



Rep. Chad Hays

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LRB099 18835 NHT 47101 a

1 AMENDMENT TO HOUSE BILL 6009

2 AMENDMENT NO. _____. Amend House Bill 6009 by replacing
3 everything after the enacting clause with the following:

4 "(30 ILCS 105/5.528 rep.)

5 Section 5. The State Finance Act is amended by repealing
6 Section 5.528.

7 Section 10. The Board of Higher Education Act is amended by
8 changing Sections 6 and 8 as follows:

9 (110 ILCS 205/6) (from Ch. 144, par. 186)

10 Sec. 6. The Board, in cooperation with the Illinois
11 Community College Board, shall analyze the present and future
12 aims, needs and requirements of higher education in the State
13 of Illinois and prepare a master plan for the development,
14 expansion, integration, coordination and efficient utilization
15 of the facilities, curricula and standards of higher education

1 for ~~the~~ public institutions of higher education in the areas of
2 teaching, research and public service. The master plan shall
3 also include higher education affordability and accessibility
4 measures. The Board, in cooperation with the Illinois Community
5 College Board, shall formulate the master plan and prepare and
6 submit to the General Assembly and the Governor drafts of
7 proposed legislation to effectuate the plan. The Board, in
8 cooperation with the Illinois Community College Board, shall
9 engage in a continuing study, an analysis, and an evaluation of
10 the master plan so developed, and it shall be its
11 responsibility to recommend, from time to time as it
12 determines, amendments and modifications of any master plan
13 enacted by the General Assembly.

14 (Source: P.A. 96-319, eff. 1-1-10.)

15 (110 ILCS 205/8) (from Ch. 144, par. 188)

16 Sec. 8. The Board of Trustees of the University of
17 Illinois, the Board of Trustees of Southern Illinois
18 University, the Board of Trustees of Chicago State University,
19 the Board of Trustees of Eastern Illinois University, the Board
20 of Trustees of Governors State University, the Board of
21 Trustees of Illinois State University, the Board of Trustees of
22 Northeastern Illinois University, the Board of Trustees of
23 Northern Illinois University, the Board of Trustees of Western
24 Illinois University, and the Illinois Community College Board
25 shall submit to the Board not later than the 15th day of

1 November of each year its budget proposals for the operation
2 and capital needs of the institutions under its governance or
3 supervision for the ensuing fiscal year. Each budget proposal
4 shall conform to the procedures developed by the Board in the
5 design of an information system for State universities and
6 colleges.

7 In order to maintain a cohesive system of higher education,
8 the Board and its staff shall communicate on a regular basis
9 with all public university presidents. They shall meet at least
10 semiannually to achieve economies of scale where possible and
11 provide the most innovative and efficient programs and
12 services.

13 The Board, in the analysis of formulating the annual budget
14 request, shall consider rates of tuition and fees and
15 undergraduate tuition and fee waiver programs at the State
16 ~~state~~ universities and colleges. The Board shall also consider
17 the current and projected utilization of the total physical
18 plant of each campus of a university or college in approving
19 the capital budget for any new building or facility.

20 The Board of Higher Education shall submit to the Governor,
21 to the General Assembly, and to the appropriate budget agencies
22 of the Governor and General Assembly its analysis and
23 recommendations on such budget proposals.

24 The Board is directed to form a broad-based group of
25 individuals representing the Office of the Governor, the
26 General Assembly, public institutions of higher education,

1 State agencies, business and industry, statewide ~~Statewide~~
2 organizations representing faculty and staff, and others as the
3 Board shall deem appropriate to devise a system for allocating
4 State resources to public institutions of higher education
5 based upon performance in achieving State goals related to
6 student success and certificate and degree completion.

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

18 (1) The metrics must be developed in consultation with
19 public institutions of higher education, as well as other
20 State educational agencies and other higher education
21 organizations, associations, interests, and stakeholders
22 as deemed appropriate by the Board.

23 (2) The metrics shall include provisions for
24 recognizing the demands on and rewarding the performance of
25 institutions in advancing the success of students who are
26 academically or financially at risk, including

1 first-generation students, low-income students, and
2 students traditionally underrepresented in higher
3 education, as specified in Section 9.16 of this Act.

4 (3) The metrics shall recognize and account for the
5 differentiated missions of institutions and sectors of
6 higher education.

7 (4) The metrics shall focus on the fundamental goal of
8 increasing completion of college courses, certificates,
9 and degrees. Performance metrics shall recognize the
10 unique and broad mission of public community colleges
11 through consideration of additional factors including, but
12 not limited to, enrollment, progress through key academic
13 milestones, transfer to a baccalaureate institution, and
14 degree completion.

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

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

19 Each State university ~~state supported institution within~~
20 ~~the application of this Act~~ must submit its plan for capital
21 improvements of non-instructional facilities to the Board for
22 approval before final commitments are made if the total cost of
23 the project as approved by the institution's board of control
24 is in excess of \$2 million. Non-instructional uses shall
25 include but not be limited to dormitories, union buildings,
26 field houses, stadium, other recreational facilities and

1 parking lots. The Board shall determine whether or not any
2 project submitted for approval is consistent with the master
3 plan for higher education and with instructional buildings that
4 are provided for therein. If the project is found by a majority
5 of the Board not to be consistent, such capital improvement
6 shall not be constructed.

7 (Source: P.A. 97-290, eff. 8-10-11; 97-320, eff. 1-1-12;
8 97-610, eff. 1-1-12; 97-813, eff. 7-13-12.)

9 (110 ILCS 205/6.2 rep.)

10 Section 15. The Board of Higher Education Act is amended by
11 repealing Section 6.2.

12 Section 20. The Public Community College Act is amended by
13 changing Sections 2-12, 3-2, 3-3, 3-20.3.01, 3-22.1, 3-29.8,
14 3-36, 3-37, 3-38, 3-40, and 5-11 as follows:

15 (110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

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

18 (a) To provide statewide planning for community colleges as
19 institutions of higher education and co-ordinate the programs,
20 services and activities of all community colleges in the State
21 so as to encourage and establish a system of locally initiated
22 and administered comprehensive community colleges.

23 (b) To organize and conduct feasibility surveys for new

1 community colleges or for the inclusion of existing
2 institutions as community colleges and the locating of new
3 institutions.

4 (c) (Blank). ~~To approve all locally funded capital projects~~
5 ~~for which no State monies are required, in accordance with~~
6 ~~standards established by rule.~~

7 (d) To cooperate with the community colleges in continuing
8 studies of student characteristics, admission standards,
9 grading policies, performance of transfer students,
10 qualification and certification of facilities and any other
11 problem of community college education.

12 (e) To enter into contracts with other governmental
13 agencies and eligible providers, such as local educational
14 agencies, community-based organizations of demonstrated
15 effectiveness, volunteer literacy organizations of
16 demonstrated effectiveness, institutions of higher education,
17 public and private nonprofit agencies, libraries, and public
18 housing authorities; to accept federal funds and to plan with
19 other State agencies when appropriate for the allocation of
20 such federal funds for instructional programs and student
21 services including such funds for adult education and adult
22 literacy, vocational and technical education, and retraining
23 as may be allocated by state and federal agencies for the aid
24 of community colleges. To receive, receipt for, hold in trust,
25 expend and administer, for all purposes of this Act, funds and
26 other aid made available by the federal government or by other

1 agencies public or private, subject to appropriation by the
2 General Assembly. The changes to this subdivision (e) made by
3 this amendatory Act of the 91st General Assembly apply on and
4 after July 1, 2001.

5 (f) To determine efficient and adequate standards for
6 community colleges for the physical plant, heating, lighting,
7 ventilation, sanitation, safety, equipment and supplies,
8 instruction and teaching, curriculum, library, operation,
9 maintenance, administration and supervision, and to grant
10 recognition certificates to community colleges meeting such
11 standards.

12 (g) To determine the standards for establishment of
13 community colleges and the proper location of the site in
14 relation to existing institutions of higher education offering
15 academic, occupational and technical training curricula,
16 possible enrollment, assessed valuation, industrial, business,
17 agricultural, and other conditions reflecting educational
18 needs in the area to be served; however, no community college
19 may be considered as being recognized nor may the establishment
20 of any community college be authorized in any district which
21 shall be deemed inadequate for the maintenance, in accordance
22 with the desirable standards thus determined, of a community
23 college offering the basic subjects of general education and
24 suitable vocational and semiprofessional and technical
25 curricula.

26 (h) To approve or disapprove new units of instruction,

1 research or public service as defined in Section 3-25.1 of this
2 Act submitted by the boards of trustees of the respective
3 community college districts of this State. The State Board may
4 discontinue programs which fail to reflect the educational
5 needs of the area being served. The community college district
6 shall be granted 60 days following the State Board staff
7 recommendation and prior to the State Board's action to respond
8 to concerns regarding the program in question. If the State
9 Board acts to abolish a community college program, the
10 community college district has a right to appeal the decision
11 in accordance with administrative rules promulgated by the
12 State Board under the provisions of the Illinois Administrative
13 Procedure Act.

14 (i) To participate in, to recommend approval or
15 disapproval, and to assist in the coordination of the programs
16 of community colleges participating in programs of
17 interinstitutional cooperation with other public or nonpublic
18 institutions of higher education. If the State Board does not
19 approve a particular cooperative agreement, the community
20 college district has a right to appeal the decision in
21 accordance with administrative rules promulgated by the State
22 Board under the provisions of the Illinois Administrative
23 Procedure Act.

24 (j) To establish guidelines regarding sabbatical leaves.

25 (k) To establish guidelines for the admission into special,
26 appropriate programs conducted or created by community

1 colleges for elementary and secondary school dropouts who have
2 received truant status from the school districts of this State
3 in compliance with Section 26-14 of The School Code.

4 (l) The Community College Board shall conduct a study of
5 community college teacher education courses to determine how
6 the community college system can increase its participation in
7 the preparation of elementary and secondary teachers.

8 (m) (Blank). ~~To establish by July 1, 1997 uniform financial~~
9 ~~accounting and reporting standards and principles for~~
10 ~~community colleges and develop procedures and systems for~~
11 ~~community colleges for reporting financial data to the State~~
12 ~~Board.~~

13 (n) To create and participate in the conduct and operation
14 of any corporation, joint venture, partnership, association,
15 or other organizational entity that has the power: (i) to
16 acquire land, buildings, and other capital equipment for the
17 use and benefit of the community colleges or their students;
18 (ii) to accept gifts and make grants for the use and benefit of
19 the community colleges or their students; (iii) to aid in the
20 instruction and education of students of community colleges;
21 and (iv) to promote activities to acquaint members of the
22 community with the facilities of the various community
23 colleges.

24 (o) On and after July 1, 2001, to ensure the effective
25 teaching of adults and to prepare them for success in
26 employment and lifelong learning by administering a network of

1 providers, programs, and services to provide adult basic
2 education, adult secondary and high school equivalency testing
3 education, English as a second language, and any other
4 instruction designed to prepare adult students to function
5 successfully in society and to experience success in
6 postsecondary education and the world of work.

7 (p) On and after July 1, 2001, to supervise the
8 administration of adult education and adult literacy programs,
9 to establish the standards for such courses of instruction and
10 supervise the administration thereof, to contract with other
11 State and local agencies and eligible providers, such as local
12 educational agencies, community-based organizations of
13 demonstrated effectiveness, volunteer literacy organizations
14 of demonstrated effectiveness, institutions of higher
15 education, public and private nonprofit agencies, libraries,
16 and public housing authorities, for the purpose of promoting
17 and establishing classes for instruction under these programs,
18 to contract with other State and local agencies to accept and
19 expend appropriations for educational purposes to reimburse
20 local eligible providers for the cost of these programs, and to
21 establish an advisory council consisting of all categories of
22 eligible providers; agency partners, such as the State Board of
23 Education, the Department of Human Services, the Department of
24 Employment Security, and the Secretary of State literacy
25 program; and other stakeholders to identify, deliberate, and
26 make recommendations to the State Board on adult education

1 policy and priorities. The State Board shall support statewide
2 geographic distribution; diversity of eligible providers; and
3 the adequacy, stability, and predictability of funding so as
4 not to disrupt or diminish, but rather to enhance, adult
5 education by this change of administration.

6 (Source: P.A. 98-718, eff. 1-1-15.)

7 (110 ILCS 805/3-2) (from Ch. 122, par. 103-2)

8 Sec. 3-2. Upon the receipt of such a petition, the State
9 Board shall, in cooperation with the regional superintendent of
10 the county or counties in which the territory of the proposed
11 district is located, cause a study to be made of the territory
12 of the proposed district and the community college needs and
13 condition thereof and the area within and adjacent thereto in
14 relation to existing facilities for general education,
15 including pre-professional curricula and for training in
16 occupational activities, and in relation to a factual survey of
17 the possible enrollment, assessed valuation, industrial
18 business, agricultural and other conditions reflecting
19 educational needs in the area to be served, in order to
20 determine whether in its judgment the proposed district may
21 adequately maintain a community college in accordance with such
22 desirable standards. In reviewing the application the State
23 Board shall consider the feasibility of any proposed
24 utilization of existing public or private educational
25 facilities and land within or in near proximity to the boundary

1 of the proposed district, and of contracting with such public
2 or private institutions for the provision of educational
3 programs. If the State Board finds as the result of its study
4 that it is not possible for the proposed district to produce a
5 desirable program of community college education at a
6 reasonable cost, it shall provide a brief statement of the
7 reasons for this decision and shall thereupon cause a copy of
8 the statement to be published in a newspaper or newspapers
9 having a general circulation in the territory of the proposed
10 district and no election shall be held or further proceedings
11 had on said petition to establish such a community college
12 district. In approving a request for a new community college
13 district, ~~If approved~~ the State Board shall make ~~submit its~~
14 ~~findings to the Board of Higher Education for~~ a determination
15 as to whether or not the proposal is in conformity with a
16 comprehensive community college program. When the State Board
17 ~~of Higher Education~~ approves the request for a new community
18 college, the State Board shall prepare a report of such action
19 on the petition. The report shall contain a brief statement of
20 the reasons for the decision and a resume stating why the State
21 Board deems it possible for the proposed district to provide a
22 desirable 2-year ~~two-year~~ college program at reasonable cost,
23 the conditions under which such operation would be possible,
24 the estimated results of such operation in terms of local
25 taxes, the nature and probable cost of alternative methods of
26 providing adequate community college educational opportunities

1 for students in the territory involved and such other
2 information as the State Board believes may be helpful to the
3 voters in such territory in voting on the proposition to
4 establish a community college district.

5 (Source: P.A. 84-509.)

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

7 Sec. 3-3. If the State Board ~~of Higher Education~~
8 disapproves the request for a new community college, no
9 election shall be held or further proceedings had on such
10 petition to establish a community college district. If the
11 State Board ~~of Higher Education~~ approves the request to
12 establish a community college district, the State Board shall
13 cause notice of a hearing on the petition to be given by
14 publishing a notice thereof at least once each week for 3
15 successive weeks in at least one newspaper having general
16 circulation within the territory of the proposed district, and
17 if no such newspaper exists, then the publication shall be made
18 in 2 or more newspapers which together cover the territory with
19 general circulation. The notice shall state when and to whom
20 the petition was presented, the description of the territory of
21 the proposed district, and the day on which the hearing upon
22 the petition and the report of the State Board will be held. On
23 such day or on a day to which the State Board shall continue
24 said hearing, the State Board or a hearing officer appointed by
25 it shall hear the petition, present the report and determine

1 the sufficiency of the petition as herein prescribed, and may
2 adjourn the hearing from time to time or continue the matter
3 for want of sufficient notice or for other good cause. The
4 State Board or a hearing officer appointed by it shall hear any
5 additional evidence as to the school needs and conditions of
6 the territory and in the area within and adjacent thereto and
7 if a hearing officer is appointed he shall report a summary of
8 the testimony to the State Board. Whereupon the State Board
9 shall determine whether it is for the best interests of the
10 schools of such area and the educational welfare of the
11 students therein that such district be organized, and shall
12 determine also whether the territory described in the petition
13 is compact and contiguous for college purposes.

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

15 (110 ILCS 805/3-20.3.01) (from Ch. 122, par. 103-20.3.01)

16 Sec. 3-20.3.01. Whenever, as a result of any lawful order
17 of any agency, other than a local community college board,
18 having authority to enforce any law or regulation designed for
19 the protection, health or safety of community college students,
20 employees or visitors, or any law or regulation for the
21 protection and safety of the environment, pursuant to the
22 "Environmental Protection Act", any local community college
23 district, including any district to which Article VII of this
24 Act applies, is required to alter or repair any physical
25 facilities, or whenever any district determines that it is

1 necessary for energy conservation, health or safety,
2 environmental protection or accessibility purposes that any
3 physical facilities should be altered or repaired and that such
4 alterations or repairs will be made with funds not necessary
5 for the completion of approved and recommended projects for
6 fire prevention and safety, or whenever after the effective
7 date of this amendatory Act of 1984 any district, including any
8 district to which Article VII applies, provides for alterations
9 or repairs determined by the local community college board to
10 be necessary for health and safety, environmental protection,
11 accessibility or energy conservation purposes, such district
12 may, by proper resolution which specifically identifies the
13 project and which is adopted pursuant to the provisions of the
14 Open Meetings Act, levy a tax for the purpose of paying for
15 such alterations or repairs, or survey by a licensed architect
16 or engineer, upon the equalized assessed value of all the
17 taxable property of the district at a rate not to exceed .05%
18 per year for a period sufficient to finance such alterations or
19 repairs, upon the following conditions:

20 (a) When in the judgment of the local community college
21 board of trustees there are not sufficient funds available in
22 the operations and maintenance fund of the district to
23 permanently pay for such alterations or repairs so ordered,
24 determined as necessary.

25 (b) When a certified estimate of a licensed architect or
26 engineer stating the estimated amount that is necessary to make

1 the alterations or repairs so ordered or determined as
2 necessary has been secured by the local community college
3 district ~~and the project and estimated amount have been~~
4 ~~approved by the Executive Director of the State Board.~~

5 The filing of a certified copy of the resolution or
6 ordinance levying the tax ~~when accompanied by the certificate~~
7 ~~of approval of the Executive Director of the State Board~~ shall
8 be the authority of the county clerk or clerks to extend such
9 tax; provided, however, that in no event shall the extension
10 for the current and preceding years, if any, under this Section
11 be greater than the amount so approved, and interest on bonds
12 issued pursuant to this Section and in the event such current
13 extension and preceding extensions exceed such approval and
14 interest, it shall be reduced proportionately.

15 The county clerk of each of the counties in which any
16 community college district levying a tax under the authority of
17 this Section is located, in reducing raised levies, shall not
18 consider any such tax as a part of the general levy for
19 community college purposes and shall not include the same in
20 the limitation of any other tax rate which may be extended.
21 Such tax shall be levied and collected in like manner as all
22 other taxes of community college districts.

23 The tax rate limit hereinabove specified in this Section
24 may be increased to .10% upon the approval of a proposition to
25 effect such increase by a majority of the electors voting on
26 that proposition at a regular scheduled election. Such

1 proposition may be initiated by resolution of the local
2 community college board and shall be certified by the secretary
3 of the local community college board to the proper election
4 authorities for submission in accordance with the general
5 election law.

6 Each local community college district authorized to levy
7 any tax pursuant to this Section may also or in the alternative
8 by proper resolution or ordinance borrow money for such
9 specifically identified purposes not in excess of \$4,500,000 in
10 the aggregate at any one time when in the judgment of the local
11 community college board of trustees there are not sufficient
12 funds available in the operations and maintenance fund of the
13 district to permanently pay for such alterations or repairs so
14 ordered or determined as necessary and a certified estimate of
15 a licensed architect or engineer stating the estimated amount
16 has been secured by the local community college district ~~and~~
17 ~~the project and the estimated amount have been approved by the~~
18 ~~State Board,~~ and as evidence of such indebtedness may issue
19 bonds without referendum. However, Community College District
20 No. 522 and Community College District No. 536 may or in the
21 alternative by proper resolution or ordinance borrow money for
22 such specifically identified purposes not in excess of
23 \$20,000,000 in the aggregate at any one time when in the
24 judgment of the community college board of trustees there are
25 not sufficient funds available in the operations and
26 maintenance fund of the district to permanently pay for such

1 alterations or repairs so ordered or determined as necessary
2 and a certified estimate of a licensed architect or engineer
3 stating the estimated amount has been secured by the community
4 college district ~~and the project and the estimated amount have~~
5 ~~been approved by the State Board,~~ and as evidence of such
6 indebtedness may issue bonds without referendum. Such bonds
7 shall bear interest at a rate or rates authorized by "An Act to
8 authorize public corporations to issue bonds, other evidences
9 of indebtedness and tax anticipation warrants subject to
10 interest rate limitations set forth therein", approved May 26,
11 1970, as now or hereafter amended, shall mature within 20 years
12 from date, and shall be signed by the chairman, secretary and
13 treasurer of the local community college board.

14 In order to authorize and issue such bonds the local
15 community college board shall adopt a resolution fixing the
16 amount of bonds, the date thereof, the maturities thereof and
17 rates of interest thereof, and the board by such resolution, or
18 in a district to which Article VII applies the city council
19 upon demand and under the direction of the board by ordinance,
20 shall provide for the levy and collection of a direct annual
21 tax upon all the taxable property in the local community
22 college district sufficient to pay the principal and interest
23 on such bonds to maturity. Upon the filing in the office of the
24 county clerk of each of the counties in which the community
25 college district is located of a certified copy of such
26 resolution or ordinance it is the duty of the county clerk or

1 clerks to extend the tax therefor without limit as to rate or
2 amount and in addition to and in excess of all other taxes
3 heretofore or hereafter authorized to be levied by such
4 community college district.

5 The State Board shall set through administrative rule
6 ~~prepare and enforce~~ regulations and specifications for minimum
7 requirements for the construction, remodeling or
8 rehabilitation of heating, ventilating, air conditioning,
9 lighting, seating, water supply, toilet, accessibility, fire
10 safety and any other matter that will conserve, preserve or
11 provide for the protection and the health or safety of
12 individuals in or on community college property and will
13 conserve the integrity of the physical facilities of the
14 district.

15 This Section is cumulative and constitutes complete
16 authority for the issuance of bonds as provided in this Section
17 notwithstanding any other statute or law to the contrary.

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 (110 ILCS 805/3-22.1) (from Ch. 122, par. 103-22.1)

20 Sec. 3-22.1. To cause an audit to be made as of the end of
21 each fiscal year by an accountant licensed to practice public
22 accounting in Illinois and appointed by the board. The auditor
23 shall perform his or her examination in accordance with
24 generally accepted auditing standards and regulations
25 prescribed by the State Board, and submit his or her report

1 thereon in accordance with generally accepted accounting
2 principles. The examination and report shall include a
3 verification of student enrollments and any other bases upon
4 which claims are filed with the State Board. The audit report
5 shall include a statement of the scope and findings of the
6 audit and a professional opinion signed by the auditor. If a
7 professional opinion is denied by the auditor he or she shall
8 set forth the reasons for that denial. The board shall not
9 limit the scope of the examination to the extent that the
10 effect of such limitation will result in the qualification of
11 the auditor's professional opinion. The procedures for payment
12 for the expenses of the audit shall be in accordance with
13 Section 9 of the Governmental Account Audit Act. Copies of the
14 audit report shall be filed with the State Board in accordance
15 with regulations prescribed by the State Board. The State Board
16 shall file one copy of the audit report with the Auditor
17 General. ~~The State Board shall file copies of the uniform~~
18 ~~financial statements from the audit report with the Board of~~
19 ~~Higher Education.~~

20 (Source: P.A. 90-468, eff. 8-17-97.)

21 (110 ILCS 805/3-29.8)

22 Sec. 3-29.8. Administrator and faculty salary and
23 benefits; report. Each board of trustees shall report to the
24 State Board of Higher Education, on or before July 1 of each
25 year, the base salary and benefits of the president or chief

1 executive officer of the community college and all
2 administrators, faculty members, and instructors employed by
3 the community college district. For the purposes of this
4 Section, "benefits" includes without limitation vacation days,
5 sick days, bonuses, annuities, and retirement enhancements.

6 (Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10.)

7 (110 ILCS 805/3-36) (from Ch. 122, par. 103-36)

8 Sec. 3-36. To buy one or more sites for college purposes
9 with necessary ground, and to take and purchase the site for a
10 college site either with or without the owner's consent, by
11 condemnation or otherwise; to pay the amount of any award made
12 by a jury in a condemnation proceedings; and to select and
13 purchase all sites without the submission of the question to
14 any referendum. ~~No such purchase may be made without the prior~~
15 ~~approval of the State Board.~~ Purchases under this Section may
16 be made by contract for deed when the board considers the use
17 of such a contract to be advantageous to the district but a
18 contract for deed may not provide for interest on the unpaid
19 balance of the purchase price at a rate in excess of 6% per
20 year nor for a period of more than 10 years in which that price
21 is to be paid. Title to all real estate shall be taken and held
22 in the name of the board of the community college district.

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

24 (110 ILCS 805/3-37) (from Ch. 122, par. 103-37)

1 Sec. 3-37. To build, buy or lease suitable buildings upon a
2 site ~~approved by the State Board~~ and issue bonds, in the manner
3 provided in Article IIIA, ~~or, with the prior approval of the~~
4 ~~Illinois Community College Board,~~ enter into an installment
5 loan arrangement with a financial institution with a payback
6 period of less than 20 years provided the board has entered
7 into a contractual agreement which provides sufficient revenue
8 to pay such loan in full from sources other than local taxes,
9 tuition, or State appropriations and to provide adequate
10 additional operation and maintenance funding for the term of
11 the agreement, for the purpose of borrowing money to buy sites
12 and to either or both buy or build and equip buildings and
13 improvements.

14 Any provision in a contractual agreement providing for an
15 installment loan agreement authorized by this Section that
16 obligates the State of Illinois is against public policy and
17 shall be null and void.

18 (Source: P.A. 91-776, eff. 6-9-00.)

19 (110 ILCS 805/3-38) (from Ch. 122, par. 103-38)

20 Sec. 3-38. To lease, with or without an option to purchase,
21 for a period not to exceed 5 years or purchase under an
22 installment contract extending over a period of not more than 5
23 years, with interest at a rate not to exceed 6% per year on the
24 unpaid principal, such apparatus, equipment, machinery or
25 other personal property as may be required when authorized by

1 the affirmative vote of 2/3 of the members of the board. To
2 lease for a period not to exceed 20 years such rooms, buildings
3 and land, or any one or more of such items, as may be required
4 when authorized by the affirmative vote of 2/3 of the members
5 of the board. ~~Any lease for rooms, buildings or land for a~~
6 ~~period exceeding 5 years must have the prior approval of the~~
7 ~~State Board.~~ The provisions of this Section do not apply to
8 guaranteed energy savings contracts or leases entered into
9 under Article V-A.

10 (Source: P.A. 88-173.)

11 (110 ILCS 805/3-40) (from Ch. 122, par. 103-40)

12 Sec. 3-40. To enter into contracts with any person,
13 organization, association, educational institution, or
14 governmental agency for providing or securing educational
15 services. Any initial contract with a public university or a
16 private degree-granting college or university entered into on
17 or after July 1, 1985 but before July 1, 2016 shall have prior
18 approval of the State Board and the Illinois Board of Higher
19 Education. Any initial contract with a public university or a
20 private degree-granting college or university entered into on
21 or after July 1, 2016 shall have prior approval of the State
22 Board.

23 (Source: P.A. 84-509.)

24 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

1 Sec. 5-11. Any public community college which subsequent to
2 July 1, 1972 but before July 1, 2016, commenced construction of
3 any facilities approved by the State Board and the Illinois
4 Board of Higher Education may, after completion thereof, apply
5 to the State for a grant for expenditures made by the community
6 college from its own funds for building purposes for such
7 facilities in excess of 25% of the cost of such facilities as
8 approved by the State Board and the Illinois Board of Higher
9 Education. Any public community college that, on or after July
10 1, 2016, commenced construction of any facilities approved by
11 the State Board may, after completion thereof, apply to the
12 State for a grant for expenditures made by the community
13 college from its own funds for building purposes for such
14 facilities in excess of 25% of the cost of such facilities as
15 approved by the State Board. A ~~Such~~ grant shall be contingent
16 upon said community college having otherwise complied with
17 Sections 5-3, 5-4, 5-5 and 5-10 of this Act.

18 If any payments or contributions of any kind which are
19 based upon, or are to be applied to, the cost of such
20 construction are received from the Federal government, or an
21 agency thereof, subsequent to receipt of the grant herein
22 provided, the amount of such subsequent payment or
23 contributions shall be paid over to the Capital Development
24 Board by the community college for deposit in the Capital
25 Development Bond Interest and Retirement Fund.

26 (Source: P.A. 80-1200.)

1 (110 ILCS 805/2-10 rep.)

2 (110 ILCS 805/2-19 rep.)

3 (110 ILCS 805/2-23 rep.)

4 (110 ILCS 805/2-16.05 rep.)

5 (110 ILCS 805/2-18a rep.)

6 Section 25. The Public Community College Act is amended by
7 repealing Sections 2-10, 2-19, 2-23, 2-16.05, and 2-18a.

8 Section 99. Effective date. This Act takes effect July 1,
9 2016.".