



Weekly Legislative Report

ILLINOIS COMMUNITY COLLEGE TRUSTEES ASSOCIATION

By: Jessica Nardulli & Tom Ryder

June 2016

This report contains **35 bills that passed both Houses and will be sent to the Governor** for his consideration. If you wish to look at any bill in greater detail, go to ilga.gov and enter the bill number in the search box on the left side of the page. The General Assembly adjourned on May 31 without passing a budget. The Speaker announced continuous session every Wednesday through June, while the Senate will only return to Springfield at the call of the President. We believe those days will be reserved for budget hearings/negotiations; however, anything could be considered. All bills will now need a 3/5 majority to pass if they have an immediate effective date.

The Governor's Administration and members of all four legislative caucuses have been meeting to find compromise in five key areas: worker's compensation, collective bargaining, pensions, government consolidation, and property tax relief. Those working groups will continue to meet over the summer. Pressure points that could force a compromise include the lack of an appropriation for K-12 for FY17. Another pressure point may be Comptroller Munger's decision to pay or not to pay state employees. A St. Clair County court ruling has kept employee paychecks flowing, but the order ends at the end of the fiscal year - June 30th. In the meantime, the Illinois Supreme Court ruled in another case that state employees are not entitled to back pay because there was no appropriation authority.

We will continue to closely monitor summer legislative activity and report when necessary.

ILLINOIS COMMUNITY COLLEGE TRUSTEES ASSOCIATION

HB 4167 \$MAP APPROP **Sponsors** Rep. Madigan-Sen. J. Cullerton

Makes an appropriation to the Illinois Student Assistance Commission for grant awards to students eligible for the Monetary Award Program and agency administrative and operational costs. Provides that the appropriation authority granted in the Act is valid for costs incurred before September 1, 2016. Effective immediately.

HB 4259 PEN CD-ELIGIBILITY **Sponsors** Rep. Moylan-Sen. Bertino-Tarrant

Amends the Illinois Pension Code. In the Illinois Municipal Retirement Fund (IMRF) Article, provides that the definition of "employee" does not include a person who on or after the effective date becomes an employee of the following participating instrumentalities: the Illinois Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; the United Counties Council; the Will County Governmental League; or certain other associations and not-for-profit corporations. In the State Universities Article, provides that a person who, on or after the effective date of the amendatory Act, becomes an employee of any association of community college boards organized under a certain provision of the Public Community College Act, the Association of Illinois Middle-Grade Schools, the Illinois Association of School Administrators, the Illinois Association for Supervision and Curriculum Development, the Illinois Principals Association, the Illinois Association of School Business Officials, or the Illinois Special Olympics shall not be deemed an employee under the Article. Provides that an individual that begins employment after the effective date of the amendatory Act with an entity not defined as an employer in the Article shall not be deemed an employee for the purposes of the Article. Provides that in the case of doubt as to whether any person is an employee, as defined in the Article, the decision of the Board of Trustees shall be final. In the Downstate Teacher Article, provides that an employee of a school board association who becomes an employee after the effective date of the amendatory Act is not a teacher for the purposes of the Article.

House Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes. In the State Universities Article, consolidates and makes grammatical changes to provisions that exclude from participation certain individuals who become employees of specified entities on or after the effective date of the amendatory Act. Provides that in the case of doubt as to whether any person is an employee within the meaning of any rule adopted by the Board, the decision of the Board shall be final. Effective immediately.

HB 4330 SCH CD-STATE SEAL BILITERACY **Sponsors** Rep. Wheeler-Sen. Martinez

KEY

LEGISLATION

- HB 4379 (McSweeney-T. Cullerton) Local Gov-Travel Expenses
- HB 4630 (Ives-Connelly) Open Meeting-Closed Session
- SB 2046 (J. Cullerton-Currie) Full Approp
- SB 2059 (J. Cullerton-Currie) Stop Gap Approp – Higher Ed
- SB 2155 (Cunningham-K. Burke) Com Col Audit
- SB 2156 (Cunningham-K. Burke) Pen Cd – SURS – Severance Payments
- SB 2157 (Cunningham-K. Burke) Com Col Trustee Training
- SB 2158 (Cunningham-K. Burke) Com Col Employee Contract
- SB 2159 (Cunningham-K. Burke) Higher Ed – Employment Contract

Amends the School Code. For admissions purposes, requires each public university in this State to accept the State Seal of Biliteracy as equivalent to 2 years of foreign language coursework taken during high school if a student's high school transcript indicates that he or she will be receiving or has received the State Seal of Biliteracy. Provides that each public community college and public university in this State shall establish criteria to translate a State Seal of Biliteracy into course credit based on foreign language course equivalencies identified by the community college's or university's faculty and staff and, upon request from an enrolled student, the community college or university shall award foreign language course credit to a student who has received a State Seal of Biliteracy. Requires the State Board of Education's rules to ensure that the criteria that pupils must achieve to earn a State Seal of Biliteracy meet the course credit criteria. Requires students enrolled in a public community college or public university who have received a State Seal of Biliteracy to request course credit for their seal within 3 academic years after graduating from high school.

HB 4379 LOCAL GOV-TRAVEL EXPENSES

Sponsors Rep. McSweeney-Sen. T. Cullerton.

Creates the Local Government Travel Expense Control Act. Provides that school districts and non-home rule units of local government shall, by resolution or ordinance, regulate travel, meal, and lodging expenses of officers and employees including: (1) the types of official business for which travel, meal, and lodging expenses are allowable; (2) maximum allowable reimbursement for travel, meal, and lodging expenses; and (3) a standardized form for submission of travel, meal, and lodging expenses. Provides that all travel, meal, and lodging expenses may only be approved after specified documentation has been submitted and the expenses are approved by a roll call vote. Prohibits reimbursing entertainment expenses.

House Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Provides that the Act also applies to community college districts (currently, school districts and non-home rule units of local government); and that expenses officers or employees expend that exceed the maximum allowable expenses, and any expenses for members of the governing board or corporate authorities, must be approved by the governing board or corporate authorities (currently, all expenses must be approved by the board or corporate authorities).

HB 4630 OPEN MEETING-CLOSED SESSION

Sponsors Rep. Ives-Sen. Connelly

Amends the Open Meetings Act. Requires that any and all available minutes and verbatim recordings of meetings closed to the public prior to a newly elected official's term in a public body shall be available to that official for review, regardless of whether those minutes or verbatim recordings are confidential. Effective immediately.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause. Reinserts the provisions of the bill as engrossed with the following changes: allows access to the verbatim recordings and minutes of closed meetings to duly elected officials or appointed officials filling a vacancy of an elected office in a public body; provides that access shall be granted in the public body's main office or official storage location, in the presence of a records secretary, an administrative official of the public body, or any elected official of the public body; provides that no verbatim recordings or minutes of closed meetings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order; and provides that nothing in the subsections concerning verbatim recordings and minutes of closed meetings is intended to limit the Public Access Counselor's access to records necessary to address a request for administrative review.

HB 4675 ICCB-FEDERAL

Sponsors Rep. Unes- Sen. McGuire

Provides that the ICCB Adult Education Fund and the Career and Technical Education Fund are federal funds (instead of special funds) in the State treasury. Effective immediately.

HB 4715 GOVERNMENT**Sponsors** Rep. Bryant-Sen. Radogno

Amends the Freedom of Information Act. Defines "prevails" as meaning that the plaintiff achieves his or her desired outcome through a court order or production of all requested documents. Provides that if the court determines that a public body willfully and intentionally failed to comply with the Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$10,000 (instead of \$5,000) for each occurrence. Provides that if the public body fails to comply with the court's order after 30 days, the court may impose an additional penalty of up to \$1,000 for each day the violation continues.

House Floor Amendment No. 3

Makes the following changes: (1) removes the definition of "prevails"; and (2) provides that the court may impose the additional daily penalty if the order is not on appeal or stayed.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause with the provisions of the engrossed bill, and makes the following changes: (1) removes the change providing that if the court determines that a public body willfully and intentionally failed to comply with the Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$10,000 (instead of \$5,000) for each occurrence; (2) provides that if the Public Access Counselor issues a binding opinion, the public body does not file for administrative review of the binding opinion within 30 days after issuance of the opinion, and the public body does not comply with the binding opinion within 30 days, the requester may file an action and it shall be presumed that the public body willfully and intentionally failed to comply with the Act; and (3) provides that the amendatory Act applies to actions filed and binding opinions of the Public Access Counselor requested or issued on or after the effective date.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause with the provisions of Senate Amendment No. 1, and makes the following changes: provides that if the Attorney General (instead of "Public Access Counselor") issues a binding opinion and the public body does not file for administrative review of or comply with the binding opinion within 35 (instead of 30) days after the binding opinion is served on the public body (instead of issuance of the opinion), the requester may file an action and there shall be a rebuttable presumption that the public body willfully and intentionally failed to comply with the Act.

HB 4820 LIQUOR**Sponsors** Rep. Cabello-Sen. Radogno

Provides that alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of a community college district for events that the Board of Trustees of that community college district may determine are public events and not student-related activities. Provides that the Board of Trustees of a community college district shall issue a written policy within 6 months after the effective date of the amendatory Act concerning the types of events that would be eligible for an exemption. Provides that the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. Specifies factors that the Board of Trustees shall, in addition to other factors it considers relevant and important, consider in forming its written policy. Provides that the provisions do not apply to certain community college districts authorized to sell or serve alcoholic liquor. Effective immediately.

HB 5561 COM COLLEGE-ACCELERATE PROGRAM**Sponsors** Rep. McSweeney-Sen. Connelly

Creates the Accelerate College pilot program. Authorizes a community college district board of trustees to enter into an Accelerate College educational partnership agreement with any school district wholly contained within the community college district's jurisdiction. Provides that an agreement must offer a group of high school students the right to take community college courses without paying tuition for those courses. Provides for the size of the

program. Allows community colleges to charge fees limited to the actual operating costs and related student activities. Provides that any coursework completed by high school students in a community college shall be transferrable to all public universities in this State on the same basis as coursework completed by community college students who have previously earned high school diplomas. Requires the Illinois Community College Board to study the effectiveness of the program and to issue an annual report. Repeals the provisions 36 months after the effective date of the amendatory Act. Amends the School Code to make conforming changes. Effective immediately.

HB 5566 COLLEGE AFFORDABILITY BOARD

Sponsors Rep. Sims, Jr.- Sen. Trotter

Amends the School Code. Provides that the chairperson of the Illinois P-20 Council may authorize the creation of a working group to focus on tuition, financial aid, and other issues related to keeping postsecondary education affordable for Illinois residents.

HB 5683 OPEN MEETINGS-CIVIL ACTION

Sponsors Rep. Breen-Sen. Nybo

Amends the Open Meetings Act. Provides that where the provisions of this Act are not complied with, or where there is probable cause to believe that the provisions of this Act will not be complied with, any person may bring a civil action in the circuit court within 60 days of the decision by the Attorney General to resolve a request for review by a means other than the issuance of a binding opinion, if the person timely files a request for review with the Public Access Counselor. Effective immediately.

HB 5729 POSTSECOND/WORKFORCE READINESS

Sponsors Rep. Burke-Sen. Biss

Creates the Postsecondary and Workforce Readiness Act. Sets forth provisions concerning postsecondary career expectations; a competency-based, high school graduation requirements pilot program; transitional mathematics courses; reading and communication transitional competencies; College and Career Pathway Endorsements and State Distinction programs; and administrative rules. Effective immediately.

House Floor Amendment No. 1

Replaces everything after the enacting clause with provisions of the introduced bill with the following changes: Removes requirements concerning adopting grade-level postsecondary and career expectations for all students in grades 9 through 12. Removes certain requirements on State agencies. Makes changes to requirements of school districts participating in the pilot program and requirements for participating in the pilot program. Requires participating school districts to form a standing planning and implementation committee. Makes changes to various dates concerning implementation of the pilot program. Changes references from "transitional mathematics courses" to "transitional mathematics instruction" and makes certain requirements concerning student readiness applicable only to mathematics courses. Requires the statewide panel to recommend statewide criteria for determining projected readiness for 11th grade students for college-level mathematics courses. Makes changes to provisions concerning mathematics instruction placement and delivery. Provides how to demonstrate readiness for public high school graduates. Allows a public university to be a party to a partnership agreement at its sole discretion. Provides for the creation and publication of statewide portability standards for certain courses. Requires that the State Board of Education and Illinois Community College Board establish a phased transition plan and benchmarks by June 30, 2019 for transitional mathematics instruction implementation. Removes provisions concerning the State Distinction Program. Allows eligible school districts to award one or more College and Career Pathway Endorsements beginning in the 2019-2020 (rather than 2018-2019) school year. Removes certain requirements for support of the College and Career Pathway Endorsement program. Makes other changes.

House Floor Amendment No. 2

Makes a technical correction in the provisions concerning College and Career Pathway Endorsements. Changes a reference with respect to the administrative rules of the Illinois Community College Board and the Board of Higher Education.

Senate Floor Amendment No. 2

Makes changes concerning the competency-based, high school graduation requirements pilot program. Provides that no waiver shall be granted relating to teacher tenure or seniority or teacher or principal evaluations. Provides that any waiver or modification of teacher educator licensure requirements to permit instruction by non-educators or educators without an appropriate license must ensure that an appropriately licensed teacher and the provider of instruction partner in order to verify the method for assessing competency of mastery and verify whether a student has demonstrated mastery. Limits the first 2 annual cohorts of the pilot program to no more than 12 school districts and any subsequent annual cohort to no more than 15 school districts, allows only one application per school district for each annual cohort of the pilot program, and prohibits the application of a school district having a population exceeding 500,000 inhabitants from including more than 6 schools. Provides that the expansion of a school district's competency-based learning system to a new school or new subject area requires a new application by the school district.

HB 5894 ADULT ED-AREA PLANNING COUNCIL **Sponsors** Rep. Hammond-Sen. Barickman

Amends the Adult Education Act with respect to Area Planning Councils. Makes changes concerning membership on an Area Planning Council, the election of officers and the development of bylaws, the chairperson of the Council, and the designation of sub-areas within a Council district. Requires the Illinois Community College Board to determine the guidelines for the bylaws and operation of a Council. Removes provisions concerning joint Councils and Councils for school districts not included within the boundaries of a community college district. Makes changes concerning an Area Adult Education Plan and the Board's annual report to the Governor and the General Assembly for adult education. Effective immediately.

HB 5913 PLUMBING LICENSE-INSTRUCTION **Sponsors** Rep. D'Amico- Sen. Harmon

Amends the Illinois Plumbing License Law. Requires a licensed plumber to provide proof of completing 4 hours of continuing education to renew his or her annual license. Provides that sponsors of continuing education shall meet the criteria provided by the Board of Plumbing Examiners and the Plumbing Code advisory council. Provides that continuing education courses shall provide instruction in plumbing, which is supervised directly by an Illinois licensed plumber only. Provides qualifying criteria for plumbing instructors. Provides that the Director of Public Health shall approve an application for a plumber's license examination if the applicant has submitted evidence that he or she has successfully completed an approved course of instruction in plumbing supervised directly by an Illinois licensed plumber in colleges, universities, or trade schools.

HB 5938 HIGHER ED-MEDICAL PROVIDERS **Sponsors** Rep. Frese-Sen. Althoff

Amends the Veterans' Home Nurses' Loan Repayment Act. Renames the Act as the Veterans' Home Medical Providers' Loan Repayment Act. Renames the Nurse Loan Repayment Program as the Medical Providers Loan Repayment Program. Requires that the program provide assistance, subject to appropriation, to eligible physicians and nurses (rather than nurses). Provides that an applicant is eligible for a grant under the program if the Illinois Student Assistance Commission finds that the applicant is working as a physician, registered professional nurse, or certified nursing assistant (rather than as a registered professional nurse). Makes related changes. Effective immediately.

House Floor Amendment No. 1 Provides for grant assistance to certified nurse practitioners.

HB 5948 PUBLIC HEALTH DENTAL HYGIENIST **Sponsors** Rep. Zalewski-Sen. Haine

Amends the Illinois Dental Practice Act. Changes the requirement of additional course work for public health dental hygienists from 72 to 20 hours. Makes changes to provisions concerning expanded functions for dental

assistants. Allows public health dental hygienists to continue patient care if a dentist is not available, except in cases of a serious medical condition.

House Floor Amendment No. 2

Replaces everything after the enacting clause. Reinserts the introduced bill with the following changes: Requires a public health dental hygienist to have 42 clock hours (rather than 20 hours) of additional course work in areas specific to public health dentistry. In provisions concerning public health dental supervision responsibilities, provides that if a supervising dentist, after consultation with a public health hygienist, determines that time is needed to complete an approved treatment plan on an eligible patient, then the dentist may instruct the hygienist to complete the remaining pending services prior to an oral examination by the dentist. Provides that such instruction by the dentist to the hygienist shall be noted in the patient's records. Provides that any services performed under this exception must be scheduled in a timely manner and shall not occur more than 30 days after the first appointment date.

Senate Floor Amendment No. 3

Replaces everything after the enacting clause. Reinserts the engrossed bill with the following changes: Requires a public health dental hygienist to have completed at least 42 clock hours of additional structured courses in dental education approved by rule by the Department of Financial and Professional Regulation (rather than course work) in advanced areas specific to public health dentistry provided by an educational institution, such as a dental school or dental hygiene program, or by an approved continuing education sponsor. Provides that dental assistants who meet specific requirements and have completed a structured training program provided by an educational institution, such as a dental school or dental hygiene or dental assistant program, or by an approved continuing education sponsor, may perform specific procedures. Makes other changes.

Senate Floor Amendment No. 4

Provides that a dental assistant that has completed a structured training program by a statewide dental or dental hygienist association, approved by the Department of Financial and Professional Regulation (rather than the Division of Oral Health in the Department of Public Health), may perform specified procedures. Provides that the dental assistant's certificate of completion of the training program must be made available to the Department (rather than the Division) upon request.

HB 6009 BD HIGHER ED-ILL COM COL BD

Sponsors Rep. Hays-Sen. McGuire

Amends the State Finance Act, the Board of Higher Education Act, and the Public Community College Act. Provides for the Board of Higher Education's master plan for community colleges to be made in cooperation with the Illinois Community College Board (ICCB). Provides that community college performance metrics must be adopted by ICCB by rule. Removes the need for approval from the Board of Higher Education or for ICCB approval with respect to certain community college provisions. Removes provisions requiring uniform financial accounting and reporting standards and principles for community colleges and requiring ICCB to file copies of uniform financial statements from audit reports with the Board of Higher Education. Requires a community college district to report administrator and faculty salaries and benefits to ICCB instead of the Board of Higher Education. Repeals Sections concerning a State university and college information system, an annual community college education study and report, the Academic Improvement Trust Fund for Community College Foundations, adverse court decision grants, State Community College District No. 601, and a mobile response workforce training pilot program. Effective July 1, 2016.

House Floor Amendment No. 1

Replaces everything after the enacting clause with provisions of the introduced bill with the following changes: Removes language requiring the Executive Director of the Illinois Community College Board to approve projects and estimated amounts with respect to levying a tax to alter or repair community college facilities. Removes language requiring the Board to approve the project and estimated amount to borrow money for certain alterations or repairs to community college facilities. Provides that the Board shall set through administrative rule (rather than shall prepare and enforce) regulations and specifications for minimum requirements for certain renovations to community college property. Effective July 1, 2016.

HB 6021 PEN CD-SURVIVOR CONTRIB REFUND **Sponsors** Rep. Yingling-Sen. Biss

Amends the Illinois Municipal Retirement Fund (IMRF), State Universities, and Downstate Teacher Articles of the Illinois Pension Code. Provides that certain annuitants who received a refund of contributions for survivor benefits may elect to repay the refund, with interest, and have their survivor benefit rights reinstated. Specifies the required time and manner of repayment. In the IMRF and State Universities Articles, requires that the annuitant (1) retired prior to June 1, 2011, and (2) is a party to a civil union, marriage, or other legal relationship that is recognized as a civil union or marriage under the Illinois Religious Freedom Protection and Civil Union Act or the Illinois Marriage and Dissolution of Marriage Act on or after certain specified dates. Also, in the IMRF Article, extends application of a provision added by Public Act 87-850 to spouses of annuitants who die on or after the effective date of this amendatory Act. Effective immediately.

House Committee Amendment No. 1

Deletes everything after the enacting clause and reinserts similar provisions. Changes the period during which the election may be made, from calendar year 2016 to a period of one year beginning 5 months after the effective date of the amendatory Act. In the State Universities Article of the Illinois Pension Code, adds an additional reference to repayment of the survivors insurance contribution refund or additional annuity payments. Effective immediately.

HB 6302 PREPAID TUITION-INSTITUTION **Sponsors** Rep. Durkin-Sen. McConchie

Amends the Illinois Prepaid Tuition Act. Changes the definition of "eligible institution" to mean an eligible educational institution as defined in Section 529 of the federal Internal Revenue Code of 1986 and any regulations thereunder (instead of an institution of higher learning, as defined in the Higher Education Student Assistance Act, whose students are eligible to receive benefits under Section 529(a) of the Internal Revenue Code of 1986, as specified by the federal Small Business Act of 1996 and subsequent amendments to this federal law). Effective immediately.

HB 6585 \$FY16 AND FY17 APPROPRIATIONS **Sponsor** Rep. Durkin

Comment: Governor Rauner's proposal for a temporary stopgap budget with no economic development reforms that would provide additional money for the FY16 budget while paying for the first six months of the new FY17 budget with a goal of passing a final solution after the November election. The legislation would (1) fund K-12 education and early childhood education; and (2) appropriate the remaining FY16 other state funds (OSF) and federal funds (FF), FY17 OSF and FF, and a limited FY17 general funds budge

Synopsis As Introduced: Makes appropriations for Fiscal Year 2016 and 2017.

Last Action

Date	Chamber	Action
5/31/2016	House	Filed with the Clerk by Rep. Jim Durkin

SB 232 COMMUNITY COLLEGE-RESIDENCY **Sponsors** Sen. Morrison-Rep. Andrade, Jr.

Amends the Public Community College Act. With respect to grants to community colleges, provides that students shall be classified as residents of the community college district without meeting the 30-day residency requirement of the district if they are currently residing in the district and are youth (i) who are currently under the legal guardianship of the Illinois Department of Children and Family Services or have recently been emancipated from the Department and (ii) who had previously met the 30-day residency requirement of the district but who had

a placement change into a new community college district. Requires the student, a caseworker or other personnel of the Department, or the student's attorney or guardian ad litem appointed under the Juvenile Court Act of 1987 to provide the district with proof of current in-district residency.

SB 384

OPEN MEETINGS-DISCUSSION-HIPAA

Sponsors Sen. Muñoz- Rep. Sims, Jr.

Amends the Open Meetings Act. Provides that a public body may hold closed meetings to consider, among other subjects, the discussion of matters protected under the federal Patient Safety and Quality Improvement Act of 2005, and the regulations promulgated thereunder, or for the discussion of matters protected under the federal Health Insurance Portability and Accountability Act of 1996, and the regulations promulgated thereunder, by a hospital or other institution providing medical care that is operated by the public body.

SB 2046

\$FY16 APPROPRIATIONS

Sponsors Sen. J. Cullerton-Rep. Currie

Comment: Appropriates \$3.9 billion (\$3.12 billion GRF) to fund human services programs, MAP grants, state universities, community colleges, school construction, transportation safety programs, and other programs not currently being funded by court order, consent decree, or continuing appropriation. No revenue is identified to pay for the spending authorized in the bill. SB 2046 passed the General Assembly along partisan lines. The bill remains on the Governor's desk, and he has stated it will be vetoed.

Makes appropriations and reappropriations to various State agencies and educational institutions for specified purposes. Provides that all appropriation authority granted in the Act shall be used only for costs for services for which spending authority has not been authorized for fiscal year 2016 by any order of any court. Provides that the appropriation authority granted in the Act shall be valid for costs incurred prior to July 1, 2016. Effective immediately.

SB 2059

\$HIGHER ED APPROP

Sponsors Sen. J. Cullerton-Rep. Currie

Comment: Appropriates \$74 million to community colleges, \$356 million to nine public universities, and \$169 million for MAP grants to more than 128,000 low-income students. The emergency funding bill was signed into law as PA 99-502 on April, 25, 2016

Makes appropriations to: universities for specified purposes; the Illinois Community College Board for grants to community colleges; the Illinois Mathematics and Science Academy for ordinary and contingent expenses; and the Illinois Student Assistance Commission for grant awards to students eligible for the Monetary Award Program and agency administrative and operational costs. Provides that the appropriation authority is valid only for costs incurred before September 1, 2016. Effective immediately.

Balanced Budget Note, House Floor Amendment No. 3 (Office of Management and Budget)

All appropriations in this bill are from the Education Assistance Fund and there are sufficient FY16 revenues for this fund to support these appropriations. The funds in the Education Assistance Fund can only be utilized for education funding and Senate Bill 2059 (H-AM 3) does not add to the FY16 budget deficit already projected by the Governor's Office of Management and Budget.

Fiscal Note (IL Board of Higher Education)

This amendment makes the following appropriations payable from the Education Assistance Fund (EAF) for costs incurred prior to September 1, 2016, as follows: (1) \$20,107,300 -Chicago State University; (2) \$6,974,400 - Governors State University; (3) \$74,142,300- Illinois Community College Board; (4) \$6,000,000 - Illinois Mathematics and Science Academy; (5) \$10,695,100 - Northeastern Illinois University; (6) \$57,482,200 - Southern Illinois University; (7) \$168,989,500 - University of Illinois; (8) \$11,104,600 - University of Illinois,

Hospital; (9) \$12,456,500 - Eastern Illinois University; (10) \$20,934,900 - Illinois State University; (11) \$169,798,700 - Illinois Student Assistance Commission, MAP Awards; (12) \$26,403,200 - Northern Illinois University; (13) \$14,911,400 - Western Illinois University. In total, the amendment appropriates \$600,000,100 from the Education Assistance Fund. According to the State Comptroller's Ledger website, the "ending daily balance" in the Education Assistance Fund on April 19, 2016 was \$302.7 million. Since the Illinois Board of Higher Education is not privy to fiscal information regarding all obligations anticipated to be payable from the EAF for Fiscal Year 2016, a budgetary balance statement cannot therefore be provided. However, pursuant to the Balanced Budget Impact Note filed on April 21, 2016 by the Governor's Office of Management and Budget, the office responsible for such monitoring such of state funds and recording obligations to be drawn accordingly, reports there will be sufficient revenues in the EAF to meet the appropriations provided in this legislation. Specifically, the Note states: "All appropriations in this bill are from the Education Assistance Fund and there are sufficient FY16 revenues for this fund to support these appropriations. The funds in the Education Assistance Fund can only be utilized for education funding and Senate Bill 2059 (H-AM 3) does not add to the FY16 budget deficit already projected by the Governor's Office of Management and Budget."

SB 2155 AUDGEN COM COL AUDIT

Sponsors Sen. Bill Cunningham-Rep. Burke

Amends the Public Community College Act. Provides that recognition shall include a review of compliance with applicable State and federal laws regarding employment contracts and compensation. Provides that the Illinois Community College Board shall convene an advisory committee to review the findings and make recommendations for changes or additions to the laws or review procedures. Makes a technical change.

SB 2156 PEN CD-SURS-SEVERANCE PAYMENTS

Sponsors Sen. Cunningham-Rep. Burke

Amends the State Universities Article of the Illinois Pension Code. Provides that severance payments are not included in the definition of "earnings".

Senate Committee Amendment No. 2

Replaces everything after the enacting clause. Amends the State Universities Article of the Illinois Pension Code. For an employee who first becomes a participant on or after the effective date of the amendatory Act, excludes housing allowances, vehicle allowances, and club memberships or dues from the calculation of basic compensation and earnings. Provides that the definition of "basic compensation" includes the amount of any elective deferral to a deferred compensation plan under the Illinois Pension Code. Provides that in the case of doubt as to whether any person meets the definition of "employee", the decision of the Board shall be final. Provides that an individual that begins employment with certain entities or an entity not defined in the Article as an employer on or after the effective date of the amendatory Act shall not be eligible to participate in the System. Provides that when the System requests information from an employer, the employer shall respond to the request within 90 calendar days. Provides that when the System requests employment records and payroll records of an employer, the employer shall respond within 60 calendar days. Authorizes the System to assess a penalty of \$500 per day, up to a maximum of \$50,000, on an employer who fails to respond to certain requests for information after a certain number of days. Provides that if a participant, beneficiary, or annuitant fails to provide any information that is necessary for the calculation, payment, or finalization of any benefit under the Article within 90 calendar days, then the System may immediately cease processing the benefit and may not pay any additional benefit payment to the participant, beneficiary, or annuitant until the requested information is provided.

Senate Floor Amendment No. 3

Adds bonuses to a list of items not included in the term "basic compensation" for persons who first become participants on or after the effective date.

House Floor Amendment No. 2

In the list of items not included in the term "basic compensation" for persons who first become participants on or after the effective date, removes club memberships or dues and adds social club dues and athletic club dues.

House Floor Amendment No. 3

Adds the following provisions: Provides that a participant may establish creditable service and earnings credit for periods of furlough (or voluntary reduction in pay taken in lieu of furlough) beginning on or after July 1, 2015 and ending on or before June 30, 2017 by paying, on an after-tax basis, specified employee and employer contributions, plus interest. In the provision requiring employers to make an additional contribution to the System under certain circumstances when an employee receives an increase in annual earnings exceeding 6%, provides that when assessing payment, the System shall include earnings that would have been paid to a participant had the participant not taken periods of voluntary or involuntary furlough (or voluntary reduction in pay taken in lieu of furlough) on or after July 1, 2015 and on or before June 30, 2017. Requires the employer to report such earnings in a manner prescribed by the System. Also requires the System to provide advance notice to a participant in the self-managed plan of the participant's obligation to direct the investment of employee and employer contributions into one or more investment funds selected by the System at the time he or she makes his or her initial retirement plan selection. Provides that if a participant in the self-managed plan fails to direct the investment of employee and employer contributions into the various investment options offered to the participant when making his or her initial retirement election choice, the System shall invest the employee and employer contributions in a default investment fund on behalf of the participant, and the investment shall be deemed to have been made at the participant's investment direction. Provides that the participant has the right to transfer account balances out of the default investment fund during time periods designated by the System.

SB 2157 COM COL-TRUSTEE TRAINING**Sponsors** Sen. Cunningham-Rep. Burke

Amends the Public Community College Act. With regard to all community college districts with elected board trustees who have been elected after the effective date of this amendatory Act or appointed to fill a vacancy of at least one year's duration of an elected trustee after the effective date of this amendatory Act, provides that every voting member of a community college district's board elected or appointed for an elected trustee for a term beginning after the effective date of this amendatory Act, within a year after the effective date of this amendatory Act and during the third and fifth year of his or her term, shall complete a minimum of 4 hours of professional development leadership training. Provides that the community college district shall maintain on its Internet website, if any, the names of all elected voting trustees of the community college district's board who have successfully complete the training. Provides that the training may be provided by an association established for the purpose of training community college district board trustees or by other qualified providers approved by the Illinois Community College Board. Effective January 1, 2017.

Senate Committee Amendment No. 2

Replaces everything after the enacting clause. Reinserts the contents of the bill as introduced, with the following changes. Provides for application to appointed trustees (not just trustees elected or appointed to fill a vacancy). Requires every voting member of a board of trustees (to which the provisions apply) to complete a minimum of 4 hours of professional development leadership training covering topics that include, but are not limited to, open meetings law, community college and labor law, freedom of information law, ethics, sexual violence on campus, financial oversight and accountability, audits, and fiduciary responsibilities of a community college trustee during the first, third, and fifth year of his or her term (instead of requiring every voting member of a board elected or appointed for an elected trustee for a term beginning after the effective date of the amendatory Act, within a year after the effective date of the amendatory Act and during the third and fifth year of his or her term, to complete a minimum of 4 hours of professional development leadership training covering topics in community college and labor law, opening meetings law, freedom of information law, ethics, financial oversight and accountability, audits, and fiduciary responsibilities of a community college trustee). Provides that the community college district shall maintain on its Internet website, if any, the names of all elected or appointed voting trustees of the board who have not successfully completed the training. Requires a board member to certify completion of the training to the secretary of the board. Provides that if a board member does not satisfy all of the requirements or the certification indicates that a board member has not completed the training, the secretary shall send a notice to all elected or appointed members serving on the board and the president or acting chief executive officer of the community college of that fact. Removes the effective date provision.

Senate Floor Amendment No. 3 Provides that the training must cover the topic of contract law.

Senate Floor Amendment No. 4 Provides that the professional development leadership training shall include

(instead of includes) certain topics.

SB 2158 COM COL-EMPLOYEE CONTRACT

Sponsors Sen. Cunningham-Rep. Burke

Provides that beginning 45 days prior to the Tuesday following the first Monday of April in odd-numbered years until the first organizational meeting of the new board, no addendum to modify or amend an employee agreement between a community college district and the district's president, chancellor, or chief executive officer may be agreed to or executed; makes a related change. Provides that if the current board must take such action at any time during the 45 days prior to the Tuesday following the first Monday of April in odd-numbered years until the first organizational meeting of the new board due to a reasonable emergency, then that action shall be terminated on the 60th day after the first organizational meeting, unless the new board reaffirms the agreed-upon addendum or new employment contract.

SB 2159 HIGHER ED-EMPLOYMENT CONTRACT

Sponsors Sen. Cunningham-Rep. Burke

Amends various Acts relating to the governance of public universities in Illinois and the Public Community College Act. Sets forth provisions governing employment contracts entered into, amended, renewed, or extended after the effective date of the amendatory Act, excluding collective bargaining agreements. Requires the governing board of a university or community college district to complete an annual performance review of the president and any chancellors of the higher education institution. Provides that such annual performance review must be considered when the board contemplates a bonus, raise, or severance agreement for the president or chancellor.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the contents of the introduced bill with the following changes. Amends various Acts relating to the governance of public universities in Illinois and the Public Community College Act. Sets forth provisions governing employment contracts of the president or all chancellors (rather than all employments contracts) entered into, amended, renewed, or extended after the effective date of this amendatory Act. With respect to employment contracts entered into with the president or all chancellors of a public university, sets forth provisions concerning severance, start and end date, and automatic rollover clauses. Provides that public notice given prior to action on the formation, renewal, extension, or termination of employment contracts must be compliant with the provisions of the Open Meetings Act and must include a copy of the governing board item or other documentation providing, at a minimum, a description of the proposed principal financial components of the president's or all chancellors' appointments. Provides that any performance-based bonus or incentive-based compensation to the president or all chancellors of the university or community college must be approved by the governing board in an open meeting. With respect to public community colleges, removes provisions concerning limitations of employment contracts entered into, amended, renewed, or extended after the effective date of this amendatory Act. Provides that severance payments or contract buyouts may not occur if there are pending criminal charges against the president or chancellors of the community college related to their employment. Provides that the criteria and goals upon which the bonus or incentive-based compensation for a president or all chancellors of a community college is based must be made available to the public no less than 48 hours before board approval of the performance-based bonus or incentive-based compensation. Makes related changes.

Senate Floor Amendment No. 2

Provides that severance payments or contract buyouts may be placed in an escrow account (rather than may not occur) if there are pending criminal charges against the president or chancellors. Removes provisions concerning funding sources for performance-based bonus payments or compensation.

SB 2174 BD HIGH ED LEADERSHIP TRAINING

Sponsors Sen. Cunningham-Rep. Breen

Amends the Board of Higher Education Act. Provides that the Board of Higher Education shall require every voting member of the governing board of a public university appointed for a term beginning after January 1, 2016

to complete a minimum of 4 hours of professional development leadership training. Provides that a public university shall maintain on its Internet website the names of all voting members of the governing board who have successfully completed the training. Provides that after the effective date of this amendatory Act, by July 31 of each year, the chairperson of each governing board shall certify to the Board the number of hours of training that each member received during the preceding fiscal year. Sets forth provisions providing for if a board member has not completed the training. Provides that the training may be provided by the Board or by other qualified providers approved by the Board.

Senate Floor Amendment No. 1 Provides that the training may cover the topic of contract law.

Senate Floor Amendment No. 2 Provides that the professional development leadership training shall (instead of may) include certain topics.

SB 2505 EDUC-INTL BACCALAUREATE EXAM **Sponsors** Sen. Steans-Rep. Ammons

Amends the College and Career Success for All Students Act. Provides that scores of 4 or higher for International Baccalaureate Diploma Programme subjects shall be accepted for credit to satisfy degree requirements by all public institutions of higher education. Provides that each institution shall determine for each International Baccalaureate Diploma Programme subject whether credit will be granted for electives, general education requirements, or major requirements and the International Baccalaureate Diploma Programme subject scores required to grant credit for those purposes. Provides that the Board of Higher Education, in cooperation with the Illinois Community College Board, shall analyze each institution's Advanced Placement examination and International Baccalaureate Diploma Programme subject score course granting policy and research by the conclusion of the 2020-2021 academic year (instead of requiring the Board of Higher Education, in cooperation with the Illinois Community College Board, to analyze each institution's Advanced Placement examination score course granting policy and research by the conclusion of the 2019-2020 academic year). Provides for publication of the policy before the beginning of the 2017-2018 (instead of 2016-2017) academic year. Effective immediately.

SB 2839 COMMUNITY COLLEGE-EXPULSIONS **Sponsors** Sen. Silverstein-Rep. Fine

Amends the Preventing Sexual Violence in Higher Education Act. Provides that sanctions for violation of a higher education institution's comprehensive policy may include, but are not limited to, suspension, expulsion, or removal of the student found, after complaint resolution procedures, to be in violation of the comprehensive policy. Effective immediately.

SB 2840 SCH CD-HIGH SCH EQUIVALENCY **Sponsors** Sen. Silverstein-Rep. Franks

Amends the School Code. With respect to the High School Equivalency Testing Program, requires the regional superintendent of schools or the Illinois Community College Board to waive required fees for an applicant who (i) qualifies as a homeless person, child, or youth as defined in the Education for Homeless Children Act, (ii) has not attained 25 years of age as of the date of the scheduled test, and (iii) can verify his or her status as a homeless person, child, or youth. Requires the applicant to also have completed a high school equivalency preparation course through an Illinois Community College Board-approved provider and be taking the test at a testing center operated by a regional superintendent of schools or the Cook County High School Equivalency Office. Provides that 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.

SB 2974 VEH CD-CERT OF TITLE & REG FEE **Sponsors** Sen. Cunningham-Rep. Hurley

Amends the Illinois Vehicle Code. Provides that certificates of title issued by the Secretary of State shall contain an expiration date of one calendar year after the end of the term of the lien and an identification number corresponding to the lienholder, to go along with the names and addresses of any lienholders. Provides that the corresponding identification number shall appear on the certificate of title in order for the Secretary to inform the lienholder that the Secretary has received a lien release for a particular motor vehicle. Provides that an expiration date of up to one calendar year after a perfected security interest in a motor vehicle expires shall be included on each certificate of title issued in which a lienholder has perfected a security interest in the motor vehicle. Provides that if the recorded lienholder has not reaffirmed the lien by applying for a corrected title with a new expiration date before the expiration date on the original certificate of title, then the owner of the motor vehicle may apply for a corrected certificate of title without the lienholder appearing on the certificate of title. Provides that beginning with the 2017 registration year, permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to vehicles that do not require a school bus driver permit to operate, and are owned by a public school district from grades K-12 or a public community college. Provides that beginning with the 2017 registration year, permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to vehicles of the first division or vehicles of the second division weighing not more than 8,000 pounds that are owned by a medical facility or hospital of a municipality, county, or township. Effective immediately.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the bill as introduced, and removes a Section concerning the contents and effect of vehicle certificates of title. Adds a Section concerning the registration fee paid by a vehicle owner who has been approved for benefits under the Senior Citizens and Disabled Persons Property Tax Relief Act. Provides that any vehicle owner who has been approved for benefits under the Senior Citizens and Disabled Persons Property Tax Relief Act, or a person who is the spouse of such a person, shall not be required to pay specified surcharges that would otherwise be collected in addition to the vehicle registration fee. Effective immediately.

SB 3301 ILL ARTICULATION INITIATIVE

Sponsors Sen. Rose-Rep. Fortner

Creates the Illinois Articulation Initiative Act. Requires all public institutions of higher education to participate in the Illinois Articulation Initiative through submission and review of their courses for statewide transfer consistency. Requires (i) all sending and receiving institutions to maintain a complete Illinois Articulation Initiative General Education Core Curriculum package to ensure seamless transfer; (ii) all institutions to maintain up to 4 core courses in an Illinois Articulation Initiative major, provided the institution has equivalent majors and courses; and (iii) all institutions to provide faculty, as appointed by the Board of Higher Education and the Illinois Community College Board, to serve on panels in the review of courses. Provides that all courses approved for Illinois Articulation Initiative codes must be directly transferable either as a part of the General Education Core Curriculum package or as equivalent major courses, insofar as a specific major is offered at the receiving institution. Provides that students receiving the General Education Core Curriculum package must not be required to take additional freshmen or sophomore level general education courses and must be able to transfer seamlessly. Sets forth the duties of the Board of Higher Education and the Illinois Community College Board.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause with provisions of the introduced bill with the following changes: Removes references to seamless transfers. Requires that all courses approved for Illinois Articulation Initiative General Education Codes must be transferable as a part of the General Education Core Curriculum package (rather than all courses approved for Illinois Articulation Initiative codes must be directly transferrable either as a part of the General Education Core Curriculum package or as equivalent major courses). Provides that all public institutions of higher education shall determine if Illinois Articulation Initiative major courses are direct course equivalents or are elective credit toward the requirements of the major. Provides that if the receiving institution does not offer the course or does not offer it at the lower-division level, the student shall receive elective lower-division major credit toward the requirements of the major for the course and may be required to take the course at the upper-division level. Provides that the Board of Higher Education and the Illinois Community College Board shall co-manage the specific requirements of the General Education Core Curriculum. Provides that panels may be convened across other fields as determined by the Board of Higher Education and the Illinois Community College Board.