

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by changing Section 3-15.12 as follows:

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

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

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

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

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

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

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

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

2018:

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

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

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

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

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

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

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

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

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

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

Children Act.

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

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

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

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

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

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

testing and diplomas under this Section.

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

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

Section 7. The State Universities Civil Service Act is amended by changing Section 36e as follows:

(110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

Sec. 36e. Coverage. All employees of the Illinois Community College Board, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the University of Illinois, the University System, the State Universities Retirement System, the Illinois Student Assistance Commission ~~State Scholarship Commission~~, and the Board of Higher Education shall be covered by the University System described in Sections 36b to 36q, inclusive, of this Act, except the following persons:

- (1) The members and officers of the Merit Board and the board of trustees, and the commissioners of the institutions and agencies covered hereunder;

(2) The presidents and vice-presidents of each educational institution and the executive director, directors, deputy directors, managing directors, chiefs, and attorneys of each higher education agency;

(3) Other principal administrative employees of each institution and agency as determined by the Merit Board;

(4) The teaching, research and extension faculties of each institution and agency;

(5) Students employed under rules prescribed by the Merit Board, without examination or certification.

(Source: P.A. 100-615, eff. 1-1-19.)

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

(110 ILCS 148/60)

Sec. 60. Transitional mathematics instruction statewide supports.

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

~~partnerships with school districts.~~

(b) Subject to the availability of public or private resources, ISBE, ICCB, and IBHE, in collaboration with IMACC, shall support collaborative efforts among school districts and postsecondary institutions to develop model transitional mathematics instructional units. All State-supported models shall include real-world application projects that can be delivered to particular students based on career interests and shall enable transitional mathematics instructional resources to be included within integrated courses or competency-based learning systems.

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

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

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

(1) reports that school districts and community

colleges can use for determining students 11th grade projected readiness for college-level mathematics courses upon high school graduation; and

(2) reports that compare participating students' postsecondary outcomes with other students, particularly those in traditional developmental education course sequences.

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

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

(110 ILCS 149/20)

Sec. 20. Reporting requirements.

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

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

(c) The Board of Higher Education and the Illinois

Community College Board, in consultation with public institutions of higher education and advocates, may adopt rules concerning the reporting of data to protect student privacy while satisfying the requirements of this Act.

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

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

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

Sec. 8. The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, and the Board of Trustees of Western Illinois University, ~~and the Illinois Community College Board~~ shall submit to the Board not later than the 15th day of November of each year its budget proposals for the operation and capital needs of the institutions under its governance or supervision for the ensuing fiscal year. The Illinois Community College Board shall submit to the Board by December 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. Each budget proposal shall conform to the procedures developed by the Board in the design of an information system for State universities and colleges.

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

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

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

The Board is directed to form a broad-based group of individuals representing the Office of the Governor, the General Assembly, public institutions of higher education, State agencies, business and industry, statewide organizations representing faculty and staff, and others as the Board shall

deem appropriate to devise a system for allocating State resources to public institutions of higher education based upon performance in achieving State goals related to student success and certificate and degree completion.

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

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

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

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

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

(5) The metrics must be designed to maintain the quality of degrees, certificates, courses, and programs. In devising performance metrics, the Board may be guided by the report of the Higher Education Finance Study Commission.

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

found by a majority of the Board not to be consistent, such capital improvement shall not be constructed.

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

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

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

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

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

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

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

(a) To provide statewide planning for community colleges as institutions of higher education and to coordinate the programs, services and activities of all community colleges in the State so as to encourage and establish a system of locally initiated and administered comprehensive community colleges.

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

(c) (Blank).

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

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

(e) To enter into contracts with other governmental agencies and eligible providers, such as local educational

agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities; to accept federal funds and to plan with other State agencies when appropriate for the allocation of such federal funds for instructional programs and student services including such funds for adult education and literacy, vocational and career and technical education, and retraining as may be allocated by state and federal agencies for the aid of community colleges. To receive, receipt for, hold in trust, expend and administer, for all purposes of this Act, funds and other aid made available by the federal government or by other agencies public or private, subject to appropriation by the General Assembly. The changes to this subdivision (e) made by Public Act 91-830 apply on and after July 1, 2001.

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

(g) To determine the standards for establishment of

community colleges and the proper location of the site in relation to existing institutions of higher education offering academic, occupational and technical training curricula, possible enrollment, assessed valuation, industrial, business, agricultural, and other conditions reflecting educational needs in the area to be served; however, no community college may be considered as being recognized nor may the establishment of any community college be authorized in any district which shall be deemed inadequate for the maintenance, in accordance with the desirable standards thus determined, of a community college offering the basic subjects of general education and suitable vocational and semiprofessional and technical curricula.

(h) To approve or disapprove new units of instruction, research or public service as defined in Section 3-25.1 of this Act submitted by the boards of trustees of the respective community college districts of this State. The State Board may discontinue programs which fail to reflect the educational needs of the area being served. The community college district shall be granted 60 days following the State Board staff recommendation and prior to the State Board's action to respond to concerns regarding the program in question. If the State Board acts to abolish a community college program, the community college district has a right to appeal the decision in

accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act.

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

(j) To establish guidelines regarding sabbatical leaves.

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

(l) (Blank).

(m) (Blank).

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

(o) To ensure the effective teaching of adult learners and to prepare them for success in employment and lifelong learning by administering a network of providers, programs, and services to provide classes for the instruction of those individuals who (i) are 16 years of age or older, are not enrolled or required to be enrolled in a secondary school under State law, and are basic-skills deficient, (ii) do not have a secondary school diploma or its recognized equivalent and have not achieved an equivalent level of education, or (iii) are an English language learner. Classes in adult education may include adult basic education, adult secondary and high school equivalency testing education, high school credit, literacy, English language acquisition, integrated

education and training in coordination with vocational skills training, and any other instruction designed to prepare adult students to function successfully in society and to experience success in postsecondary education and employment.

(p) To supervise the administration of adult education and literacy programs, to establish the standards for such courses of instruction and supervise the administration thereof, to contract with other State and local agencies and eligible providers of demonstrated effectiveness, such as local educational agencies, community-based organizations, volunteer literacy organizations, institutions of higher education, public and private nonprofit agencies, libraries, public housing authorities, and nonprofit institutions for the purpose of promoting and establishing classes for instruction under these programs, to contract with other State and local agencies to accept and expend appropriations for educational purposes to reimburse local eligible providers for the cost of these programs, and to establish an advisory council consisting of all categories of eligible providers; agency partners, such as the State Board of Education, the Department of Human Services, the Department of Employment Security, the Department of Commerce and Economic Opportunity, and the Secretary of State literacy program; and other stakeholders to

identify, deliberate, and make recommendations to the State Board on adult education policy and priorities. The State Board shall support statewide geographic distribution; diversity of eligible providers; and the adequacy, stability, and predictability of funding so as not to disrupt or diminish, but rather to enhance, adult education and literacy services.

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

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

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

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

additions to the laws or the review procedures.

If a community college district fails to meet the recognition standards set by the State Board, and if the district, in accordance with: (a) generally accepted Government Auditing Standards issued by the Comptroller General of the United States, (b) auditing standards established by the American Institute of Certified Public Accountants, or (c) other applicable State and federal standards, is found by the district's auditor or the State Board working in cooperation with the district's auditor to have material deficiencies in the design or operation of financial control structures that could adversely affect the district's financial integrity and stability, or is found to have misused State or federal funds and jeopardized its participation in State or federal programs, the State Board may, notwithstanding any laws to the contrary, implement one or more of the following emergency powers:

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

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

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

(4) To appoint a Financial Administrator to exercise oversight and control over the district's budget. The Financial Administrator shall serve at the pleasure of the State Board and may be an individual, partnership, corporation, including an accounting firm, or other entity determined by the State Board to be qualified to serve, and shall be entitled to compensation. Such compensation shall be provided through specific appropriations made to the State Board for that express purpose.

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

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

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

Sec. 3-16. The academic term of community college districts shall be determined by the community college board in accordance with rules adopted by ~~with the consent of~~ the State Board. However, days within such term designated for the

purpose of enrollment, testing, orientation or examination of students and all days on which scheduled classes are held shall be considered as days of student attendance. Classes may be held on Saturdays, notwithstanding any other provisions of this Act.

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

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

Sec. 3-19. Before entering upon his duties, each treasurer shall execute a bond with 2 or more persons having an interest in real estate who are not members of the board of the district, or with a surety company authorized to do business in this State, as sureties, payable to the board of the community college district for which he is treasurer and conditioned upon the faithful discharge of his duties. The penalty of the bond shall be 25% of the amount of all bonds, notes, mortgages, moneys, and effects of which the treasurer is to have custody, whether individuals act as surety or whether the surety is given by a surety authorized to do business in this State. The penalty of the bond of the treasurer shall be increased or decreased from time to time, as the increase or decrease of the amount of notes, bonds, mortgages, moneys and effects may require, ~~and whenever in the judgment of the State board the penalty of the bond should be increased or decreased.~~ The bond must be approved by at least a majority of the board of the community college district ~~and~~

~~filed with the State Board.~~ A copy of the bond must ~~also~~ be filed with the county clerk of each county in which any part of the community college district is situated. The bond shall be in substantially the following form:

STATE OF ILLINOIS)

) SS.

..... COUNTY)

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

Dated (insert date).

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

Signed:.....

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Approved and accepted by Board of Community College District No. County (or Counties) of and State of Illinois. By Chairman Secretary

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

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

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

Sec. 3-27.1. Contracts. To award all contracts for purchase of supplies, materials or work involving an expenditure in excess of \$25,000 or a lower amount as required by board policy to the lowest responsible bidder considering conformity with specifications, terms of delivery, quality, and serviceability; after due advertisement, except the following: (a) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part; (b) contracts for the printing of finance committee reports and departmental reports; (c) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness; (d) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault

of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price; (e) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent; (f) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and inter-connect equipment, software, and services; (g) contracts for duplicating machines and supplies; (h) contracts for the purchase of natural gas when the cost is less than that offered by a public utility; (i) purchases of equipment previously owned by some entity other than the district itself; (j) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed \$50,000 and not involving a change or increase in the size, type, or extent of an existing facility; (k) contracts for goods or services procured from another governmental agency; (l) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph; (m) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of

the members of the board; and (n) contracts for the purchase of perishable foods and perishable beverages.

All competitive bids for contracts involving an expenditure in excess of \$25,000 or a lower amount as required by board policy must be sealed by the bidder and must be opened by a member or employee of the board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days' notice of the time and place of such bid opening. For purposes of this Section due advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district. Electronic bid submissions shall be considered a sealed document for competitive bid requests if they are received at the designated office by the time and date set for receipt for bids. ~~However, bids for construction purposes are prohibited from being submitted electronically.~~ Electronic bid submissions must be authorized by specific language in the bid documents in order to be considered and must be opened in accordance with electronic security measures in effect at the community college at the time of opening. Unless the electronic submission procedures provide for a secure receipt, the vendor assumes the risk of premature disclosure due to submission in an unsealed form.

The provisions of this Section do not apply to guaranteed energy savings contracts entered into under Article V-A. The provisions of this Section do not prevent a community college from complying with the terms and conditions of a grant, gift, or bequest that calls for the procurement of a particular good or service, provided that the grant, gift, or bequest provides all funding for the contract, complies with all applicable laws, and does not interfere with or otherwise impair any collective bargaining agreements the community college may have with labor organizations.

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

(110 ILCS 805/3-29.8)

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

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

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

Sec. 5-3. Community college districts desiring to

participate in the program authorized in Section 5-1 of this Act shall make a written application to the State Board on forms provided by such Board. The State Board shall evaluate the need for the building purposes proposed. The State Board may require the following information:

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

(b) Present community college enrollment.

(c) (Blank).

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

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

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

(g) Survey of the existing community college or proposed community college service area and the proper location of the site in relation to the existing institutions of higher education offering pre-professional, occupational and technical training curricula. The factual survey must show the possible enrollment, assessed valuation, industrial, business,

agricultural and other conditions reflecting educational needs in the area to be served; however, no community college will be authorized in any location which, on the basis of the evidence supplied by the factual survey, shall be deemed inadequate for the maintenance of desirable standards for the offering of basic subjects of general education, semiprofessional and technical curricula.

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

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

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

Sec. 5-4. ~~Any community college district desiring to participate in the program for new academic facilities shall file an application with the State Board prior to such dates as are designated by the State Board.~~ The State Board in providing priorities if such are needed because of limited funds shall be regulated by objective criteria which shall be such as will tend best to achieve the objectives of this Article, while leaving opportunity and flexibility for the development of standards and methods that will best accommodate the varied needs of the community colleges in the State. Basic criteria shall give special consideration to the expansion of enrollment capacity and shall include consideration of the degree to which the applicant districts

effectively utilize existing facilities and which allow the Board, for priority purposes, to provide for the grouping in a reasonable manner, the application for facilities according to functional or educational type.

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

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

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

consideration paid for the land if the grantor is the State of Illinois or any department, agency, board or commission thereof.

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

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

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

Sec. 5-11. Any public community college which subsequent to July 1, 1972 but before July 1, 2016, commenced construction of any facilities approved by the State Board and the Illinois Board of Higher Education may, after completion thereof, apply to the State for a grant for expenditures made by the community college from its own funds for building purposes for such facilities in excess of 25% of the cost of such facilities as approved by the State Board and the Illinois Board of Higher Education. Any public community college that, on or after July 1, 2016, commenced construction of any facilities approved by the State Board may, after completion thereof, apply to the State for a grant for

expenditures made by the community college from its own funds for building purposes for such facilities in excess of 25% of the cost of such facilities as approved by the State Board. A grant shall be contingent upon said community college having otherwise complied with Sections 5-3, 5-4, ~~5-5~~ and 5-10 of this Act.

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

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

(110 ILCS 805/5-5 rep.)

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

(110 ILCS 983/20 rep.)

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

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

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Statutes amended in order of appearance

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