

March 14, 2017

LEGISLATIVE REPORT

Submitted for: Information.

Summary: This report updates the Board on General Assembly activity and gubernatorial action, including a summary of bills of particular interest to higher education.

Action Requested: None.

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**STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION**

LEGISLATIVE REPORT

The [Senate](#) and [House](#) legislative sessions for the 100th General Assembly have begun and the Illinois Board of Higher Education (IBHE) External Relations Team has been attending committee hearings and providing testimony on bills, as well as responding to legislative inquiries. This Friday, March 17, is the Senate deadline for legislation reported out of committee. The House deadline is March 31.

BOARD INITIATIVES

Procurement Code Reform for Higher Education: IBHE worked with the public universities and the Governor’s Office to propose legislative changes to the Procurement Code to ease some of the burdens on higher education institutions. Filed as [SB 1401](#) by Senator Pat McGuire and [HB 3689](#) by Representative Kelly Burke. The bills expand what public-private agreements are exempt from the Code, and exempt leasing of clinical space and certain funds for collaborative clinical and academic programs from the Code. Re-enact provisions of the Code concerning the applicability of the Code to artistic or musical services and to public institutions of higher education. Provide that the Executive Ethics Commission may (rather than shall) appoint procurement compliance monitors for certain terms. Make changes to requirements for competitive sealed bidding and competitive sealed proposals. Increase the small purchase threshold and certain other thresholds to \$100,000. Require contractors to be authorized to conduct business in Illinois at the time of contract execution (rather than at time of proposal or bid). Set forth requirements for best value procurement. Include public institutions of higher education in provisions concerning design-build contracts. In provisions concerning preferences for high-gas mileage vehicles, allow an exemption for vehicles based on intended use or other reasonable considerations, such as the health and safety of citizens. Repeal a provisions concerning the use of soybean oil-based inks.

Many of these provisions were included in [SB 8](#) (Senator Don Harmon), which is one of the bills in the Senate’s “grand bargain”. Because SB 8 is tied to the other bills in the ‘grand bargain’, IBHE filed procurement reform bills to aid universities.

Amendments are pending for both bills as some additional changes were requested by the universities. Due to the Senate committee deadline, we hope Senator McGuire will move SB 1401 out of the Senate Higher Education Committee as is, but will file a floor amendment. We will likely ask Representative Burke, the House sponsor, to also move the bill out of the House State Government Committee and file a floor amendment.

Board of Higher Education Act: Amends the Act to remove obsolete language with regard to members of the Board of Higher Education, a vocational education committee, and the Tuition and Fee Waiver Task Force. The bill also allows for the filing of electronic copies of reports to the General Assembly. Further, it repeals provisions concerning a matching grant program to engineering colleges, a student cooperative work program, a Parks College feasibility study, and a technology grant program. The bill makes some technical changes. Filed as [HB](#)

[3255](#) by Representative Norine Hammond. HB 3255 should be called in the House Higher Education Committee this week.

BILLS IBHE IS TRACKING

Uniform admissions: [HB 230](#) (Representative Andre Thapedi) creates the Public University Uniform Admission Act to require each public university in this State to admit first-time freshman applicants as undergraduate students if the applicant graduated with a grade point average in the top ten percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and (1) the applicant graduated from an accredited public or private high school in this State or from a high school operated by the United States Department of Defense; (2) the applicant successfully completed the minimum college preparatory curriculum requirements for admission to the university or satisfied the ACT's College Readiness Benchmarks on the ACT college admission assessment applicable to the applicant or earned on the SAT college admission assessment a score of at least 1,500 out of 2,400; and (3) if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is a State resident or is entitled to pay tuition fees at the rate provided for State residents. Provides that the University of Illinois at Urbana-Champaign is not required to offer admission to applicants who qualify for automatic admission in excess of the number required to fill 75 percent of the university's enrollment capacity designated for first-time resident undergraduate students in an academic year. Sets forth other provisions concerning the University of Illinois at Urbana-Champaign. Sets forth other provisions concerning admissions. Provides for additional preparation for college, student outreach, and rulemaking.

While the requirements for automatic acceptance described in this legislation generally describes the students several of the public universities would likely admit, most of the universities share IBHE's concern that this bill shifts responsibility for admissions from the governing boards of the universities to the legislature. Because the universities' admissions procedures use a more holistic approach that takes into account more than class rank or test scores, and must also assist applicants concerning entrance into various programs or colleges at the universities, this bill is seen as not only a blunt instruments but an unnecessary one, so IBHE opposes. HB 230 is on third Reading in the House.

Access to financial assistance for undocumented students: [HB 2394](#) (Representative Elizabeth Hernandez) allows undocumented students at the public universities to apply or receive consideration for any student aid or benefit funded or administered by the State, State agencies, public institutions, or the university, including scholarships, grants, awards, stipends, room and board, tuition waivers, or other financial or in-kind assistance, but excluding Monetary Award Program grants. IBHE supports this bill. HB 2394 should be called in the House Higher Education Committee this week.

Community Colleges establishing programs for bachelor's degrees in nursing: [SB 888](#), as amended by Senate amendment #1 (Senator Andy Manar), allows community colleges to propose establishing new academic programs for bachelor's degrees in nursing for program approval from both the Illinois Community College Board (ICCB) and IBHE. IBHE opposes this legislation as it would establish a new mission for community colleges: providing baccalaureate level college degrees. In addition, 40 four year colleges and universities, both public and private, offer this degree already. There is also a steady increase in the number of strong and effective partnerships between Illinois community colleges and four year colleges in dual enrollment

programs from associate's in nursing and RN degrees at community colleges into Bachelor of Nursing degrees at four year colleges (2 + 2 programs). Given the extreme budgetary limits on operations at public colleges and universities, starting unnecessary or duplicative bachelor of nursing degrees is not only unnecessary but also untimely. ICCB adopted a [resolution](#) at its November 18, 2016 meeting which "...supports the authorization of Illinois Community Colleges to opt to offer programs and grant degrees for the Bachelor of Science in Nursing." IBHE has submitted written testimony in opposition to this bill which is scheduled to be heard in the Senate Higher Education Committee this week.

University of Illinois' Investment, Performance, and Accountability Commitment (IPAC): [SB 222](#) (Senator Bill Cunningham) and [HB 2996](#) (Representative Michael Zalewski) are initiatives of the University of Illinois. According to the University, the bills would "...redefine the state's long partnership with the University of Illinois System, providing predictable funding for university operations over the next five years in exchange for tangible performance goals that support Illinois students and serve the needs of the state." SB 222 is in the Senate Higher Education Committee and scheduled for a hearing today. HB 2996 is in the House Executive Committee.

IBHE is supportive of the idea of stable funding associated with performance goals as described in the Board's adoption of a [resolution](#) in conjunction with both Fiscal Year 2017 and Fiscal Year 2018 Budget Recommendations establishing a compact between the State and public higher education institutions. IBHE is neutral on these bills establishing a similar compact, but only for the University of Illinois system

Credit for Prior Learning: [SB 1865](#) (Senator Chapin Rose) and [HB 2404](#) (Representative Kathleen Willis) create the Credit for Prior Learning Act, which require each public university to submit its policies and procedures for students to earn credit for prior learning to the Board of Higher Education for review and approval and each community college to submit its policies and procedures for students to earn credit for prior learning to the Illinois Community College Board for review and approval. This is an ICCB initiative that IBHE supports. SB 1865 is on second Reading in the Senate. HB 2404 should be heard in the House Community College Access & Affordability Committee this week.

Academic Credit for Military Training: [SB 736](#) (Senator Michael Hastings), [HB 3694](#) (Representative Michael Halpin), and [HB 3701](#) (Representative LaToya Greenwood) all require each public and private college and university and community college to adopt and submit policies regarding the awarding of academic credit for military training that are applicable to the requirements of the student's certificate or degree program. The policy would apply to any individual who is enrolled in an Illinois institution of higher education and who has completed a military training course that meets requirements. Institutions will be required to provide procedures for evaluating courses and awarding credit. Institutions will be required to send their policies to IBHE and/or ICCB for review by June 30, 2018 and each year thereafter. IBHE will be required to collect data on student veterans for completion outcomes and assess enrollment. ICCB and IBHE support. SB 736 is on 2nd Reading in the Senate. HB 3694 and HB 3701 are both scheduled to be heard this week in the House Higher Education Committee.

Data Request Fee: [SB 887](#) (Senator Pat McGuire) and [HB 3262](#) (Representative Michael Zalewski) provide that the Illinois Community College Board may collect a fee to cover the cost of processing and handling individual student-level data requests pursuant to an approved data sharing agreement. An amendment added by Senator McGuire will allow IBHE to collect a fee to cover the cost of processing and handling individual student-level data requests also. SB

887, with the amendment, is scheduled to be heard in the Senate Higher Education Committee this week. HB 3262 is on second Reading in the House.

Tuition waivers: [HB 279](#) (Representative Thaddeus Jones) would reinstate the General Assembly Scholarship Program, which was eliminated in 2012. The program would allow each member of the G.A. to nominate four district residents per year to receive one-year tuition and fee waivers, along with two district residents who would each receive a four-year waiver. The waivers ("scholarships") could be used at any Illinois student accepted by a public university designated by the member. [HB 2864](#) (Representative Luis Arroyo) creates a legislative scholarship task force to receive and consider applications for scholarship assistance; further, requires the task force to receive and consider nominations for scholarship assistance, with a total of 8 scholarships per representative district to be awarded each year.

IBHE opposes both of these bills due to the lack of stable funding for the state's public universities, now is not the time to restore the GA Scholarships nor create a different tuition waiver. Both bills are scheduled to be heard this week in the House Higher Education Committee.

Appropriation bills: [HB 3938](#) (Representative Jim Durkin) and [SB 2152](#) (Senator Christine Radogno) contain the Governor's introduced Fiscal Year 2018 appropriations for the ordinary and contingent expenses of the Board of Higher Education and the Illinois Math and Science Academy. IBHE is scheduled to testify before the House Higher Education Appropriations Committee this week, and has been asked to address the Governor's Fiscal Year 2018 budget recommendations for IBHE's operations and grants. IBHE also is scheduled to testify before the Senate Appropriations II Committee on March 30 on the Fiscal Year 2018 budget proposals, including the Board's and the Governor's.

[SB 6](#) (Senator John Cullerton) makes appropriations to agencies (including higher education agencies, public colleges and universities) for costs incurred prior to July 1, 2017. Provides that the bill becomes law only if the following bills of the 100th General Assembly become law: Senate Bills 1, 3, 4, 5, 7, 8, 9, 10, 12, 13, and 16. This bill is included in the Senate's "grand bargain". SB 6 has passed the Senate, but is under a parliamentary hold and has not been advanced to the House.

Underrepresented Groups in Academia: [HJR 2](#) (Representative Andre Thapedi/Senator Napoleon Harris III) creates the Underrepresented Groups in Academia Task Force within the Board of Higher Education to examine strategies to grow underrepresented groups in institutions of higher education and to ascertain the viability of increasing the number of laboratory schools in the State and creating State-owned and operated trade schools. IBHE did not take a position on this legislation. HJR 2 has passed the House and is in the Senate.

BOARD APPOINTMENTS

There are six appointments to the Board which have yet to be confirmed by the Senate: John Bambenek ([AM 990464](#)); Darlene Ruscitti ([AM 1000074](#)); Jane Hays ([AM 1000097](#)); Cheryl Murer ([AM 1000098](#)); Jay Bergman ([AM 1000126](#)); and Sherry Eagle (no message filed yet for her appointment to the IBHE Board).