

HB0049



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0049

Introduced 1/14/2021, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

110 ILCS 205/9.40 new
110 ILCS 947/10
110 ILCS 947/35

Amends the Board of Higher Education Act to prohibit the Board of Higher Education from awarding any grant funds to a private institution of higher education that is operated for profit. Amends the Higher Education Student Assistance Act to remove a for-profit educational organization from the definition of "institution of higher learning", "qualified institution", and "institution". Removes a provision allowing Monetary Award Program grants to be made to applicants enrolled at qualified for-profit institutions. Effective immediately.

LRB102 03874 CMG 13889 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 Board of Higher Education Act is amended by
5 adding Section 9.40 as follows:

6 (110 ILCS 205/9.40 new)

7 Sec. 9.40. Grant funds to for-profit institutions
8 prohibited. Notwithstanding any other law to the contrary, the
9 Board is prohibited from awarding any grant funds to a private
10 institution of higher education that is operated for profit.

11 Section 10. The Higher Education Student Assistance Act is
12 amended by changing Sections 10 and 35 as follows:

13 (110 ILCS 947/10)

14 Sec. 10. Definitions. In this Act, and except to the
15 extent that any of the following words or phrases is
16 specifically qualified by its context:

17 "Commission" means the Illinois Student Assistance
18 Commission created by this Act.

19 "Enrollment" means the establishment and maintenance of an
20 individual's status as a student in an institution of higher
21 learning, regardless of the terms used at the institution to

1 describe that status.

2 "Approved high school" means any public high school
3 located in this State; and any high school, located in this
4 State or elsewhere (whether designated as a high school,
5 secondary school, academy, preparatory school, or otherwise)
6 which in the judgment of the State Superintendent of Education
7 provides a course of instruction at the secondary level and
8 maintains standards of instruction substantially equivalent to
9 those of the public high schools located in this State.

10 "Institution of higher learning", "qualified institution",
11 or "institution" means an educational organization located in
12 this State that: ~~which~~

13 (1) provides at least an organized 2-year ~~2-year~~
14 program of collegiate grade in the liberal arts or
15 sciences, or both, directly applicable toward the
16 attainment of a baccalaureate degree or a program in
17 health education directly applicable toward the attainment
18 of a certificate, diploma, or an associate degree;

19 (2) either is:

20 (A) operated by this State; ~~or~~

21 (B) operated publicly or privately, not for
22 profit; ~~or~~

23 ~~(C) operated for profit, provided such for profit~~
24 ~~organization~~

25 ~~(i) offers degree programs which have been~~
26 ~~approved by the Board of Higher Education for a~~

1 ~~minimum of 3 years under the Academic Degree Act,~~

2 ~~and~~

3 ~~(ii) enrolls a majority of its students in~~
4 ~~such degree programs, and~~

5 ~~(iii) maintains an accredited status with the~~
6 ~~Commission on Institutions of Higher Education of~~
7 ~~the North Central Association of Colleges and~~
8 ~~Schools;~~

9 (3) in the judgment of the Commission meets standards
10 substantially equivalent to those of comparable
11 institutions operated by this State; and

12 (4) if so required by the Commission, uses the State
13 as its primary guarantor of student loans made under the
14 federal Higher Education Act of 1965.

15 For otherwise eligible educational organizations which provide
16 academic programs for incarcerated students, the terms
17 "institution of higher learning", "qualified institutions",
18 and "institution" shall specifically exclude academic programs
19 for incarcerated students.

20 "Academic year" means a 12 month period of time, normally
21 but not exclusively, from September 1 of any year through
22 August 31 of the ensuing year.

23 "Full-time student" means any undergraduate student
24 enrolled in 12 or more semester or quarter hours of credit
25 courses in any given semester or quarter or in the equivalent
26 number of units of registration as determined by the

1 Commission.

2 "Part-time student" means any undergraduate student, other
3 than a full-time student, enrolled in 6 or more semester or
4 quarter hours of credit courses in any given semester or
5 quarter or in the equivalent number of units of registration
6 as determined by the Commission. Beginning with fiscal year
7 1999, the Commission may, on a program by program basis,
8 expand this definition of "part-time student" to include
9 students who enroll in less than 6 semester or quarter hours of
10 credit courses in any given semester or quarter.

11 "Public university" means any public 4-year university in
12 this State.

13 "Public university campus" means any campus under the
14 governance or supervision of a public university.

15 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18.)

16 (110 ILCS 947/35)

17 Sec. 35. Monetary award program.

18 (a) The Commission shall, each year, receive and consider
19 applications for grant assistance under this Section. Subject
20 to a separate appropriation for such purposes, an applicant is
21 eligible for a grant under this Section when the Commission
22 finds that the applicant:

23 (1) is a resident of this State and a citizen or
24 permanent resident of the United States; and

25 (2) in the absence of grant assistance, will be

1 deterred by financial considerations from completing an
2 educational program at the qualified institution of his or
3 her choice.

4 (b) The Commission shall award renewals only upon the
5 student's application and upon the Commission's finding that
6 the applicant:

7 (1) has remained a student in good standing;

8 (2) remains a resident of this State; and

9 (3) is in a financial situation that continues to
10 warrant assistance.

11 (c) All grants shall be applicable only to tuition and
12 necessary fee costs. The Commission shall determine the grant
13 amount for each student, which shall not exceed the smallest
14 of the following amounts:

15 (1) subject to appropriation, \$5,468 for fiscal year
16 2009, \$5,968 for fiscal year 2010, and \$6,468 for fiscal
17 year 2011 and each fiscal year thereafter, or such lesser
18 amount as the Commission finds to be available, during an
19 academic year;

20 (2) the amount which equals 2 semesters or 3 quarters
21 tuition and other necessary fees required generally by the
22 institution of all full-time undergraduate students; or

23 (3) such amount as the Commission finds to be
24 appropriate in view of the applicant's financial
25 resources.

26 Subject to appropriation, the maximum grant amount for

1 students not subject to subdivision (1) of this subsection (c)
2 must be increased by the same percentage as any increase made
3 by law to the maximum grant amount under subdivision (1) of
4 this subsection (c).

5 "Tuition and other necessary fees" as used in this Section
6 include the customary charge for instruction and use of
7 facilities in general, and the additional fixed fees charged
8 for specified purposes, which are required generally of
9 nongrant recipients for each academic period for which the
10 grant applicant actually enrolls, but do not include fees
11 payable only once or breakage fees and other contingent
12 deposits which are refundable in whole or in part. The
13 Commission may prescribe, by rule not inconsistent with this
14 Section, detailed provisions concerning the computation of
15 tuition and other necessary fees.

16 (d) No applicant, including those presently receiving
17 scholarship assistance under this Act, is eligible for
18 monetary award program consideration under this Act after
19 receiving a baccalaureate degree or the equivalent of 135
20 semester credit hours of award payments.

21 (d-5) In this subsection (d-5), "renewing applicant" means
22 a student attending an institution of higher learning who
23 received a Monetary Award Program grant during the prior
24 academic year. Beginning with the processing of applications
25 for the 2020-2021 academic year, the Commission shall annually
26 publish a priority deadline date for renewing applicants.

1 Subject to appropriation, a renewing applicant who files by
2 the published priority deadline date shall receive a grant if
3 he or she continues to meet the eligibility requirements under
4 this Section. A renewing applicant's failure to apply by the
5 priority deadline date established under this subsection (d-5)
6 shall not disqualify him or her from receiving a grant if
7 sufficient funding is available to provide awards after that
8 date.

9 (e) The Commission, in determining the number of grants to
10 be offered, shall take into consideration past experience with
11 the rate of grant funds unclaimed by recipients. The
12 Commission shall notify applicants that grant assistance is
13 contingent upon the availability of appropriated funds.

14 (e-5) The General Assembly finds and declares that it is
15 an important purpose of the Monetary Award Program to
16 facilitate access to college both for students who pursue
17 postsecondary education immediately following high school and
18 for those who pursue postsecondary education later in life,
19 particularly Illinoisans who are dislocated workers with
20 financial need and who are seeking to improve their economic
21 position through education. For the 2015-2016 and 2016-2017
22 academic years, the Commission shall give additional and
23 specific consideration to the needs of dislocated workers with
24 the intent of allowing applicants who are dislocated workers
25 an opportunity to secure financial assistance even if applying
26 later than the general pool of applicants. The Commission's

1 consideration shall include, in determining the number of
2 grants to be offered, an estimate of the resources needed to
3 serve dislocated workers who apply after the Commission
4 initially suspends award announcements for the upcoming
5 regular academic year, but prior to the beginning of that
6 academic year. For the purposes of this subsection (e-5), a
7 dislocated worker is defined as in the federal Workforce
8 Innovation and Opportunity Act.

9 (f) (Blank).

10 (g) (Blank). ~~The Commission shall determine the~~
11 ~~eligibility of and make grants to applicants enrolled at~~
12 ~~qualified for-profit institutions in accordance with the~~
13 ~~criteria set forth in this Section. The eligibility of~~
14 ~~applicants enrolled at such for-profit institutions shall be~~
15 ~~limited as follows:~~

16 ~~(1) Beginning with the academic year 1997, only to~~
17 ~~eligible first time freshmen and first time transfer~~
18 ~~students who have attained an associate degree.~~

19 ~~(2) Beginning with the academic year 1998, only to~~
20 ~~eligible freshmen students, transfer students who have~~
21 ~~attained an associate degree, and students who receive a~~
22 ~~grant under paragraph (1) for the academic year 1997 and~~
23 ~~whose grants are being renewed for the academic year 1998.~~

24 ~~(3) Beginning with the academic year 1999, to all~~
25 ~~eligible students.~~

26 (h) The Commission may adopt rules to implement this

1 Section.

2 (Source: P.A. 100-477, eff. 9-8-17; 100-621, eff. 7-20-18;
3 100-823, eff. 8-13-18; 101-81, eff. 7-12-19.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.