



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB2250

Introduced 2/10/2023, by Sen. Michael W. Halpin

#### SYNOPSIS AS INTRODUCED:

110 ILCS 805/6-1.5 new	
110 ILCS 805/6-2	from Ch. 122, par. 106-2
110 ILCS 805/6-4.1	from Ch. 122, par. 106-4.1

Amends the Public Community College Act. Adds language to provide that if a resident of a community college district wants to attend the community college maintained by the district of his or her residence, but the student wants to enroll in a program that is not offered by that community college and the community college does not have a contractual agreement for such a program, then the student may attend any recognized public community college in any other district and shall pay tuition and fees at the rate of the sending college. Sets forth provisions concerning financial assistance, a program directory, programmatic differences, application, enrollment, and completion of coursework, records and transcripts, the provision of services, athletic and other eligibility, and State grants. Makes conforming changes.

LRB103 30803 RJT 57298 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 Public Community College Act is amended by  
5 adding Section 6-1.5 and by changing Sections 6-2 and 6-4.1 as  
6 follows:

7 (110 ILCS 805/6-1.5 new)

8 Sec. 6-1.5. Attending community college outside of  
9 resident district.

10 (a) The purpose of this Section is to expand educational  
11 services to the greatest number of students in each community  
12 college district and maximize the utilization of the finances,  
13 facilities, equipment, and personnel of each district to  
14 provide educational services that might otherwise be  
15 impracticable for a district individually. This Section is not  
16 intended to limit the ability of any community college  
17 district to establish new units of instruction, research, or  
18 public service under Section 3-25.1 of this Act.

19 (b) In this Section:

20 "Receiving college" means the community college  
21 district receiving a student from another community  
22 college district.

23 "Sending college" means the community college district

1 sending a student to another community college district.

2 (c) Pursuant to this Section, if a resident of a community  
3 college district wants to attend the community college  
4 maintained by the district of his or her residence, but the  
5 student wants to enroll in a program that is not offered by  
6 that community college and the community college does not have  
7 a contractual agreement under Section 3-40 of this Act for  
8 such a program, then the student, subject to Section 3-17, may  
9 attend any recognized public community college in any other  
10 district and shall pay tuition and fees at the in-district  
11 rate of the receiving college. If the student is seeking State  
12 or federal financial assistance, then the student shall apply  
13 for assistance at the receiving college.

14 (d) The State Board shall maintain a program directory on  
15 the State Board's website to assist community colleges in  
16 determining which programs are offered at each community  
17 college. At a minimum, this directory shall provide a  
18 comparison of program titles and classification of  
19 instructional program codes. Delivery methods and minor  
20 program differences, such as the length of a semester, online  
21 versus in-person instruction, competency-based instruction,  
22 and program credit hours, and minor course requirement  
23 differences do not constitute a difference in a program for  
24 purposes of attending another community college under this  
25 Section. Programmatic differences shall be based upon  
26 classification of instructional program codes, the

1 occupational outlook for completers, or other substantial  
2 programmatic differences. Determinations regarding  
3 programmatic differences shall be first determined by the  
4 sending college. The State Board shall establish a process for  
5 resolving disputes between community college districts  
6 regarding programmatic differences.

7 (e) Students who want to enroll at a receiving college  
8 shall make an application to their sending college in  
9 accordance with rules and procedures established and published  
10 by their sending college. Community colleges shall make every  
11 attempt to review such requests in a timely manner so as to not  
12 impede the students' educational progress. Students shall  
13 secure from their sending college a letter designating them as  
14 participants in an approved program. A copy of such letter  
15 shall be sent to the receiving college. A student may not  
16 enroll under the provisions of this Section in a program of a  
17 receiving college at the in-district tuition rate if the  
18 student's educational objectives can be met at the sending  
19 college.

20 (f) Upon written approval from the sending college, a  
21 student shall register at the receiving college and shall be a  
22 member of the receiving college's district for the term of the  
23 student's enrollment. A student may choose to complete any  
24 required general education coursework and may take approved  
25 courses at the sending college or at the receiving college.  
26 Upon successful completion, courses taken at either the

1 sending college or the receiving college shall be acceptable  
2 for transfer to the sending college or receiving college for  
3 completion of any program. The receiving college shall  
4 maintain admission records and transcripts and issue any  
5 degrees or certificates to the student upon completing the  
6 educational program. The receiving college shall provide  
7 copies of such records to the sending college at the student's  
8 request or as part of any program verification for the sending  
9 college.

10 (g) The receiving college shall provide access to its  
11 learning resources center and other instructional resources  
12 for students from the sending college, equal to those provided  
13 for any other student at the receiving college. The receiving  
14 college shall also provide counseling and guidance and other  
15 services that facilitate the learning process.

16 (h) The receiving college shall be considered the  
17 student's district for athletic eligibility, for any activity  
18 in which the student officially represents a community  
19 college, for the military, and for scholarships offered by the  
20 Illinois Student Assistance Commission. Other athletic  
21 eligibility requirements shall be determined by the rules of  
22 the receiving college's athletic conference. Students from any  
23 sending college are eligible at the receiving college for any  
24 other extracurricular activities, scholarships, or other  
25 recognition of excellence in the program for which they are  
26 attending at the receiving college.

1       (i) Except for equalization grants, the receiving college  
2       is eligible to file claims for State grants under Section  
3       2-16.02 of this Act for any student from the sending college  
4       enrolled in courses offered at the receiving college. The  
5       receiving college shall provide the sending college with the  
6       semester credit hours taken by each student from the sending  
7       college for purposes of equalization grants. If the student  
8       enrolls in courses offered at the sending college, the sending  
9       college shall claim semester credit hours provided to the  
10       student in attendance at the sending college.

11           (110 ILCS 805/6-2) (from Ch. 122, par. 106-2)

12       Sec. 6-2. Any graduate of a recognized high school or  
13       student otherwise qualified to attend a public community  
14       college and residing outside a community college district but  
15       within this State may, subject to Section 3-17, attend any  
16       recognized public community college in the State at the  
17       tuition rate of a student residing in the district. Subject to  
18       appropriation, the State Board shall pay the difference  
19       between the in-district and out-of-district tuition amounts to  
20       the community college district for any semester or term of  
21       that academic year.

22       If he or she becomes a resident of a community college  
23       district, he or she shall be classified as a resident of that  
24       district at the beginning of any semester or term following  
25       that change of residence and the State Board shall no longer

1 pay the difference in tuition rates.

2 ~~If a resident of a community college district wishes to~~  
3 ~~attend the community college maintained by the district of his~~  
4 ~~or her residence but the program in which the student wishes to~~  
5 ~~enroll is not offered by that community college, and the~~  
6 ~~community college maintained by the district of his residence~~  
7 ~~does not have a contractual agreement under Section 3-40 of~~  
8 ~~this Act for such program, the student may attend any~~  
9 ~~recognized public community college in some other district,~~  
10 ~~subject to the provisions of Section 3-17, and have his or her~~  
11 ~~tuition, as defined herein, paid by the community college~~  
12 ~~district of his or her residence while enrolled in a program at~~  
13 ~~that college which is not offered by his or her home community~~  
14 ~~college if he or she makes application to his or her home board~~  
15 ~~at least 30 days prior to the beginning of any semester,~~  
16 ~~quarter or term in accordance with rules, regulations and~~  
17 ~~procedures established and published by his or her home board.~~  
18 ~~The payment of tuition by his or her district of residence may~~  
19 ~~not exceed the per Per capita cost shall of the community~~  
20 ~~college attended for the previous year, less certain~~  
21 ~~deductions, to be computed by adding all of the non-capital~~  
22 ~~expenditures for the previous year, including interest, to the~~  
23 ~~depreciation on the capital outlay expenditures paid from~~  
24 ~~sources other than State and federal funds, less any payments~~  
25 ~~toward non-capital expenditures received from State and~~  
26 ~~federal sources for the previous year (except for grants~~

1 through the State Board under Section 2-16.02 of this Act),  
2 and dividing that amount by the number of full-time equivalent  
3 students for that fiscal year as defined under this Section.  
4 ~~This average per student computation shall be converted to a~~  
5 ~~semester hour base and further reduced by the combined rate of~~  
6 ~~State grants, other than equalization grants for the current~~  
7 ~~year as provided under Section 2-16.02 of this Act, and any~~  
8 ~~rate of tuition and fees assessed for all students for the~~  
9 ~~current year as authorized under Section 6-4 of this Act.~~

10 ~~Payment shall be made hereunder to the community college~~  
11 ~~district of attendance immediately upon receipt, by the~~  
12 ~~district liable for the payment, of a statement from that~~  
13 ~~community college district of the amount due it. Before~~  
14 ~~sending such a statement requesting payment, however, the~~  
15 ~~community college district of attendance shall make all~~  
16 ~~calculations and deductions required under this Section so~~  
17 ~~that the amount requested for payment is the exact amount~~  
18 ~~required under this Section to be paid by the district liable~~  
19 ~~for payment.~~

20 ~~If the moneys in the educational fund are insufficient to~~  
21 ~~meet such payments, the district liable for such payments may~~  
22 ~~issue tax anticipation warrants as provided in Section~~  
23 ~~3-20.10.~~

24 A full-time equivalent student for a semester or term is  
25 defined as a student doing 15 semester hours of work per  
26 semester or the equivalent thereof, and the number of



1 full-time equivalent students enrolled per term shall be  
2 determined by dividing by 15 the total number of semester  
3 hours for which State Board grants are received, or the  
4 equivalent thereof, carried by all students of the college  
5 through the mid-term of each semester or term. The number of  
6 full-time equivalent students for a fiscal year shall be  
7 computed by adding the total number of semester hours of work  
8 or the equivalent thereof carried by all students of the  
9 college through the mid-term of each semester or term during  
10 that fiscal year and dividing that sum by 30 semester hours.  
11 Tuition of students carrying more or less than 15 semester  
12 hours of work per semester or the equivalent thereof shall be  
13 computed in the proportion which the number of hours so  
14 carried bears to 15 semester hours or the equivalent thereof.

15 If the United States Government, the State of Illinois, or  
16 any agency pays tuition for any community college student,  
17 neither the district of residence of the student nor the  
18 student may be required to pay that tuition or such part  
19 thereof as is otherwise paid. No part of the State's financial  
20 responsibility provided for in Section 2-16 may be transferred  
21 to a student's district of residence under this Section.

22 (Source: P.A. 100-884, eff. 1-1-19.)

23 (110 ILCS 805/6-4.1) (from Ch. 122, par. 106-4.1)

24 Sec. 6-4.1. If a resident of Illinois qualifies for  
25 admission to a public community college under Section 3-17 but

1 does not qualify for financial support under Section 6-1.5 or  
2 6-2, that person ~~he~~ may be enrolled in the college upon payment  
3 of the difference between the per capita cost as defined in  
4 Section 6-2 less any payments toward noncapital expenditures  
5 received from State and federal sources for the previous year  
6 except grants through the State Board as authorized in Section  
7 2-16 or 2-16.02, as the case may be, converted to a semester  
8 hour base, and the combined rate of State grants other than  
9 equalization grants for the current year as authorized in  
10 Section 2-16.02, notwithstanding tuition limits of Section  
11 6-4. Subject to Section 3-17, a public community college may  
12 accept out-of-state students upon payment of the per capita  
13 cost as defined in Section 6-2. Notwithstanding the provisions  
14 of this Section, the out-of-district or out-of-state tuition,  
15 whichever is applicable, may be waived for a student who is  
16 employed for at least 35 hours per week by an entity located in  
17 the district or is enrolled in a course that is being provided  
18 under terms of a contract for services between the employing  
19 entity and the college.

20 (Source: P.A. 100-884, eff. 1-1-19.)