts
25 received for the additional fees for the balance of the fiscal
26 year shall be deposited into the Golden Apple Scholars of

1 Illinois Fund.

2 (d) The Golden Apple Scholars of Illinois Fund is created
3 as a special fund in the State treasury. All moneys in the
4 Golden Apple Scholars of Illinois Fund shall be apportioned
5 according to Section 30-14.9 of the School Code ~~52 of the~~
6 ~~Higher Education Student Assistance Act.~~

7 (Source: P.A. 98-533, eff. 8-23-13.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2020.