



Rep. Maria Antonia Berrios

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1 AMENDMENT TO HOUSE BILL 612

2 AMENDMENT NO. _____. Amend House Bill 612 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Board of Higher Education Act is amended by
5 changing Section 9.16 as follows:

6 (110 ILCS 205/9.16) (from Ch. 144, par. 189.16)

7 Sec. 9.16. Underrepresentation of certain groups in higher
8 education. To require public institutions of higher education
9 to develop and implement methods and strategies to increase the
10 participation of minorities, women and handicapped individuals
11 who are traditionally underrepresented in education programs
12 and activities. For the purpose of this Section, minorities
13 shall mean persons who are citizens of the United States or
14 lawful permanent resident aliens of the United States and who
15 are any of the following:

16 (1) American Indian or Alaska Native.

1 (2) Asian.

2 (3) Black or African American.

3 (4) Native Hawaiian or Other Pacific Islander.

4 (5) Hispanic, Latino, or of Spanish origin (may be of
5 any race). ~~(a) Black (a person having origins in any of the~~
6 ~~black racial groups in Africa); (b) Hispanic (a person of~~
7 ~~Spanish or Portuguese culture with origins in Mexico, South~~
8 ~~or Central America, or the Caribbean, regardless of race);~~
9 ~~(c) Asian American (a person having origins in any of the~~
10 ~~original people of the Far East, Southeast Asia, the Indian~~
11 ~~Subcontinent or the Pacific Islands); or (d) American~~
12 ~~Indian or Alaskan Native (a person having origins in any of~~
13 ~~the original people of North America).~~

14 The Board shall adopt any rules necessary to administer
15 this Section. The Board shall also do the following:

16 a) require all public institutions of higher education to
17 develop and submit plans for the implementation of this
18 Section;

19 b) conduct periodic review of public institutions of higher
20 education to determine compliance with this Section; and if the
21 Board finds that a public institution of higher education is
22 not in compliance with this Section, it shall notify the
23 institution of steps to take to attain compliance;

24 c) provide advice and counsel pursuant to this Section;

25 d) conduct studies of the effectiveness of methods and
26 strategies designed to increase participation of students in

1 education programs and activities in which minorities, women
2 and handicapped individuals are traditionally
3 underrepresented, and monitor the success of students in such
4 education programs and activities;

5 e) encourage minority student recruitment and retention in
6 colleges and universities. In implementing this paragraph, the
7 Board shall undertake but need not be limited to the following:
8 the establishment of guidelines and plans for public
9 institutions of higher education for minority student
10 recruitment and retention, the review and monitoring of
11 minority student programs implemented at public institutions
12 of higher education to determine their compliance with any
13 guidelines and plans so established, the determination of the
14 effectiveness and funding requirements of minority student
15 programs at public institutions of higher education, the
16 dissemination of successful programs as models, and the
17 encouragement of cooperative partnerships between community
18 colleges and local school attendance centers which are
19 experiencing difficulties in enrolling minority students in
20 four-year colleges and universities;

21 f) mandate all public institutions of higher education to
22 submit data and information essential to determine compliance
23 with this Section. The Board shall prescribe the format and the
24 date for submission of this data and any other education equity
25 data; and

26 g) report to the General Assembly and the Governor annually

1 with a description of the plans submitted by each public
2 institution of higher education for implementation of this
3 Section, including financial data relating to the most recent
4 fiscal year expenditures for specific minority programs, the
5 effectiveness of such plans and programs and the effectiveness
6 of the methods and strategies developed by the Board in meeting
7 the purposes of this Section, the degree of compliance with
8 this Section by each public institution of higher education as
9 determined by the Board pursuant to its periodic review
10 responsibilities, and the findings made by the Board in
11 conducting its studies and monitoring student success as
12 required by paragraph d) of this Section. With respect to each
13 public institution of higher education such report also shall
14 include, but need not be limited to, information with respect
15 to each institution's minority program budget allocations;
16 minority student admission, retention and graduation
17 statistics; number of financial assistance awards to
18 undergraduate and graduate minority students; and minority
19 faculty representation. This paragraph shall not be construed
20 to prohibit the Board from making, preparing or issuing
21 additional surveys or studies with respect to minority
22 education in Illinois.

23 (Source: P.A. 90-730, eff. 8-10-98.)

24 Section 10. The Dental Student Grant Act is amended by
25 changing Section 3.07 as follows:

1 (110 ILCS 925/3.07) (from Ch. 144, par. 1503.07)

2 Sec. 3.07. "Racial minority" means a person who is any of
3 the following:

4 (1) American Indian or Alaska Native.

5 (2) Asian.

6 (3) Black or African American.

7 (4) Native Hawaiian or Other Pacific Islander.

8 (5) Hispanic, Latino, or of Spanish origin (may be of
9 any race). ~~(a) Black (a person having origins in any of the~~
10 ~~black racial groups in Africa);~~

11 ~~(b) Hispanic (a person of Spanish or Portuguese culture~~
12 ~~with origins in Mexico, South or Central America, or the~~
13 ~~Caribbean Islands, regardless of race);~~

14 ~~(c) Asian American (a person having origins in any of the~~
15 ~~original peoples of the Far East, Southeast Asia, the Indian~~
16 ~~Subcontinent or the Pacific Islands); or~~

17 ~~(d) American Indian or Alaskan Native (a person having~~
18 ~~origins in any of the original peoples of North America).~~

19 (Source: P.A. 87-665.)

20 Section 15. The Diversifying Higher Education Faculty in
21 Illinois Act is amended by changing Section 2 as follows:

22 (110 ILCS 930/2) (from Ch. 144, par. 2302)

23 Sec. 2. Definitions. As used in this Act, unless the

1 context otherwise requires:

2 "Board" means the Board of Higher Education.

3 "DFI" means the Diversifying Higher Education Faculty in
4 Illinois Program of financial assistance to minorities who are
5 traditionally underrepresented as participants in
6 postsecondary education. The program shall assist them in
7 pursuing a graduate or professional degree and shall also
8 assist program graduates to find employment at an Illinois
9 institution of higher education, including a community
10 college, in a faculty or staff position.

11 "Program Board" means the entity created to administer the
12 grant program authorized by this Act.

13 "Qualified institution of higher education" means a
14 qualifying publicly or privately operated educational
15 institution located within Illinois (i) that offers
16 instruction leading toward or prerequisite to an academic or
17 professional degree beyond the baccalaureate degree, excluding
18 theological schools, and (ii) that is authorized to operate in
19 the State of Illinois.

20 "Racial minority" means a person who is a citizen of the
21 United States or a lawful permanent resident alien of the
22 United States and who is any of the following:

23 (1) American Indian or Alaska Native.

24 (2) Asian.

25 (3) Black or African American.

26 (4) Native Hawaiian or Other Pacific Islander.

1 (5) Hispanic, Latino, or of Spanish origin (may be of
2 any race). ~~(1) Black (a person having origins in any of the~~
3 ~~black racial groups in Africa);~~

4 ~~(2) Hispanic (a person of Spanish or Portuguese culture~~
5 ~~with origins in Mexico, South or Central America, or the~~
6 ~~Caribbean Islands, regardless of race);~~

7 ~~(3) Asian American (a person having origins in any of~~
8 ~~the original peoples of the Far East, Southeast Asia, the~~
9 ~~Indian Subcontinent or the Pacific Islands); or~~

10 ~~(4) American Indian or Alaskan Native (a person having~~
11 ~~origins in any of the original peoples of North America).~~

12 (Source: P.A. 93-862, eff. 8-4-04.)

13 Section 20. The Higher Education Student Assistance Act is
14 amended by changing Sections 50 and 65.30 as follows:

15 (110 ILCS 947/50)

16 Sec. 50. Minority Teachers of Illinois scholarship
17 program.

18 (a) As used in this Section:

19 "Eligible applicant" means a minority student who has
20 graduated from high school or has received a General
21 Educational Development Certification and has maintained a
22 cumulative grade point average of no less than 2.5 on a 4.0
23 scale, and who by reason thereof is entitled to apply for
24 scholarships to be awarded under this Section.

1 "Minority student" means a student who is any of the
2 following:

3 (1) American Indian or Alaska Native.

4 (2) Asian.

5 (3) Black or African American.

6 (4) Native Hawaiian or Other Pacific Islander.

7 (5) Hispanic, Latino, or of Spanish origin (may be
8 of any race). either (i) Black (a person having origins
9 in any of the black racial groups in Africa); (ii)
10 Hispanic (a person of Spanish or Portuguese culture
11 with origins in Mexico, South or Central America, or
12 the Caribbean islands, regardless of race); (iii)
13 Asian American (a person with origins in any of the
14 original peoples of the Far East, Southeast Asia, the
15 Indian subcontinent, including Pakistan, and the
16 Pacific Islands, including, among others, Hawaii,
17 Melanesia, Micronesia and Polynesia); or (iv) Native
18 American (a person who is a member of a federally or
19 state recognized Indian tribe, or whose parents or
20 grandparents have such membership) and to include the
21 native people of Alaska.

22 "Qualified student" means a person (i) who is a
23 resident of this State and a citizen or permanent resident
24 of the United States; (ii) who is a minority student, as
25 defined in this Section; (iii) who, as an eligible
26 applicant, has made a timely application for a minority

1 teaching scholarship under this Section; (iv) who is
2 enrolled on at least a half-time basis at a qualified
3 Illinois institution of higher learning; (v) who is
4 enrolled in a course of study leading to teacher
5 certification, including alternative teacher
6 certification; (vi) who maintains a grade point average of
7 no less than 2.5 on a 4.0 scale; and (vii) who continues to
8 advance satisfactorily toward the attainment of a degree.

9 (b) In order to encourage academically talented Illinois
10 minority students to pursue teaching careers at the preschool
11 or elementary or secondary school level, each qualified student
12 shall be awarded a minority teacher scholarship to any
13 qualified Illinois institution of higher learning. However,
14 preference may be given to qualified applicants enrolled at or
15 above the junior level.

16 (c) Each minority teacher scholarship awarded under this
17 Section shall be in an amount sufficient to pay the tuition and
18 fees and room and board costs of the qualified Illinois
19 institution of higher learning at which the recipient is
20 enrolled, up to an annual maximum of \$5,000; except that in the
21 case of a recipient who does not reside on-campus at the
22 institution at which he or she is enrolled, the amount of the
23 scholarship shall be sufficient to pay tuition and fee expenses
24 and a commuter allowance, up to an annual maximum of \$5,000.

25 (d) The total amount of minority teacher scholarship
26 assistance awarded by the Commission under this Section to an

1 individual in any given fiscal year, when added to other
2 financial assistance awarded to that individual for that year,
3 shall not exceed the cost of attendance at the institution at
4 which the student is enrolled. If the amount of minority
5 teacher scholarship to be awarded to a qualified student as
6 provided in subsection (c) of this Section exceeds the cost of
7 attendance at the institution at which the student is enrolled,
8 the minority teacher scholarship shall be reduced by an amount
9 equal to the amount by which the combined financial assistance
10 available to the student exceeds the cost of attendance.

11 (e) The maximum number of academic terms for which a
12 qualified student can receive minority teacher scholarship
13 assistance shall be 8 semesters or 12 quarters.

14 (f) In any academic year for which an eligible applicant
15 under this Section accepts financial assistance through the
16 Paul Douglas Teacher Scholarship Program, as authorized by
17 Section 551 et seq. of the Higher Education Act of 1965, the
18 applicant shall not be eligible for scholarship assistance
19 awarded under this Section.

20 (g) All applications for minority teacher scholarships to
21 be awarded under this Section shall be made to the Commission
22 on forms which the Commission shall provide for eligible
23 applicants. The form of applications and the information
24 required to be set forth therein shall be determined by the
25 Commission, and the Commission shall require eligible
26 applicants to submit with their applications such supporting

1 documents or recommendations as the Commission deems
2 necessary.

3 (h) Subject to a separate appropriation for such purposes,
4 payment of any minority teacher scholarship awarded under this
5 Section shall be determined by the Commission. All scholarship
6 funds distributed in accordance with this subsection shall be
7 paid to the institution and used only for payment of the
8 tuition and fee and room and board expenses incurred by the
9 student in connection with his or her attendance as an
10 undergraduate student at a qualified Illinois institution of
11 higher learning. Any minority teacher scholarship awarded
12 under this Section shall be applicable to 2 semesters or 3
13 quarters of enrollment. If a qualified student withdraws from
14 enrollment prior to completion of the first semester or quarter
15 for which the minority teacher scholarship is applicable, the
16 school shall refund to the Commission the full amount of the
17 minority teacher scholarship.

18 (i) The Commission shall administer the minority teacher
19 scholarship aid program established by this Section and shall
20 make all necessary and proper rules not inconsistent with this
21 Section for its effective implementation.

22 (j) When an appropriation to the Commission for a given
23 fiscal year is insufficient to provide scholarships to all
24 qualified students, the Commission shall allocate the
25 appropriation in accordance with this subsection. If funds are
26 insufficient to provide all qualified students with a

1 scholarship as authorized by this Section, the Commission shall
2 allocate the available scholarship funds for that fiscal year
3 on the basis of the date the Commission receives a complete
4 application form.

5 (k) Notwithstanding the provisions of subsection (j) or any
6 other provision of this Section, at least 30% of the funds
7 appropriated for scholarships awarded under this Section in
8 each fiscal year shall be reserved for qualified male minority
9 applicants. If the Commission does not receive enough
10 applications from qualified male minorities on or before
11 January 1 of each fiscal year to award 30% of the funds
12 appropriated for these scholarships to qualified male minority
13 applicants, then the Commission may award a portion of the
14 reserved funds to qualified female minority applicants.

15 (l) Prior to receiving scholarship assistance for any
16 academic year, each recipient of a minority teacher scholarship
17 awarded under this Section shall be required by the Commission
18 to sign an agreement under which the recipient pledges that,
19 within the one-year period following the termination of the
20 program for which the recipient was awarded a minority teacher
21 scholarship, the recipient (i) shall begin teaching for a
22 period of not less than one year for each year of scholarship
23 assistance he or she was awarded under this Section; and (ii)
24 shall fulfill this teaching obligation at a nonprofit Illinois
25 public, private, or parochial preschool, elementary school, or
26 secondary school at which no less than 30% of the enrolled

1 students are minority students in the year during which the
2 recipient begins teaching at the school; and (iii) shall, upon
3 request by the Commission, provide the Commission with evidence
4 that he or she is fulfilling or has fulfilled the terms of the
5 teaching agreement provided for in this subsection.

6 (m) If a recipient of a minority teacher scholarship
7 awarded under this Section fails to fulfill the teaching
8 obligation set forth in subsection (l) of this Section, the
9 Commission shall require the recipient to repay the amount of
10 the scholarships received, prorated according to the fraction
11 of the teaching obligation not completed, at a rate of interest
12 equal to 5%, and, if applicable, reasonable collection fees.
13 The Commission is authorized to establish rules relating to its
14 collection activities for repayment of scholarships under this
15 Section. All repayments collected under this Section shall be
16 forwarded to the State Comptroller for deposit into the State's
17 General Revenue Fund.

18 (n) A recipient of minority teacher scholarship shall not
19 be considered in violation of the agreement entered into
20 pursuant to subsection (l) if the recipient (i) enrolls on a
21 full time basis as a graduate student in a course of study
22 related to the field of teaching at a qualified Illinois
23 institution of higher learning; (ii) is serving, not in excess
24 of 3 years, as a member of the armed services of the United
25 States; (iii) is temporarily totally disabled for a period of
26 time not to exceed 3 years as established by sworn affidavit of

1 a qualified physician; (iv) is seeking and unable to find full
2 time employment as a teacher at an Illinois public, private, or
3 parochial preschool or elementary or secondary school that
4 satisfies the criteria set forth in subsection (l) of this
5 Section and is able to provide evidence of that fact; (v)
6 becomes permanently totally disabled as established by sworn
7 affidavit of a qualified physician; (vi) is taking additional
8 courses, on at least a half-time basis, needed to obtain
9 certification as a teacher in Illinois; or (vii) is fulfilling
10 teaching requirements associated with other programs
11 administered by the Commission and cannot concurrently fulfill
12 them under this Section in a period of time equal to the length
13 of the teaching obligation.

14 (o) Scholarship recipients under this Section who withdraw
15 from a program of teacher education but remain enrolled in
16 school to continue their postsecondary studies in another
17 academic discipline shall not be required to commence repayment
18 of their Minority Teachers of Illinois scholarship so long as
19 they remain enrolled in school on a full-time basis or if they
20 can document for the Commission special circumstances that
21 warrant extension of repayment.

22 (Source: P.A. 94-133, eff. 7-7-05.)

23 (110 ILCS 947/65.30)

24 Sec. 65.30. Equal opportunity scholarships.

25 (a) The Commission may annually award a number of

1 scholarships to students who are interested in pursuing studies
2 in educational administration. Such scholarships shall be
3 issued to students who make application to the Commission and
4 who agree to take courses at qualified institutions of higher
5 learning that will allow them to complete a degree in
6 educational administration.

7 (b) Scholarships awarded under this Section shall be issued
8 pursuant to regulations promulgated by the Commission;
9 provided that no rule or regulation promulgated by the State
10 Board of Education prior to the effective date of this
11 amendatory Act of 1993 pursuant to the exercise of any right,
12 power, duty, responsibility or matter of pending business
13 transferred from the State Board of Education to the Commission
14 under this Section shall be affected thereby, and all such
15 rules and regulations shall become the rules and regulations of
16 the Commission until modified or changed by the Commission in
17 accordance with law.

18 (c) Such scholarships shall be utilized for the payment of
19 tuition and non-revenue bond fees at any qualified institution
20 of higher learning. Such tuition and fees shall only be
21 available for courses that will enable the student to complete
22 training in educational administration. The Commission shall
23 determine which courses are eligible for tuition payments under
24 this Section.

25 (d) The Commission may make tuition payments directly to
26 the qualified institution of higher learning which the student

1 attends for the courses prescribed or may make payments to the
2 student. Any student who receives payments and who fails to
3 enroll in the courses prescribed shall refund the payments to
4 the Commission.

5 (e) The Commission, with the cooperation of the State Board
6 of Education, shall assist students who have participated in
7 the scholarship program established by this Section in finding
8 employment in positions relating to educational
9 administration.

10 (f) Appropriations for the scholarships outlined in this
11 Section shall be made to the Commission from funds appropriated
12 by the General Assembly.

13 (g) This Section is substantially the same as Section 30-4d
14 of the School Code, which Section is repealed by this
15 amendatory Act of 1993, and shall be construed as a
16 continuation of the equal opportunity scholarship program
17 established under that prior law, and not as a new or different
18 equal opportunity scholarship program. The State Board of
19 Education shall transfer to the Commission, as the successor to
20 the State Board of Education for all purposes of administering
21 and implementing the provisions of this Section, all books,
22 accounts, records, papers, documents, contracts, agreements,
23 and pending business in any way relating to the equal
24 opportunity scholarship program continued under this Section;
25 and all scholarships at any time awarded under that program by,
26 and all applications for any such scholarship at any time made

1 to, the State Board of Education shall be unaffected by the
2 transfer to the Commission of all responsibility for the
3 administration and implementation of the equal opportunity
4 scholarship program continued under this Section. The State
5 Board of Education shall furnish to the Commission such other
6 information as the Commission may request to assist it in
7 administering this Section.

8 (h) For purposes of this Section:

9 (1) "Qualified institution of higher learning" means
10 the University of Illinois; Southern Illinois University;
11 Chicago State University; Eastern Illinois University;
12 Governors State University; Illinois State University;
13 Northeastern Illinois University; Northern Illinois
14 University; Western Illinois University; the public
15 community colleges of the State; any other public
16 universities, colleges and community colleges now or
17 hereafter established or authorized by the General
18 Assembly; and any Illinois privately operated, not for
19 profit institution located in this State which provides at
20 least an organized 2-year program of collegiate grade in
21 liberal arts or sciences, or both, directly applicable
22 toward the attainment of a baccalaureate or graduate
23 degree.

24 (2) "Racial minority" means a person who is any of the
25 following:

26 (A) American Indian or Alaska Native.

1 (B) Asian.

2 (C) Black or African American.

3 (D) Native Hawaiian or Other Pacific Islander.

4 (E) Hispanic, Latino, or of Spanish origin (may be

5 of any race). ~~(i) Black (a person having origins in any~~

6 ~~of the black racial groups in Africa);~~

7 ~~(ii) Hispanic (a person of Spanish or Portuguese~~

8 ~~culture with origins in Mexico, South or Central~~

9 ~~America, or the Caribbean Islands, regardless of~~

10 ~~race);~~

11 ~~(iii) Asian American (a person having origins in~~

12 ~~any of the original peoples of the Far East, Southeast~~

13 ~~Asia, the Indian Subcontinent or the Pacific Islands);~~

14 ~~or~~

15 ~~(iv) American Indian or Alaskan Native (a person~~

16 ~~having origins in any of the original peoples of North~~

17 ~~America).~~

18 (3) "Student" means a woman or racial minority.

19 (Source: P.A. 91-357, eff. 7-29-99.)".