



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3132

Introduced 2/2/2024, by Sen. Michael W. Halpin

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regional Superintendent of Schools Article of the School Code. Makes changes concerning high school equivalency testing. Amends the Postsecondary and Workforce Readiness Act. Removes provisions concerning funding transitional mathematics instruction. Amends the Student Parent Data Collection Act to make changes regarding the date that public universities shall report collected data. Amends the Board of Higher Education Act. Provides that the Illinois Community College Board shall submit to the Board of Higher Education by December 15 (instead of November 15) of each year its budget proposal for the operation and capital needs of the institutions under its governance or supervision for the ensuing fiscal year. Amends the Public Community College Act. Makes changes concerning standing advisory organizations recognized by the Illinois Community College Board, the Board's powers and duties, spending local funds after the dissolution or reorganization of a community college district, the academic term, the bond a treasurer shall execute, contract bidding, the report on administrator and faculty salaries and benefits, and building program participation. Repeals a Section concerning the building program's plan approval. Amends the Know Before You Owe Private Education Loan Act. Repeals a Section concerning annual certification and maintenance of approval. Effective immediately.

LRB103 39113 RJT 69253 b

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 changing Section
5 3-15.12 as follows:

6 (105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

7 Sec. 3-15.12. High school equivalency. The regional
8 superintendent of schools and the Illinois Community College
9 Board shall make available for qualified individuals residing
10 within the region a High School Equivalency Testing Program
11 and alternative methods of credentialing, as identified under
12 this Section. For that purpose the regional superintendent
13 alone or with other regional superintendents may establish and
14 supervise a testing center or centers to administer the secure
15 forms for high school equivalency testing to qualified
16 persons. Such centers shall be under the supervision of the
17 regional superintendent in whose region such centers are
18 located, subject to the approval of the Executive Director of
19 the Illinois Community College Board. The Illinois Community
20 College Board shall also establish criteria and make available
21 alternative methods of credentialing throughout the State.

22 An individual is eligible to apply to the regional
23 superintendent of schools for the region in which he or she

1 resides if he or she is: (a) a person who is 17 years of age or
2 older, has maintained residence in the State of Illinois, and
3 is not a high school graduate; (b) a person who is successfully
4 completing an alternative education program under Section
5 2-3.81, Article 13A, or Article 13B; or (c) a person who is
6 enrolled in a youth education program sponsored by the
7 Illinois National Guard. For purposes of this Section,
8 residence is that abode which the applicant considers his or
9 her home. Applicants may provide as sufficient proof of such
10 residence and as an acceptable form of identification a
11 driver's license, valid passport, military ID, or other form
12 of government-issued national or foreign identification that
13 shows the applicant's name, address, date of birth, signature,
14 and photograph or other acceptable identification as may be
15 allowed by law or as regulated by the Illinois Community
16 College Board. Such regional superintendent shall determine if
17 the applicant meets statutory and regulatory state standards.

18 If qualified, the applicant shall at the time of such
19 application pay a fee established by the Illinois Community
20 College Board, which fee shall be paid into a special fund
21 under the control and supervision of the regional
22 superintendent to be used for administration of high school
23 equivalency testing. Such moneys received by the regional
24 superintendent shall be used, first, for the expenses incurred
25 in administering and scoring the examination, and next for
26 other educational programs that are developed and designed by

1 the regional superintendent of schools to assist those who
2 successfully complete high school equivalency testing or meet
3 the criteria for alternative methods of credentialing in
4 furthering their academic development or their ability to
5 secure and retain gainful employment, including programs for
6 the competitive award based on test scores of college or adult
7 education scholarship grants or similar educational
8 incentives. Any excess moneys shall be paid into the institute
9 fund.

10 Any applicant who has achieved the minimum passing
11 standards as established by the Illinois Community College
12 Board shall be notified in writing by the regional
13 superintendent and shall be issued a State of Illinois High
14 School Diploma on the forms provided by the Illinois Community
15 College Board. The regional superintendent shall then certify
16 to the Illinois Community College Board the score of the
17 applicant and such other and additional information that may
18 be required by the Illinois Community College Board. The
19 moneys received therefrom shall be used in the same manner as
20 provided for in this Section.

21 The Illinois Community College Board shall establish
22 alternative methods of credentialing for the issuance of a
23 State of Illinois High School Diploma. In addition to high
24 school equivalency testing, the following alternative methods
25 of receiving a State of Illinois High School Diploma shall be
26 made available to qualified individuals on or after January 1,

1 2018:

2 (A) High School Equivalency based on High School
3 Credit. A qualified candidate may petition to have his or
4 her high school transcripts evaluated to determine what
5 the candidate needs to meet criteria as established by the
6 Illinois Community College Board.

7 (B) High School Equivalency based on Post-Secondary
8 Credit. A qualified candidate may petition to have his or
9 her post-secondary transcripts evaluated to determine what
10 the candidate needs to meet criteria established by the
11 Illinois Community College Board.

12 (C) High School Equivalency based on a Foreign
13 Diploma. A qualified candidate may petition to have his or
14 her foreign high school or post-secondary transcripts
15 evaluated to determine what the candidate needs to meet
16 criteria established by the Illinois Community College
17 Board.

18 (D) High School Equivalency based on Completion of a
19 Competency-Based Program as approved by the Illinois
20 Community College Board. The Illinois Community College
21 Board shall establish guidelines for competency-based high
22 school equivalency programs.

23 Any applicant who has attained the age of 17 years and
24 maintained residence in the State of Illinois and is not a high
25 school graduate, any person who has enrolled in a youth
26 education program sponsored by the Illinois National Guard, or

1 any person who has successfully completed an alternative
2 education program under Section 2-3.81, Article 13A, or
3 Article 13B is eligible to apply for a State of Illinois High
4 School Diploma (if he or she meets the requirements prescribed
5 by the Illinois Community College Board) upon showing evidence
6 that he or she has completed, successfully, high school
7 equivalency testing, administered by the United States Armed
8 Forces Institute, official high school equivalency testing
9 centers established in other states, Veterans' Administration
10 Hospitals, or the office of the State Superintendent of
11 Education for the Illinois State Penitentiary System and the
12 Department of Corrections. Such applicant shall apply to the
13 regional superintendent of the region wherein he or she has
14 maintained residence, and, upon payment of a fee established
15 by the Illinois Community College Board, the regional
16 superintendent shall issue a State of Illinois High School
17 Diploma and immediately thereafter certify to the Illinois
18 Community College Board the score of the applicant and such
19 other and additional information as may be required by the
20 Illinois Community College Board.

21 Notwithstanding the provisions of this Section, any
22 applicant who has been out of school for at least one year may
23 request the regional superintendent of schools to administer
24 restricted high school equivalency testing upon written
25 request of: the director of a program who certifies to the
26 Chief Examiner of an official high school equivalency testing

1 center that the applicant has completed a program of
2 instruction provided by such agencies as the Job Corps, the
3 Postal Service Academy, or an apprenticeship training program;
4 an employer or program director for purposes of entry into
5 apprenticeship programs; another state's department of
6 education in order to meet regulations established by that
7 department of education; or a post high school educational
8 institution for purposes of admission, the Department of
9 Financial and Professional Regulation for licensing purposes,
10 or the Armed Forces for induction purposes. The regional
11 superintendent shall administer such testing, and the
12 applicant shall be notified in writing that he or she is
13 eligible to receive a State of Illinois High School Diploma
14 upon reaching age 17, provided he or she meets the standards
15 established by the Illinois Community College Board.

16 Any test administered under this Section to an applicant
17 who does not speak and understand English may at the
18 discretion of the administering agency be given and answered
19 in any language in which the test is printed. The regional
20 superintendent of schools may waive any fees required by this
21 Section in case of hardship. The regional superintendent of
22 schools and the Illinois Community College Board shall waive
23 any fees required by this Section for an applicant who meets
24 all of the following criteria:

- 25 (1) The applicant qualifies as a homeless person,
26 child, or youth as defined in the Education for Homeless

1 Children Act.

2 (2) The applicant has not attained 25 years of age as
3 of the date of the scheduled test.

4 (3) The applicant can verify his or her status as a
5 homeless person, child, or youth. A homeless services
6 provider that is qualified to verify an individual's
7 housing status, as determined by the Illinois Community
8 College Board, and that has knowledge of the applicant's
9 housing status may verify the applicant's status for
10 purposes of this subdivision (3).

11 (4) The applicant has completed a high school
12 equivalency preparation course through an Illinois
13 Community College Board-approved provider.

14 (5) The applicant is taking the test at a testing
15 center operated by a regional superintendent of schools or
16 the Cook County High School Equivalency Office.

17 In counties of over 3,000,000 population, a State of
18 Illinois High School Diploma shall contain the signatures of
19 the Executive Director of the Illinois Community College Board
20 and the superintendent, president, or other chief executive
21 officer of the institution where high school equivalency
22 testing instruction occurred and any other signatures
23 authorized by the Illinois Community College Board.

24 The regional superintendent of schools shall furnish the
25 Illinois Community College Board with any information that the
26 Illinois Community College Board requests with regard to

1 testing and diplomas under this Section.

2 A State of Illinois High School Diploma is a recognized
3 high school equivalency certificate for purposes of
4 reciprocity with other states. A high school equivalency
5 certificate from another state is equivalent to a State of
6 Illinois High School Diploma.

7 (Source: P.A. 102-1100, eff. 1-1-23.)

8 Section 10. The Postsecondary and Workforce Readiness Act
9 is amended by changing Section 60 as follows:

10 (110 ILCS 148/60)

11 Sec. 60. Transitional mathematics instruction statewide
12 supports.

13 (a) (Blank). ~~Beginning with the 2019-2020 academic year,~~
14 ~~ICCB shall permit transitional mathematics instruction that~~
15 ~~has been approved for statewide portability in accordance with~~
16 ~~the requirements of this Act to be funded, subject to~~
17 ~~appropriation, in a manner consistent with reimbursement rates~~
18 ~~for developmental education courses offered at a community~~
19 ~~college. Such funding must be used by a community college for~~
20 ~~costs associated with transitional mathematics or English~~
21 ~~partnerships with school districts.~~

22 (b) Subject to the availability of public or private
23 resources, ISBE, ICCB, and IBHE, in collaboration with IMACC,
24 shall support collaborative efforts among school districts and

1 postsecondary institutions to develop model transitional
2 mathematics instructional units. All State-supported models
3 shall include real-world application projects that can be
4 delivered to particular students based on career interests and
5 shall enable transitional mathematics instructional resources
6 to be included within integrated courses or competency-based
7 learning systems.

8 (c) Provided that statewide portability procedures have
9 been established pursuant to subsection (f) of Section 45 of
10 this Act, ISBE and ICCB shall identify and publicize courses
11 for transitional mathematics instruction that meet the
12 statewide portability requirements and that can be delivered
13 fully online or through blended-learning models without the
14 requirement for in-person mathematics instruction at the high
15 school.

16 (d) ISBE and ICCB shall jointly develop and provide a
17 model partnership agreement for school districts and community
18 colleges.

19 (e) ISBE and ICCB shall provide standardized reports to
20 school districts and community colleges, including, but not
21 limited to:

22 (1) reports that school districts and community
23 colleges can use for determining students 11th grade
24 projected readiness for college-level mathematics courses
25 upon high school graduation; and

26 (2) reports that compare participating students'

1 postsecondary outcomes with other students, particularly
2 those in traditional developmental education course
3 sequences.

4 (Source: P.A. 99-674, eff. 7-29-16; 100-599, eff. 6-29-18.)

5 Section 15. The Student Parent Data Collection Act is
6 amended by changing Section 20 as follows:

7 (110 ILCS 149/20)

8 Sec. 20. Reporting requirements.

9 (a) On or before July 1, 2022, July 1, 2023, and October
10 15, 2024 and on or before each October 15 ~~and annually~~
11 thereafter, each public university shall report the data
12 collected under Sections 10 and 15 to the Board of Higher
13 Education, and each public community college shall report the
14 data collected under Sections 10 and 15 to the Illinois
15 Community College Board.

16 (b) Each institution, the Board of Higher Education, and
17 the Illinois Community College Board shall make the data
18 reported under subsection (a) publicly available annually on
19 their Internet websites.

20 (c) The Board of Higher Education and the Illinois
21 Community College Board, in consultation with public
22 institutions of higher education and advocates, may adopt
23 rules concerning the reporting of data to protect student
24 privacy while satisfying the requirements of this Act.

1 (Source: P.A. 102-88, eff. 7-9-21.)

2 Section 20. The Board of Higher Education Act is amended
3 by changing Section 8 as follows:

4 (110 ILCS 205/8) (from Ch. 144, par. 188)

5 Sec. 8. The Board of Trustees of the University of
6 Illinois, the Board of Trustees of Southern Illinois
7 University, the Board of Trustees of Chicago State University,
8 the Board of Trustees of Eastern Illinois University, the
9 Board of Trustees of Governors State University, the Board of
10 Trustees of Illinois State University, the Board of Trustees
11 of Northeastern Illinois University, the Board of Trustees of
12 Northern Illinois University, and the Board of Trustees of
13 Western Illinois University, ~~and the Illinois Community~~
14 ~~College Board~~ shall submit to the Board not later than the 15th
15 day of November of each year its budget proposals for the
16 operation and capital needs of the institutions under its
17 governance or supervision for the ensuing fiscal year. The
18 Illinois Community College Board shall submit to the Board by
19 December 15 of each year its budget proposal for the operation
20 and capital needs of the institutions under its governance or
21 supervision for the ensuing fiscal year. Each budget proposal
22 shall conform to the procedures developed by the Board in the
23 design of an information system for State universities and
24 colleges.

1 In order to maintain a cohesive system of higher
2 education, the Board and its staff shall communicate on a
3 regular basis with all public university presidents. They
4 shall meet at least semiannually to achieve economies of scale
5 where possible and provide the most innovative and efficient
6 programs and services.

7 The Board, in the analysis of formulating the annual
8 budget request, shall consider rates of tuition and fees and
9 undergraduate tuition and fee waiver programs at the State
10 universities and colleges. The Board shall also consider the
11 current and projected utilization of the total physical plant
12 of each campus of a university or college in approving the
13 capital budget for any new building or facility.

14 The Board of Higher Education shall submit to the
15 Governor, to the General Assembly, and to the appropriate
16 budget agencies of the Governor and General Assembly its
17 analysis and recommendations on such budget proposals.

18 The Board is directed to form a broad-based group of
19 individuals representing the Office of the Governor, the
20 General Assembly, public institutions of higher education,
21 State agencies, business and industry, statewide organizations
22 representing faculty and staff, and others as the Board shall
23 deem appropriate to devise a system for allocating State
24 resources to public institutions of higher education based
25 upon performance in achieving State goals related to student
26 success and certificate and degree completion.

1 Beginning in Fiscal Year 2013, the Board of Higher
2 Education budget recommendations to the Governor and the
3 General Assembly shall include allocations to public
4 institutions of higher education based upon performance
5 metrics designed to promote and measure student success in
6 degree and certificate completion. Public university metrics
7 must be adopted by the Board by rule, and public community
8 college metrics must be adopted by the Illinois Community
9 College Board by rule. These metrics must be developed and
10 promulgated in accordance with the following principles:

11 (1) The metrics must be developed in consultation with
12 public institutions of higher education, as well as other
13 State educational agencies and other higher education
14 organizations, associations, interests, and stakeholders
15 as deemed appropriate by the Board.

16 (2) The metrics shall include provisions for
17 recognizing the demands on and rewarding the performance
18 of institutions in advancing the success of students who
19 are academically or financially at risk, including
20 first-generation students, low-income students, and
21 students traditionally underrepresented in higher
22 education, as specified in Section 9.16 of this Act.

23 (3) The metrics shall recognize and account for the
24 differentiated missions of institutions and sectors of
25 higher education.

26 (4) The metrics shall focus on the fundamental goal of

1 increasing completion of college courses, certificates,
2 and degrees. Performance metrics shall recognize the
3 unique and broad mission of public community colleges
4 through consideration of additional factors including, but
5 not limited to, enrollment, progress through key academic
6 milestones, transfer to a baccalaureate institution, and
7 degree completion.

8 (5) The metrics must be designed to maintain the
9 quality of degrees, certificates, courses, and programs.

10 In devising performance metrics, the Board may be guided by
11 the report of the Higher Education Finance Study Commission.

12 Each State university must submit its plan for capital
13 improvements of non-instructional facilities to the Board for
14 approval before final commitments are made if the total cost
15 of the project as approved by the institution's board of
16 control is in excess of \$2 million. Non-instructional uses
17 shall include but not be limited to dormitories, union
18 buildings, field houses, stadium, other recreational
19 facilities and parking lots. The Board shall determine whether
20 or not any project submitted for approval is consistent with
21 the strategic plan for higher education and with instructional
22 buildings that are provided for therein. If the project is
23 found by a majority of the Board not to be consistent, such
24 capital improvement shall not be constructed.

25 (Source: P.A. 102-1046, eff. 6-7-22.)

1 Section 25. The Public Community College Act is amended by
2 changing Sections 2-7, 2-12, 2-15, 3-16, 3-19, 3-27.1, 3-29.8,
3 5-3, 5-4, 5-6, and 5-11 as follows:

4 (110 ILCS 805/2-7) (from Ch. 122, par. 102-7)

5 Sec. 2-7. The State Board shall recognize as a standing
6 advisory organization to the State Board an association of
7 community college boards authorized under Section 3-55 of this
8 Act and an advisory council authorized under subdivision (p)
9 of Section 2-12 of this Act. The State Board shall also
10 recognize a statewide organization representing community
11 college presidents and a statewide advisory organization
12 representing community college faculty as additional standing
13 advisory organizations. The State Board may recognize any
14 other statewide association, committee, or group as a standing
15 advisory organization that the State Board deems appropriate.
16 The State Board may appoint additional advisory committees, as
17 necessary. The ~~the~~ members of these committees ~~of which~~ shall
18 serve without compensation.

19 (Source: P.A. 96-910, eff. 7-1-10.)

20 (110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

21 Sec. 2-12. The State Board shall have the power and it
22 shall be its duty:

23 (a) To provide statewide planning for community
24 colleges as institutions of higher education and to

1 coordinate the programs, services and activities of all
2 community colleges in the State so as to encourage and
3 establish a system of locally initiated and administered
4 comprehensive community colleges.

5 (b) To organize and conduct feasibility surveys for
6 new community colleges or for the inclusion of existing
7 institutions as community colleges and the locating of new
8 institutions.

9 (c) (Blank).

10 (c-5) In collaboration with the community colleges, to
11 furnish information for State and federal accountability
12 purposes, promote student and institutional improvement,
13 and meet research needs.

14 (d) To cooperate with the community colleges in
15 collecting and maintaining student characteristics,
16 enrollment and completion data, faculty and staff
17 characteristics, financial data, admission standards,
18 facility data ~~qualification and certification of~~
19 ~~facilities~~, and any other issues facing community
20 colleges.

21 (e) To enter into contracts with other governmental
22 agencies and eligible providers, such as local educational
23 agencies, community-based organizations of demonstrated
24 effectiveness, volunteer literacy organizations of
25 demonstrated effectiveness, institutions of higher
26 education, public and private nonprofit agencies,

1 libraries, and public housing authorities; to accept
2 federal funds and to plan with other State agencies when
3 appropriate for the allocation of such federal funds for
4 instructional programs and student services including such
5 funds for adult education and literacy, vocational and
6 career and technical education, and retraining as may be
7 allocated by state and federal agencies for the aid of
8 community colleges. To receive, receipt for, hold in
9 trust, expend and administer, for all purposes of this
10 Act, funds and other aid made available by the federal
11 government or by other agencies public or private, subject
12 to appropriation by the General Assembly. The changes to
13 this subdivision (e) made by Public Act 91-830 apply on
14 and after July 1, 2001.

15 (f) To determine efficient and adequate standards for
16 community colleges for the physical plant, heating,
17 lighting, ventilation, sanitation, safety, equipment and
18 supplies, instruction and teaching, curriculum, library,
19 operation, maintenance, and administration and
20 supervision, ~~and to grant recognition certificates to~~
21 ~~community colleges meeting such standards.~~

22 (g) To determine the standards for establishment of
23 community colleges and the proper location of the site in
24 relation to existing institutions of higher education
25 offering academic, occupational and technical training
26 curricula, possible enrollment, assessed valuation,

1 industrial, business, agricultural, and other conditions
2 reflecting educational needs in the area to be served;
3 however, no community college may be considered as being
4 recognized nor may the establishment of any community
5 college be authorized in any district which shall be
6 deemed inadequate for the maintenance, in accordance with
7 the desirable standards thus determined, of a community
8 college offering the basic subjects of general education
9 and suitable vocational and semiprofessional and technical
10 curricula.

11 (h) To approve or disapprove new units of instruction,
12 research or public service as defined in Section 3-25.1 of
13 this Act submitted by the boards of trustees of the
14 respective community college districts of this State. The
15 State Board may discontinue programs which fail to reflect
16 the educational needs of the area being served. The
17 community college district shall be granted 60 days
18 following the State Board staff recommendation and prior
19 to the State Board's action to respond to concerns
20 regarding the program in question. If the State Board acts
21 to abolish a community college program, the community
22 college district has a right to appeal the decision in
23 accordance with administrative rules promulgated by the
24 State Board under the provisions of the Illinois
25 Administrative Procedure Act.

26 (i) To review and approve or disapprove any contract

1 or agreement that community colleges enter into with any
2 organization, association, educational institution, or
3 government agency to provide educational services for
4 academic credit. The State Board is authorized to monitor
5 performance under any contract or agreement that is
6 approved by the State Board. If the State Board does not
7 approve a particular contract or agreement, the community
8 college district has a right to appeal the decision in
9 accordance with administrative rules promulgated by the
10 State Board under the provisions of the Illinois
11 Administrative Procedure Act. Nothing in this subdivision
12 (i) shall be interpreted as applying to collective
13 bargaining agreements with any labor organization.

14 (j) To establish guidelines regarding sabbatical
15 leaves.

16 (k) (Blank). ~~To establish guidelines for the admission~~
17 ~~into special, appropriate programs conducted or created by~~
18 ~~community colleges for elementary and secondary school~~
19 ~~dropouts who have received truant status from the school~~
20 ~~districts of this State in compliance with Section 26-14~~
21 ~~of the School Code.~~

22 (l) (Blank).

23 (m) (Blank).

24 (n) To create and participate in the conduct and
25 operation of any corporation, joint venture, partnership,
26 association, or other organizational entity that has the

1 power: (i) to acquire land, buildings, and other capital
2 equipment for the use and benefit of the community
3 colleges or their students; (ii) to accept gifts and make
4 grants for the use and benefit of the community colleges
5 or their students; (iii) to aid in the instruction and
6 education of students of community colleges; and (iv) to
7 promote activities to acquaint members of the community
8 with the facilities of the various community colleges.

9 (o) To ensure the effective teaching of adult learners
10 and to prepare them for success in employment and lifelong
11 learning by administering a network of providers,
12 programs, and services to provide classes for the
13 instruction of those individuals who (i) are 16 years of
14 age or older, are not enrolled or required to be enrolled
15 in a secondary school under State law, and are
16 basic-skills deficient, (ii) do not have a secondary
17 school diploma or its recognized equivalent and have not
18 achieved an equivalent level of education, or (iii) are an
19 English language learner. Classes in adult education may
20 include adult basic education, adult secondary and high
21 school equivalency testing education, high school credit,
22 literacy, English language acquisition, integrated
23 education and training in coordination with vocational
24 skills training, and any other instruction designed to
25 prepare adult students to function successfully in society
26 and to experience success in postsecondary education and

1 employment.

2 (p) To supervise the administration of adult education
3 and literacy programs, to establish the standards for such
4 courses of instruction and supervise the administration
5 thereof, to contract with other State and local agencies
6 and eligible providers of demonstrated effectiveness, such
7 as local educational agencies, community-based
8 organizations, volunteer literacy organizations,
9 institutions of higher education, public and private
10 nonprofit agencies, libraries, public housing authorities,
11 and nonprofit institutions for the purpose of promoting
12 and establishing classes for instruction under these
13 programs, to contract with other State and local agencies
14 to accept and expend appropriations for educational
15 purposes to reimburse local eligible providers for the
16 cost of these programs, and to establish an advisory
17 council consisting of all categories of eligible
18 providers; agency partners, such as the State Board of
19 Education, the Department of Human Services, the
20 Department of Employment Security, the Department of
21 Commerce and Economic Opportunity, and the Secretary of
22 State literacy program; and other stakeholders to
23 identify, deliberate, and make recommendations to the
24 State Board on adult education policy and priorities. The
25 State Board shall support statewide geographic
26 distribution; diversity of eligible providers; and the

1 adequacy, stability, and predictability of funding so as
2 not to disrupt or diminish, but rather to enhance, adult
3 education and literacy services.

4 (Source: P.A. 100-884, eff. 1-1-19; 101-81, eff. 7-12-19;
5 101-289, eff. 8-9-19.)

6 (110 ILCS 805/2-15) (from Ch. 122, par. 102-15)

7 Sec. 2-15. Recognition. The State Board shall grant
8 recognition to community colleges which maintain equipment,
9 courses of study, standards of scholarship and other
10 requirements set by the State Board. Application for
11 recognition shall be made to the State Board. The State Board
12 shall set the criteria by which the community colleges shall
13 be judged and through the executive officer of the State Board
14 shall arrange for an official evaluation of the community
15 colleges and shall grant recognition of such community
16 colleges as may meet the required standards.

17 Recognition shall include a review of compliance with
18 Section 3-65 of this Act and other applicable State and
19 federal laws regarding employment contracts and compensation.
20 Annually, the State Board shall convene an advisory committee
21 to review the findings and make recommendations for changes or
22 additions to the laws or the review procedures.

23 If a community college district fails to meet the
24 recognition standards set by the State Board, and if the
25 district, in accordance with: (a) generally accepted

1 Government Auditing Standards issued by the Comptroller
2 General of the United States, (b) auditing standards
3 established by the American Institute of Certified Public
4 Accountants, or (c) other applicable State and federal
5 standards, is found by the district's auditor or the State
6 Board working in cooperation with the district's auditor to
7 have material deficiencies in the design or operation of
8 financial control structures that could adversely affect the
9 district's financial integrity and stability, or is found to
10 have misused State or federal funds and jeopardized its
11 participation in State or federal programs, the State Board
12 may, notwithstanding any laws to the contrary, implement one
13 or more of the following emergency powers:

14 (1) To direct the district to develop and implement a
15 plan that addresses the budgetary, programmatic, and other
16 relevant factors contributing to the need to implement
17 emergency measures. The State Board shall assist in the
18 development and shall have final approval of the plan.

19 (2) To direct the district to contract for educational
20 services in accordance with Section 3-40. The State Board
21 shall assist in the development and shall have final
22 approval of any such contractual agreements.

23 (3) To approve and require revisions of the district's
24 budget.

25 (4) To appoint a Financial Administrator to exercise
26 oversight and control over the district's budget. The

1 Financial Administrator shall serve at the pleasure of the
2 State Board and may be an individual, partnership,
3 corporation, including an accounting firm, or other entity
4 determined by the State Board to be qualified to serve,
5 and shall be entitled to compensation. Such compensation
6 shall be provided through specific appropriations made to
7 the State Board for that express purpose.

8 (5) To develop and implement a plan providing for the
9 dissolution or reorganization of the district if in the
10 judgment of the State Board the circumstances so require.
11 All local funds under the control of the State Board as a
12 result of the dissolution or reorganization of the
13 district shall be expended by the State Board for purposes
14 of providing educational services in the territory from
15 which those local funds were acquired.

16 (Source: P.A. 99-691, eff. 1-1-17; 100-884, eff. 1-1-19.)

17 (110 ILCS 805/3-16) (from Ch. 122, par. 103-16)

18 Sec. 3-16. The academic term of community college
19 districts shall be determined by the community college board
20 in accordance with rules adopted by ~~with the consent of~~ the
21 State Board. However, days within such term designated for the
22 purpose of enrollment, testing, orientation or examination of
23 students and all days on which scheduled classes are held
24 shall be considered as days of student attendance. Classes may
25 be held on Saturdays, notwithstanding any other provisions of

1 this Act.

2 (Source: P.A. 78-669.)

3 (110 ILCS 805/3-19) (from Ch. 122, par. 103-19)

4 Sec. 3-19. Before entering upon his duties, each treasurer
5 shall execute a bond with 2 or more persons having an interest
6 in real estate who are not members of the board of the
7 district, or with a surety company authorized to do business
8 in this State, as sureties, payable to the board of the
9 community college district for which he is treasurer and
10 conditioned upon the faithful discharge of his duties. The
11 penalty of the bond shall be 25% of the amount of all bonds,
12 notes, mortgages, moneys, and effects of which the treasurer
13 is to have custody, whether individuals act as surety or
14 whether the surety is given by a surety authorized to do
15 business in this State. The penalty of the bond of the
16 treasurer shall be increased or decreased from time to time,
17 as the increase or decrease of the amount of notes, bonds,
18 mortgages, moneys and effects may require, ~~and whenever in the~~
19 ~~judgment of the State board the penalty of the bond should be~~
20 ~~increased or decreased.~~ The bond must be approved by at least a
21 majority of the board of the community college district ~~and~~
22 ~~filed with the State Board.~~ A copy of the bond must ~~also~~ be
23 filed with the county clerk of each county in which any part of
24 the community college district is situated. The bond shall be
25 in substantially the following form:

1 STATE OF ILLINOIS)

2) SS.

3 COUNTY)

4 We, and are obligated, jointly and severally, to
5 the Board of Community College District No., County (or
6 Counties) of and State of Illinois in the penal sum of
7 \$....., for the payment of which we obligate ourselves, our
8 heirs, executors and administrators.

9 Dated (insert date).

10 The condition of this obligation is such that if,
11 treasurer in the district above stated, faithfully discharges
12 the duties of his or her office, according to law, and delivers
13 to his or her successor in office, after that successor has
14 qualified by giving bond as provided by law, all moneys,
15 books, papers, securities and property, which shall come into
16 his or her possession or control, as such treasurer, from the
17 date of his or her bond to the time that his or her successor
18 has qualified as treasurer, by giving such bond as is required
19 by law, then this obligation to be void; otherwise to remain in
20 full force and effect.

21 Signed:.....
22
23
24

25 Approved and accepted by Board of Community College
26 District No. County (or Counties) of and State of

1 Illinois. By Chairman Secretary

2 No part of any State or other district funds may be paid to
3 any treasurer or other persons authorized to receive it unless
4 the treasurer has filed his or her bond as required herein.

5 (Source: P.A. 92-167, eff. 7-26-01; 93-163, eff. 7-10-03.)

6 (110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

7 Sec. 3-27.1. Contracts. To award all contracts for
8 purchase of supplies, materials or work involving an
9 expenditure in excess of \$25,000 or a lower amount as required
10 by board policy to the lowest responsible bidder considering
11 conformity with specifications, terms of delivery, quality,
12 and serviceability; after due advertisement, except the
13 following: (a) contracts for the services of individuals
14 possessing a high degree of professional skill where the
15 ability or fitness of the individual plays an important part;
16 (b) contracts for the printing of finance committee reports
17 and departmental reports; (c) contracts for the printing or
18 engraving of bonds, tax warrants and other evidences of
19 indebtedness; (d) contracts for materials and work which have
20 been awarded to the lowest responsible bidder after due
21 advertisement, but due to unforeseen revisions, not the fault
22 of the contractor for materials and work, must be revised
23 causing expenditures not in excess of 10% of the contract
24 price; (e) contracts for the maintenance or servicing of, or
25 provision of repair parts for, equipment which are made with

1 the manufacturer or authorized service agent of that equipment
2 where the provision of parts, maintenance, or servicing can
3 best be performed by the manufacturer or authorized service
4 agent; (f) purchases and contracts for the use, purchase,
5 delivery, movement, or installation of data processing
6 equipment, software, or services and telecommunications and
7 inter-connect equipment, software, and services; (g) contracts
8 for duplicating machines and supplies; (h) contracts for the
9 purchase of natural gas when the cost is less than that offered
10 by a public utility; (i) purchases of equipment previously
11 owned by some entity other than the district itself; (j)
12 contracts for repair, maintenance, remodeling, renovation, or
13 construction, or a single project involving an expenditure not
14 to exceed \$50,000 and not involving a change or increase in the
15 size, type, or extent of an existing facility; (k) contracts
16 for goods or services procured from another governmental
17 agency; (l) contracts for goods or services which are
18 economically procurable from only one source, such as for the
19 purchase of magazines, books, periodicals, pamphlets and
20 reports, and for utility services such as water, light, heat,
21 telephone or telegraph; (m) where funds are expended in an
22 emergency and such emergency expenditure is approved by 3/4 of
23 the members of the board; and (n) contracts for the purchase of
24 perishable foods and perishable beverages.

25 All competitive bids for contracts involving an
26 expenditure in excess of \$25,000 or a lower amount as required

1 by board policy must be sealed by the bidder and must be opened
2 by a member or employee of the board at a public bid opening at
3 which the contents of the bids must be announced. Each bidder
4 must receive at least 3 days' notice of the time and place of
5 such bid opening. For purposes of this Section due
6 advertisement includes, but is not limited to, at least one
7 public notice at least 10 days before the bid date in a
8 newspaper published in the district, or if no newspaper is
9 published in the district, in a newspaper of general
10 circulation in the area of the district. Electronic bid
11 submissions shall be considered a sealed document for
12 competitive bid requests if they are received at the
13 designated office by the time and date set for receipt for
14 bids. ~~However, bids for construction purposes are prohibited~~
15 ~~from being submitted electronically.~~ Electronic bid
16 submissions must be authorized by specific language in the bid
17 documents in order to be considered and must be opened in
18 accordance with electronic security measures in effect at the
19 community college at the time of opening. Unless the
20 electronic submission procedures provide for a secure receipt,
21 the vendor assumes the risk of premature disclosure due to
22 submission in an unsealed form.

23 The provisions of this Section do not apply to guaranteed
24 energy savings contracts entered into under Article V-A. The
25 provisions of this Section do not prevent a community college
26 from complying with the terms and conditions of a grant, gift,

1 or bequest that calls for the procurement of a particular good
2 or service, provided that the grant, gift, or bequest provides
3 all funding for the contract, complies with all applicable
4 laws, and does not interfere with or otherwise impair any
5 collective bargaining agreements the community college may
6 have with labor organizations.

7 (Source: P.A. 97-1031, eff. 8-17-12; 98-269, eff. 1-1-14.)

8 (110 ILCS 805/3-29.8)

9 Sec. 3-29.8. Administrator and faculty salary and
10 benefits; report. Each board of trustees shall report to the
11 State Board, on or before August ~~July~~ 1 of each year, the base
12 salary and benefits of the president or chief executive
13 officer of the community college and all administrators,
14 faculty members, and instructors employed by the community
15 college district. For the purposes of this Section, "benefits"
16 includes without limitation vacation days, sick days, bonuses,
17 annuities, and retirement enhancements.

18 (Source: P.A. 99-655, eff. 7-28-16.)

19 (110 ILCS 805/5-3) (from Ch. 122, par. 105-3)

20 Sec. 5-3. Community college districts desiring to
21 participate in the program authorized in Section 5-1 of this
22 Act shall make a written application to the State Board on
23 forms provided by such Board. The State Board shall evaluate
24 the need for the building purposes proposed. The State Board

1 may require the following information:

2 (a) Description of present facilities and those
3 planned for construction.

4 (b) Present community college enrollment.

5 (c) (Blank).

6 (d) Outline of community college curricula, including
7 vocational and technical education, present and proposed.

8 (e) District financial report including financing
9 plans demonstrating the district's ability to finance 25%
10 of the project costs ~~for district's share of costs.~~

11 (f) Facts showing adequate standards for the physical
12 plant, heating, lighting, ventilation, sanitation, safety,
13 equipment and supplies, instruction and teaching,
14 curricula, library, operation, maintenance,
15 administration and supervision.

16 (g) Survey of the existing community college or
17 proposed community college service area and the proper
18 location of the site in relation to the existing
19 institutions of higher education offering
20 pre-professional, occupational and technical training
21 curricula. The factual survey must show the possible
22 enrollment, assessed valuation, industrial, business,
23 agricultural and other conditions reflecting educational
24 needs in the area to be served; however, no community
25 college will be authorized in any location which, on the
26 basis of the evidence supplied by the factual survey,

1 shall be deemed inadequate for the maintenance of
2 desirable standards for the offering of basic subjects of
3 general education, semiprofessional and technical
4 curricula.

5 (h) Such other information as the State Board may
6 require.

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

8 (110 ILCS 805/5-4) (from Ch. 122, par. 105-4)

9 Sec. 5-4. ~~Any community college district desiring to~~
10 ~~participate in the program for new academic facilities shall~~
11 ~~file an application with the State Board prior to such dates as~~
12 ~~are designated by the State Board.~~ The State Board in
13 providing priorities if such are needed because of limited
14 funds shall be regulated by objective criteria which shall be
15 such as will tend best to achieve the objectives of this
16 Article, while leaving opportunity and flexibility for the
17 development of standards and methods that will best
18 accommodate the varied needs of the community colleges in the
19 State. Basic criteria shall give special consideration to the
20 expansion of enrollment capacity and shall include
21 consideration of the degree to which the applicant districts
22 effectively utilize existing facilities and which allow the
23 Board, for priority purposes, to provide for the grouping in a
24 reasonable manner, the application for facilities according to
25 functional or educational type.

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

2 (110 ILCS 805/5-6) (from Ch. 122, par. 105-6)

3 Sec. 5-6. Any community college district may, as a part of
4 its 25% contribution for building purposes, contribute real
5 property situated within the geographical boundaries of such
6 community college district at market value as determined at
7 the time the contribution is made to the Capital Development
8 Board in accordance with the program and budget, ~~the plan as~~
9 ~~approved by the State Board~~ by 3 licensed appraisers, except
10 that where a community college district has acquired such
11 lands without cost or for a consideration substantially less
12 than the market value thereof at the time of acquisition, the
13 amount of the community college district's contribution for
14 the land shall be limited (a) to the difference, if any,
15 between the appraised market value at the time of acquisition
16 and the appraised market value at the time the contribution is
17 made to the Capital Development Board, if the grantor is the
18 Federal government, (except that no property acquired prior to
19 December 18, 1975 shall be affected by the provisions of this
20 Section), or any department, agency, board or commission
21 thereof or (b) to the actual amount, if any, of the
22 consideration paid for the land if the grantor is the State of
23 Illinois or any department, agency, board or commission
24 thereof.

25 In the event the highest appraisal exceeds the average of

1 the other two appraisals by more than 10%, such appraisal
2 shall not be considered in determining the market value of the
3 land and a new appraiser shall be appointed ~~by the State Board,~~
4 who shall re-appraise the land. The re-appraisal shall then
5 become the third appraisal as required by this Section. The
6 cost of the appraisal shall be paid by the community
7 college district.

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

9 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

10 Sec. 5-11. Any public community college which subsequent
11 to July 1, 1972 but before July 1, 2016, commenced
12 construction of any facilities approved by the State Board and
13 the Illinois Board of Higher Education may, after completion
14 thereof, apply to the State for a grant for expenditures made
15 by the community college from its own funds for building
16 purposes for such facilities in excess of 25% of the cost of
17 such facilities as approved by the State Board and the
18 Illinois Board of Higher Education. Any public community
19 college that, on or after July 1, 2016, commenced construction
20 of any facilities approved by the State Board may, after
21 completion thereof, apply to the State for a grant for
22 expenditures made by the community college from its own funds
23 for building purposes for such facilities in excess of 25% of
24 the cost of such facilities as approved by the State Board. A
25 grant shall be contingent upon said community college having

1 otherwise complied with Sections 5-3, 5-4, ~~5-5~~ and 5-10 of
2 this Act.

3 If any payments or contributions of any kind which are
4 based upon, or are to be applied to, the cost of such
5 construction are received from the Federal government, or an
6 agency thereof, subsequent to receipt of the grant herein
7 provided, the amount of such subsequent payment or
8 contributions shall be paid over to the Capital Development
9 Board by the community college for deposit in the Capital
10 Development Bond Interest and Retirement Fund.

11 (Source: P.A. 99-655, eff. 7-28-16.)

12 (110 ILCS 805/5-5 rep.)

13 Section 30. The Public Community College Act is amended by
14 repealing Section 5-5.

15 (110 ILCS 983/20 rep.)

16 Section 35. The Know Before You Owe Private Education Loan
17 Act is amended by repealing Section 20.

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

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Statutes amended in order of appearance

| | | |
|----|-----------------------|-----------------------------|
| 3 | 105 ILCS 5/3-15.12 | from Ch. 122, par. 3-15.12 |
| 4 | 110 ILCS 148/60 | |
| 5 | 110 ILCS 149/20 | |
| 6 | 110 ILCS 205/8 | from Ch. 144, par. 188 |
| 7 | 110 ILCS 805/2-7 | from Ch. 122, par. 102-7 |
| 8 | 110 ILCS 805/2-12 | from Ch. 122, par. 102-12 |
| 9 | 110 ILCS 805/2-15 | from Ch. 122, par. 102-15 |
| 10 | 110 ILCS 805/3-16 | from Ch. 122, par. 103-16 |
| 11 | 110 ILCS 805/3-19 | from Ch. 122, par. 103-19 |
| 12 | 110 ILCS 805/3-27.1 | from Ch. 122, par. 103-27.1 |
| 13 | 110 ILCS 805/3-29.8 | |
| 14 | 110 ILCS 805/5-3 | from Ch. 122, par. 105-3 |
| 15 | 110 ILCS 805/5-4 | from Ch. 122, par. 105-4 |
| 16 | 110 ILCS 805/5-6 | from Ch. 122, par. 105-6 |
| 17 | 110 ILCS 805/5-11 | from Ch. 122, par. 105-11 |
| 18 | 110 ILCS 805/5-5 rep. | |
| 19 | 110 ILCS 983/20 rep. | |