

September 19, 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 House and Senate of the Illinois General Assembly have announced veto session dates for October 24 through 26, and November 7 through 9. Following are substantive bills that were supported and /or were monitored by the three higher education agencies – the Illinois Board of Higher Education (IBHE), the Illinois Community College Board (ICCB), and the Illinois Student Assistance Commission (ISAC).

BOARD INITIATIVES

Board of Higher Education Act: [HB 3255](#) (Hammond/Tracy) removes obsolete language with regard to members of IBHE, a vocational education committee, and the Tuition and Fee Waiver Task Force. The bill allows for the filing of electronic copies of reports to the General Assembly and repeals provisions concerning a matching grant program to engineering colleges, a State student cooperative work program, a Parks College feasibility study, and a technology grant program. This is an IBHE initiative to update the Board of Higher Education Act. **The bill was signed into law as Public Act 100-167.**

Procurement Code reform for higher education: [SB 1401](#) (McGuire) is an IBHE initiative that makes changes to the Procurement Code to provide some relief to the public universities. Since the enactment of SB 51 (P.A. 96-795), which made sweeping changes to the Code in 2009, the universities and other state agencies have requested changes. Many of the changes in SB 1401 are also in [SB 8](#), which is part of the Senate’s “Grand Bargain” bill package. **SB 8 (Harmon/Riley) had bipartisan support in both the House and Senate and was signed into law as P.A. 100-43.** Amendment 3 of this bill includes language as Section (a-10) authorizing chief procurement officers to authorize group purchasing without limitation, including any purchasing entity operating under the MHEC, which is specifically named.

Data match cost recovery authority: [SB 887](#) (McGuire/Zalewski) provides that ICCB and IBHE may collect a fee to cover the cost of processing and handling individual student-level data requests pursuant to an approved data sharing agreement. Renames the ICCB Instructional Development and Enhancement Applications Revolving Fund to the ICCB Research and Technology Fund and provides that revenues from the assessed fee would be deposited into the special state fund for appropriation to ICCB to cover costs associated with maintaining and updating individual student-level data systems. Creates the IBHE Data and Research Cost Recovery Fund and provides that revenues from the assessed fee would be deposited into the special state fund for appropriation to IBHE to cover costs associated with maintaining and updating individual student-level data systems. This legislation protects personally identifiable information by requiring that a data sharing agreement must be executed before such information may be released. This began as an ICCB initiative and IBHE was included through an amendment by House sponsor, Rep. Zalewski. **It passed both houses and was signed into law as P.A. 100-417.**

BILLS IBHE IS TRACKING

Uniform admissions: [HB 230](#) (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 10 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. The bill also 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. The bill requires ISAC to develop and implement a program to increase and enhance efforts of institutions in conducting outreach to academically high-performing high school seniors in the State who are likely eligible for automatic admission under the Act. IBHE opposes this legislation. **HB 230 failed to garner enough votes to pass the House, but was put on postponed consideration. The bill has been re-referred to the House Rules Committee.**

College Affordability Act: [HB 1316](#) (Lang/McGuire) requires IBHE to establish and administer, an Illinois Excellence Program to incentivize the recruitment and retention of promising faculty throughout the Illinois system of higher education. The bill also requires ISAC to implement and administer a program beginning with the 2018-2019 academic year to award College Affordability grants to certain Illinois residents who have graduated from an approved high school with a cumulative grade point average of at least a 3.0 on a 4.0 scale and are seeking a degree from a public institution of higher education. HB 1316 goes on to set forth the terms and conditions of the program, including requiring a two-year residency obligation following termination of the academic program and requiring students awarded grants under the program to participate in a student loan counseling program through ISAC, as well as the grant amount. It further requires ISAC to implement and administer a program in which ISAC shall award work-study stipends to applicants who are grant recipients and who agree to work for 5 to 15 hours per week as peer mentors or tutors for other grant recipients. Lastly, HB 1316 requires ISAC to implement and administer a program in which ISAC shall buy-out the private student loans of any eligible participants and sets forth eligibility requirements. The bill amends the State Finance Act to create the special funds created herein. The programs of this bill are all subject to appropriation, which, according to ISAC, would require at least \$300 million to implement. IBHE joined with ISAC in opposing the bill. **HB 1316 passed the House and is in the Senate Assignments Committee.**

Access to financial assistance for undocumented students: [HB 2394](#) (Hernandez) provides that notwithstanding any other provision of law to the contrary, a student who meets the requirements concerning being deemed an Illinois resident for tuition purposes is eligible 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. Prohibits each university and ISAC from denying a scholarship, grant, or loan to a person who has been convicted of illegal possession or sale of cannabis, controlled substances, or methamphetamine if he or she otherwise qualifies for the scholarship, grant, or loan (amendment #2 removes these prohibitions, but has not yet been adopted). **HB 2394 has been re-referred to the House Rules Committee.**

Credit for Prior Learning Act: [HB 2404](#) (Willis/Rose) would create the Credit for Prior Learning Act and require each public university to submit its policies and procedures for students to earn credit for prior learning to IBHE and each community college to submit its policies and procedures for students to earn credit for prior learning to ICCB. At a minimum, these procedures shall include a listing of the types of documentation acceptable and the dates of inclusion for which prior learning is acceptable. The bills also require IBHE and ICCB to adopt rules to permit public higher education institutions to award credit for prior learning after the assessment of prior learning experiences for documented learning that

demonstrates achievement of all terminal objectives for a specific course or courses. **HB 2404 was signed into law as P.A. 100-261.**

Adult Diploma: [HB 2527](#) (Sosnowski/Stadelman) authorizes a public community college district or non-profit entity in partnership with a regional superintendent of schools, the chief administrator of an intermediate service, or a school district to design a high school diploma program for adult learners. To be eligible the entity must demonstrate that it has been unable to establish an agreement with a secondary or unit school district to provide the program. The program must be approved by ICCB according to approval guidelines established in the bill. **The legislation passed both houses and is now on the Governor's desk for agreement.**

Assisting veterans in higher education: Legislation to implement recommendations of the Illinois Taskforce on Veterans' Suicide is reflected in [HB 2647](#) (Kifowit/Cullerton, T.). This bill contains provisions that the Illinois Department of Veterans' Affairs, in coordination with institutions of higher education, shall provide proactive outreach as part of an educational success program for veterans experiencing difficulties in higher education. **The legislation passed both houses and is now on the Governor's desk for agreement.**

High school equivalency alternative credentialing: [HB 2740](#) (Welch/Rezin) provides that ICCB shall establish alternative methods of credentialing for the issuance of high school equivalency certification. Allows ICCB to offer the credentialing on or after January 1, 2018, based on high school credit, post-secondary credit, foreign diplomas, and completion of a competency-based program as approved by ICCB. This legislation implements the recommendations of the Alternative Credentialing Methods Taskforce approved by ICCB on January 20, 2017. **The bill was signed into law as P.A. 100-130.**

Dual-Credit/Dual-Enrollment Notification: [HB 2794](#) (Ford/Martinez) requires high schools to inform all 11th and 12th grade students of dual enrollment and dual credit opportunities at public community colleges for qualified students. **This bill was signed into law as P.A. 100-133.** [HB 3601](#) (Greenwood/Clayborne) provides that East St. Louis School District 189 is encouraged to allow students in grades 11 and 12 to take classes at Southwestern Illinois College for dual credit at no cost to the student. **This bill was signed into law as P.A. 100-190.**

Vacancies on community college boards: [HB 3091](#) (Bourne/Manar) amends the Illinois Public Community College Act to address deficiencies in the law as it pertains to vacancy on a local community college board of trustees. The bills provide that when a vacancy occurs in a community college board, the elected successor shall serve the remainder of the unexpired term. Community college trustees are elected to 6-year terms. The bills also provide that the vice-chairman shall perform the duties of chairman if there is a vacancy in the office of the chairman or in case of the chairman's absence or inability to act. If there is a vacancy in the office of the chairman and vice-chairman, a chairman pro tempore shall be appointed. **HB 3091 was signed into law as P.A. 100-273.**

SNAP eligibility for low-income students: [HB 3211](#) (Wallace/Morrison) is an initiative of the Heartland Alliance for Human Needs and Human Rights that extends federal SNAP eligibility to low-income students who are pursuing a career and technical education certificate or degree program at a community college. (Students attending college half-time or more are generally not eligible for SNAP.) The bill would also require ISAC to use financial aid eligibility information to identify students who may be SNAP-eligible and to provide colleges and universities with information on potential student SNAP eligibility. The colleges and universities, in turn, would be required to provide this information to the potentially-SNAP-eligible students identified by ISAC. **It passed both houses, but the Governor did an amendatory veto to the bill, which the General Assembly has yet to address.**

Educational Credit for Military Experience Act: [HB 3701](#) (Greenwood/Clayborne) creates the Educational Credit for Military Experience Act to provide that before June 1, 2018, each institution of higher education shall adopt a policy to award academic credit for military training applicable to the student's certificate or degree requirements. Requires the policy to apply to any individual who is enrolled in the institution of higher education and who has completed a military training course that meets certain requirements. Provides that institutions of higher education shall develop procedures for evaluating courses and awarding credit. Requires institutions of higher education to submit their policies for awarding credit to IBHE and ICCB for review before June 30, 2018, and before June 30 of every other year thereafter. Requires IBHE to collect data in the Illinois Higher Education Information System on students who are veterans or have military service to assess enrollment and completions outcomes. This legislation implements the recommendations of the Military Prior Learning Assessment Task Force. **HB 3701 was signed into law as P.A. 100-195.**

Community colleges BSN degree authority: [SB 888](#) (Manar) allows a board of trustees of a community college district to establish and offer a baccalaureate-level nursing education program and confer a bachelor of science degree in nursing upon the meeting of specified conditions. It also requires approval of both ICCB and IBHE. The number of programs that may be approved is limited to 20 until August 31, 2022. The bill also requires ICCB to conduct a statewide evaluation of nursing programs established under the provisions and report on the results of the evaluation by July 1, 2022. There were amendments filed to the bill to try to garner support, including limiting the programs to 11 community colleges and 7,000 students over the next five years, but none advanced out of committee. IBHE opposes the legislation. **The sponsor opted not to move the bill.**

Student Loan Servicing Act: [SB 1351](#) (Biss/Guzzardi) would create the Student Loan Servicing Act, which includes a Student Loan "Bill of Rights," the establishment of a student loan ombudsman function in the office of the Attorney General, and a new licensing requirement for entities engaging in student loan servicing in Illinois. **It passed both houses, but the Governor vetoed the bill, which the General Assembly has yet to address.**

Modification of the Career & Workforce Transitions Act: [SB 1663](#) (Clayborne/Ammons) amends the Career and Workforce Transition Act to provide that a public community college district may accept credits as direct equivalent credits or prior learning credits, as determined by the district and consistent with the accrediting standards and institutional and residency requirements of ICCB, the Higher Learning Commission, other State and national accreditors, and State licensing bodies, as appropriate. The legislation requires that, beginning with applications submitted in 2017, an institution must submit its application for approval to ICCB on or before July 1 of a given year and ICCB must render its approval decision on or before September 15 of that same year. ICCB must also post on its website a list of all institutions that have received approval, beginning on January 5, 2018. Finally, the legislation provides for an appeals process for all decisions of ICCB that result in non-approval of an institution. The legislation was introduced to provide clarity and guidance to ICCB in response to the delay in adopting administrative rules. **The bill was approved in the House with amendments and was re-referred to the Senate Assignments Committee.**

Clarification for Minority Teachers Scholarship: [SB 1739](#) (Lighford/Ford) is an ISAC initiative that would clarify that teachers who are already licensed can receive a Minority Teachers of Illinois Scholarship if they are pursuing a master's degree in their field or completing coursework that would lead to an endorsement to teach an additional subject or grade level. **It was signed into law as P.A. 100-235.**

Underrepresented Groups in Academia: [HJR 2](#) (Thapedi/Harris) creates the Underrepresented Groups in Academia Task Force within IBHE 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. **It was adopted by both houses.**

Statewide Task Force on the Future of Adult Education and Literacy: [SJR 40](#) (Weaver) creates the Statewide Task Force on the Future of Adult Education and Literacy within ICCB to develop a statewide strategic plan for adult education and literacy. **It was adopted by both houses.**

BUDGET BILLS

[SB 6](#) (Stears/Harris, G.) is the Fiscal Year 2017 and Fiscal Year 2018 budget/appropriations bill passed by the Senate, and now being considered by the House. It is funding for the entire state budget, including higher education, and generally maintains operations for higher education agencies and programs at the Fiscal Year 2015 level, although university and community colleges operations are cut by 10 percent from the Fiscal Year 2015 level. The Monetary Award Program (MAP) is maintained at \$365 million. **The Governor vetoed the bill, but the General Assembly voted to override the veto and the bill became P.A. 100-21.**

The following bills were part of the budget discussions:

- [SB 9](#) increases the individual income tax rate from 3.75 percent to 4.95 percent and the corporate income tax rate from 4.8 percent to 7 percent beginning July 1, 2017. It also broadens the state sales tax to cover certain services, close certain corporate tax credits and exemptions, and means test Illinois taxpayer's eligibility for the standard deduction and the property tax credit. **SB 9 was vetoed by the Governor, but the General Assembly voted to override the veto and the bill became P.A. 100-22.**
- [SB 81](#) would increase the State minimum wage to \$15 per hour by 2022. **The bill passed both houses, but was vetoed by the Governor.**
- [SB 484](#) would freeze property tax extensions for school districts for two years. **The bill passed the Senate, but failed in the House.**
- [HB 2525](#) contains provisions to reform the Workers' Compensation Act. **The bill passed both houses, but was vetoed by the Governor.**

BOARD APPOINTMENTS

There are five appointments to the Board which have yet to be confirmed by the Senate: Darlene Ruscitti ([AM 1000074](#)), Jane Hays ([AM 1000097](#)), Cherilyn Murer ([AM 1000098](#)), Jay Bergman ([AM 1000126](#)), and Sherry Eagle ([AM 1000279](#)).

