

# SB0136



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB0136

Introduced 2/9/2021, by Sen. Julie A. Morrison

#### SYNOPSIS AS INTRODUCED:

20 ILCS 505/44 new

Amends the Children and Family Services Act. Beginning with the 2021-2022 academic year, requires the Department of Children and Family Services to establish and administer the Child Welfare Education Stipend Pilot Program to provide financial assistance to students who commit to seek and maintain employment at an Illinois purchase of service agency that contracts with the Department following their graduation from a participating institution of higher education with a degree in social work. Sets forth provisions concerning an intergovernmental agreement, student eligibility and renewal, the stipend amount, the student's employment obligation, repayment of a stipend, Department and institution requirements, reporting, and rulemaking. Effective July 1, 2021.

LRB102 13154 CMG 18497 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 Children and Family Services Act is amended  
5 by adding Section 44 as follows:

6 (20 ILCS 505/44 new)

7 Sec. 44. Child Welfare Education Stipend Pilot Program.

8 (a) The General Assembly makes all of the following  
9 findings:

10 (1) The Department of Children and Family Services is  
11 responsible for the administration of foster care programs  
12 throughout the State of Illinois. Caseworkers and other  
13 direct service staff support foster homes, independent  
14 living opportunities, transitional living programs, and  
15 group homes. The foster care programs ensure that youth  
16 who are in the custody of the Department are maintained in  
17 nurturing environments as their cases progress toward  
18 permanency goals set by a juvenile court. The Department  
19 contracts with many private agencies and purchase of  
20 service agencies for the administration of these programs.

21 (2) Due to numerous factors, including the rate of  
22 pay, purchase of service agencies have a high employee  
23 turnover rate and struggle to maintain consistent

1 employment levels. This high turnover is disruptive to the  
2 families and youth in care that are served by the foster  
3 care programs.

4 (3) A number of public institutions of higher  
5 education offer child welfare social work programs that  
6 are designed to train and prepare students for employment  
7 in the child welfare social work field, including  
8 employment in the foster care programs at purchase of  
9 service agencies.

10 (4) The Department and institutions of higher  
11 education have a mutual interest in providing greater  
12 access to child welfare social work education for a  
13 professional workforce that is responsive to the work of  
14 the purchase of service agencies of this State.

15 (b) As used in this Section:

16 "Department" means the Department of Children and Family  
17 Services.

18 "Eligible applicant" means a student who is enrolled in a  
19 program of study at a participating institution of higher  
20 education and who meets all of the qualifications and  
21 requirements under this Section.

22 "Participating institution" means any public or  
23 not-for-profit nonpublic institution of higher education that  
24 is accredited by the Board of Higher Education and that is a  
25 party to an intergovernmental agreement entered into with the  
26 Department in order to participate in the program established

1 under this Section.

2 "Tuition, other necessary fees, and books" includes the  
3 customary charge for instruction, books or course material,  
4 and the use of facilities in general and the additional fixed  
5 fees charged for specified purposes that are required  
6 generally of students who are not applicants for each academic  
7 period for which an applicant actually enrolls, but does not  
8 include fees payable only once or breakage fees and other  
9 contingent deposits that are refundable in whole or in part.  
10 The Department may adopt, by rule not inconsistent with this  
11 Section, detailed provisions concerning the computation of  
12 tuition, other necessary fees, and books.

13 (c) Beginning with the 2021-2022 academic year, the  
14 Department shall establish and administer the Child Welfare  
15 Education Stipend Pilot Program to provide financial  
16 assistance to students who commit to seek and maintain  
17 employment at an Illinois purchase of service agency that  
18 contracts with the Department following their graduation from  
19 a participating institution with a degree in social work. The  
20 goal of the program is to develop and support a competent and  
21 stable workforce, thus impacting the services that are  
22 provided to youth and families in purchase of service foster  
23 care programs. Pursuant to the Intergovernmental Cooperation  
24 Act, each participating institution shall enter into and  
25 adhere to all of the provisions of an intergovernmental  
26 agreement between the Department and the participating

1 institution. Subject to appropriation, the stipend program  
2 shall be available to eligible applicants in this State  
3 pursuing either a Bachelor of Social Work or a Master of Social  
4 Work degree at a participating institution. The Department may  
5 award a stipend of up to \$10,000 each year for a maximum of 2  
6 academic years to a student under this Section if the  
7 participating institution finds that the applicant meets all  
8 of the following criteria:

9 (1) The applicant is a resident of this State and a  
10 citizen or eligible noncitizen of the United States.

11 (2) The applicant files a Free Application for Federal  
12 Student Aid and demonstrates financial need with a  
13 household income no greater than 6 times the poverty  
14 guidelines updated periodically in the Federal Register by  
15 the U.S. Department of Health and Human Services under the  
16 authority of 42 U.S.C. 9902(2). The household income of  
17 the applicant at the time of initial application shall be  
18 deemed to be the household income of the applicant for the  
19 duration of the program.

20 (3) The applicant has attained at least a junior  
21 standing at the participating institution.

22 (4) The applicant is a student in good standing and  
23 meets the minimum requirements established by the  
24 participating institution, including maintaining a  
25 satisfactory grade point average.

26 (5) The applicant is not in default on any student

1       loan or does not owe a refund or repayment on any State or  
2       federal grant or scholarship.

3       (6) The applicant commits to and is eligible to work  
4       full-time at an Illinois private agency that contracts  
5       with the Department for child welfare services.  
6       Eligibility to work at an Illinois private agency includes  
7       the applicant passing a check of the Department's State  
8       Central Register and a fingerprint-based criminal history  
9       records check.

10       (d) The maximum number of academic terms for which a  
11       qualified student can receive a stipend under this program is  
12       4 semesters or 6 quarters.

13       (e) Each participating institution shall determine renewal  
14       criteria for assistance consistent with the requirements of  
15       this Section.

16       (f) Each participating institution shall post on its  
17       Internet website the criteria and eligibility requirements to  
18       receive an award of funds under this Section and must include a  
19       range in the amount of individual awards. The criteria to  
20       receive an award and the amount of the award must also be  
21       reported to the Department and the Board of Higher Education,  
22       who shall post the information on their respective Internet  
23       websites.

24       (g) Prior to receiving a stipend for any academic year,  
25       each applicant under this Section shall be required by the  
26       participating institution to sign an agreement under which the

1 recipient pledges that within the 6-month period following the  
2 termination of the program for which the recipient was awarded  
3 a stipend, the recipient (i) shall begin serving as a direct  
4 service provider (intact services, foster care, or adoption)  
5 for a period of not less than one year for each year of stipend  
6 assistance the recipient was awarded under this Section and  
7 (ii) shall fulfill this obligation at a nonprofit,  
8 Illinois-based purchase of service agency.

9 (h) If the recipient of an award under this Section fails  
10 to fulfill the requirements set forth in subsection (g), the  
11 Department shall require the recipient to repay the amount of  
12 the stipend received, prorated according to the fraction of  
13 the obligation not completed, at a rate of interest equal to  
14 5%, and, if applicable, reasonable collection fees. The  
15 Department is authorized to establish rules relating to its  
16 collection activities for the repayment of a stipend awarded  
17 under this Section. All repayments collected under this  
18 Section shall be forwarded to the State Comptroller for  
19 deposit into the State's General Revenue Fund.

20 (i) Stipend recipients under this Section who withdraw  
21 from a program of social work but remain enrolled in an  
22 institution of higher education to continue their studies in  
23 another academic discipline are not required to commence  
24 repayment of their stipend so long as they remain enrolled in  
25 an institution of higher education on a full-time basis or if  
26 they can document for the Department special circumstances

1 that warrant extension of the repayment.

2 (j) If the recipient of a stipend under this Section  
3 terminates qualified employment, as determined by the  
4 Department, or is terminated from qualified employment for any  
5 reason other than cause and does not accept new qualified  
6 employment within 90 days after termination, the recipient  
7 must agree to begin repayment to the Department.

8 (k) A stipend recipient under this Section shall not be  
9 considered in violation of the agreement entered into pursuant  
10 to subsection (g) if the recipient (i) enrolls full time as a  
11 graduate student in a course of study related to the field of  
12 social work at a qualified Illinois institution of higher  
13 education; (ii) is serving, not in excess of 3 years, as a  
14 member of the armed services of the United States; (iii) is a  
15 person with a temporary total disability for a period of time  
16 not to exceed 3 years, as established by the sworn affidavit of  
17 a qualified physician; (iv) is seeking and unable to find  
18 full-time employment as a social worker at a qualified  
19 purchase of service agency under this Section and is able to  
20 provide evidence of that fact; (v) becomes a person with a  
21 permanent total disability, as established by the sworn  
22 affidavit of a qualified physician.

23 (l) Each participating institution shall provide  
24 reasonable assistance to the Department in locating and  
25 obtaining repayment from any person who does not successfully  
26 complete all educational and employment requirements of the



1 program.

2 (m) Each participating institution shall work with the  
3 Department to provide employment resources and recruitment  
4 opportunities to students of the program.

5 (n) Each participating institution shall provide to the  
6 Department satisfactory documentation of actual student costs  
7 for tuition, other necessary fees, and books up to, but not to  
8 exceed, a total of \$10,000 per student per academic year or  
9 \$20,000 total per student. All stipend funds distributed in  
10 accordance with this Section shall be paid to the  
11 participating institution and used only for payment of the  
12 costs for tuition, other necessary fees, and books incurred by  
13 the student in connection with the student's attendance at a  
14 participating institution. Any stipend awarded under this  
15 Section shall be applicable to 2 semesters or 3 quarters of  
16 enrollment. If the recipient of an award withdraws from  
17 enrollment prior to completion of the first academic semester  
18 or quarter for which the stipend is applicable, the  
19 participating institution shall either immediately apply the  
20 stipend to another eligible applicant or applicants or refund  
21 to the Department the full amount of the stipend prior to the  
22 conclusion of the next academic semester or quarter.

23 (o) If payments under this Section result in a payment to a  
24 participating institution to which the participating  
25 institution is not entitled, the Department shall give notice  
26 of the overpayment to the participating institution and the

1 Department may withhold from payments due to the participating  
2 institution such amounts over such period of time as necessary  
3 to recover the amount of the overpayment. Nothing in this  
4 Section shall require a participating institution or the  
5 Department to act in violation of State or federal law or the  
6 Constitution of the State of Illinois. Prior to any payments  
7 from the Department, each participating institution shall  
8 provide the Department with a list and the identifying  
9 information of each recipient of an award under the program.  
10 Upon receipt of the list from each participating institution  
11 and a fully executed contract from each student participating  
12 in the program, the Department shall advance \$5,000 to each  
13 participating institution for each student at the  
14 participating institution who is participating in the program.

15 (p) During the term of the intergovernmental agreement  
16 entered into between the Department and a participating  
17 institution, the participating institution shall provide to  
18 the Department an invoice requesting reimbursement from the  
19 Department for actual student costs for tuition, necessary  
20 fees, and books, up to a maximum of \$10,000 per student  
21 participating in the program per academic year, that include a  
22 \$5,000 per student advance payment of the stipend. Each  
23 participating institution shall submit financial reports, in a  
24 form agreed upon by the Department, and each participating  
25 institution shall be reimbursed for all costs, including those  
26 costs funded by the initial \$5,000 per student advance

1 payment. Payments shall be made by the Department based upon  
2 each participating institution's actual costs per student  
3 participating in the program. The Department shall process all  
4 reimbursements and send approved invoices to the State  
5 Comptroller as soon as practicable, but not longer than 2  
6 weeks after receipt. A participating institution may not  
7 invoice or seek payment from a student for any costs paid from  
8 the stipend awarded to the student by the Department. The  
9 participating institution may not invoice or seek payment from  
10 the Department for any costs paid on behalf of the student from  
11 any other scholarship, grant, or stipend program.

12 (q) The Department shall provide a report and evaluation  
13 of the results of the program at each participating  
14 institution to the General Assembly and the Office of the  
15 Governor on or before October 1, 2022. Each participating  
16 institution shall track a student's eligibility during  
17 enrollment at the participating institution and shall provide  
18 the Department with regular reports on the progress of the  
19 program. Written reports regarding eligibility shall be  
20 provided by the participating institution to the Department  
21 each academic semester or quarter about students who are still  
22 completing the educational portion of the program. Each  
23 participating institution shall also notify the Department  
24 immediately if the institution becomes aware that a student  
25 has become ineligible for any reason. The Department shall, to  
26 the best of its ability, track the employment obligation of

1 each stipend recipient after graduation and shall report to  
2 each participating institution on the overall progress of the  
3 program. A participating institution that fails to submit a  
4 report under this subsection (q) or that fails to adhere to any  
5 other requirements under this Section may not be eligible for  
6 distribution of funds under the program for the next academic  
7 year but may be eligible for distribution of funds for each  
8 academic year thereafter.

9 (r) The sharing and reporting of student data under  
10 subsection (q) shall be in accordance with the federal Family  
11 Educational Rights and Privacy Act of 1974 and the Illinois  
12 School Student Records Act. All parties under this Section  
13 must preserve the confidentiality of information as required  
14 by law. The names of stipend recipients under this Section are  
15 not subject to disclosure under the Freedom of Information  
16 Act.

17 (s) The Department shall adopt rules to implement this  
18 Section and may adopt rules relating to its collection  
19 activities for the repayment of stipend funds under this  
20 Section.

21 Section 99. Effective date. This Act takes effect July 1,  
22 2021.