

# ICCTA ACTION ALERT

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March 5, 2007

*The Illinois General Assembly has completed its work for the week and adjourned the session Friday afternoon. Both houses of the General Assembly are scheduled to return to Springfield on Tuesday, March 6. The Governor is scheduled to deliver his budget to members of the General Assembly on Wednesday, March 7.*

*The spring legislative session is now well underway. Most legislation that is to be considered during the spring session has been filed. Committee hearings in the Senate and the House are occurring and will continue to occur for the next few weeks.*

*The Illinois Community College Trustees Association has filed several bills, including legislation to clarify that community college districts are units of local government and not state agencies under the Ethics Act. **Senate Bill 589** is sponsored by Senator Debbie Halvorson, and **House Bill 3504** is sponsored by Rep. Kurt Granberg. In addition, Senator Kirk Dillard is sponsoring **Senate Bill 1278** to assist in the local government clarification. Other bills affecting community colleges are listed below.*

## BILLS AFFECTING COMMUNITY COLLEGES

### **House Bill 14                    Scholarship Requirements (Lang)**

#### **ICCTA Position:            MONITOR**

Creates the Higher Education Scholarship Act. Allows scholarships to be awarded to entering freshmen, sophomores, juniors, and seniors at community colleges, colleges, and universities, whether public or private, located in Illinois. Establishes Illinois residency requirements, minimum grade point average requirements, and other requirements that the student must meet to be eligible for a scholarship. Provides that the scholarship, subject to the amounts appropriated by the General Assembly, includes tuition and mandatory fees (in an amount not to exceed the maximum amount allowed to be awarded under the Monetary Award Program for a student at a private institution). Authorizes the Illinois Student Assistance Commission to promulgate rules relating to the scholarships.

### **HB 119                         Re-Authorization of Nursing and Advanced Practice Act (Saviano)**

#### **ICCTA Position:            SUPPORT**

Amends the Regulatory Sunset Act to change the repeal date of the Nursing and Advanced Practice Nursing Act from January 1, 2008, to January 1, 2018.

### **HB 210                         Open Meetings Act – Special Meeting Items (Sacia)**

#### **ICCTA Position:            MONITOR**

Amends the Open Meetings Act. Prohibits a public body, during a meeting other than a special meeting for a bona fide emergency, from voting on an item that was not included in the agenda that was posted for that meeting.

### **HB 253                         Higher Education Budget Amount (Beiser-Boland-Jefferson)**

#### **ICCTA Position:            SUPPORT**

Amends the State Budget Law to provide that for each fiscal year (i) the Governor shall submit to the General Assembly a proposed budget for higher education in which for every \$2 appropriated for elementary and secondary education in the state budget at least \$1 is appropriated for higher education, and (ii) the General Assembly shall appropriate amounts for higher education in which for every \$2 appropriated for elementary and secondary education for that fiscal year at least \$1 is appropriated for higher education.

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**HB 330 ISAC MAP Grant Calculations (Miller)**

**ICCTA Position: MONITOR**

Amends the Higher Education Student Assistance Act. With respect to the Monetary Award Program, provides that ISAC shall base an independent student's financial resources on an adjusted estimated family contribution amount, which amount shall equal one-half of the student's estimated family contribution. ISAC estimates that for FY08, the cost of favoring independent students in this way is estimated to be \$15 million. Without additional funding, which may or may not be included in the Governor's recommended FY08 state budget, this change would result in application processing dates being moved up three weeks (denying about 6,000 students financial aid) or reducing all MAP awards by 4.0 percent, decreasing award amounts by up to \$200 per student.

**HB 414 Student Housing at Community Colleges (Schock)**

**ICCTA Position: SUPPORT**

Amends the Public Community College Act to allow a board of trustees to provide or contract for residential housing for students and employees at a community college campus. In the Article concerning building programs, removes dormitories from the definition of "facilities" which currently prevents community colleges from becoming involved with student housing.

**HB 479 Veterans Grants Appropriations (Black and many others)**

**ICCTA Position: SUPPORT**

Creates the Continuing Appropriation for Military Scholarships Act. Require a General Revenue Fund recommendation by the Governor in the annual budget and annual General Revenue Fund appropriations by the General Assembly sufficient to reimburse institutions of higher learning in Illinois for not charging students tuition and fees under the Veteran Grant program, the Illinois National Guard Grant and Naval Militia Grant program, and the MIA/POW Scholarship program. Requires an irrevocable and continuing appropriation if the General Assembly fails to make sufficient appropriations.

**HB 666 / HB 3476 General Assembly Scholarships for Community Colleges (Chapa LaVia)**

**ICCTA Position: SUPPORT**

Amends the School Code to provide that a General Assembly scholarship may be used at a public community college, not just a state university. Currently General Assembly scholarships may only be used at a public university.

**HB 703 Limit on ISAC MAP Grant Amounts (Miller)**

**ICCTA Position: SUPPORT**

Women Employed initiated this bill to provide that the MAP grant amount must not exceed the amount that equals the average tuition and necessary fees for undergraduate students at public universities in Illinois for the academic year no more than 2 years prior to the academic year for which grant assistance is being requested (now the amount is \$4,968) or the amount that equals the average tuition and necessary fees for undergraduate students at public universities for the academic year for which grant assistance is being requested (instead of the amount that equals 2 semesters or 3 quarters tuition and other necessary fees required generally by the institution of higher learning of all full-time undergraduate students).

**HB 720 Community College Board Quorum (Black)**

**ICCTA Position: SUPPORT**

This ICCTA bill would amend the Public Community College Act and provide that for all meetings of a board of trustees, a quorum of members must be physically present at the location of the meeting. The bill clarifies language differences between the Open Meetings Act and the Public Community College Act.

**HB 721 Community College Board Meeting Schedules (Black)**

**ICCTA Position: SUPPORT**

Also an ICCTA initiative, this bill amends the Public Community College Act to provide that public notice of the schedule of regular meetings of a board of trustees for the next calendar year, as set at the organizational meeting of the board of trustees, must be given at the beginning of that calendar year. The bill clarifies language differences between the Open Meetings Act and the Public Community College Act. HB 721 is identical to **SB 401**.

**HB 1276 Kaskaskia College Trustee Districts (Granberg)**

**ICCTA Position: MONITOR**

This is a shell bill that adds a section concerning trustee districts for Kaskaskia College. Substantive language may be added by the sponsor later this spring.

**HB 1348 Clarification of Lincoln Land Community College Subdistricts (Hannig)**

**ICCTA Position: MONITOR**

Amends the Public Community College Act with respect to Lincoln Land Community College's trustee subdistricts. Provides that all counties, townships, census tracts, block groups, blocks, annexations, and natural boundaries are those that appear on maps published by the United States. Permits the State Board of Elections to clarify certain boundaries.

**HB 1434 Harper College -- Pilot Baccalaureate Degree Program (Crespo)**

**ICCTA Position: MONITOR**

Amends the Public Community College Act to provide that William Rainey Harper College may create a pilot baccalaureate program under which the district may establish and offer bachelor's degrees in two fields of study if certain conditions are met, including requiring (i) that the degree programs not compete with any nearby public university, (ii) that the district identify and document unmet workforce needs, (iii) that the degree programs not require any additional funding from local taxes or the State, (iv) that the Illinois Community College Board and the Illinois Board of Higher Education approve the offering of the degree programs, and (v) that the pilot program expire 4 years after the initial offering of the degree programs, unless otherwise extended by law.

**HB 1464 Textbooks Costs and Disclosures (Pihos)**

**ICCTA Position: MONITOR**

Creates the Higher Education Textbook Act. Requires IBHE and ICCB, in collaboration with affiliated bookstores and student and faculty representatives, to adopt rules requiring that affiliated bookstores (1) provide students the option of purchasing materials that are unbundled when possible, disclose to faculty and staff the costs to students of purchasing materials, and disclose publicly how new editions vary from previous editions; (2) actively promote and publicize book buy-back programs; and (3) disclose retail costs for course materials on a per course basis to faculty and staff and make this information publicly available. Requires faculty and staff members to consider the least costly practices in assigning course materials, such as adopting the least expensive edition available when educational content is comparable, as determined by the faculty or staff member, and working closely with publishers and affiliated bookstores to create bundles and packages if they deliver cost savings to students.

**HB 3504 Clarification of Ethics Act (Granberg)**

**ICCTA Position: SUPPORT**

This ICCTA bill amends the State Officials and Employees Ethics Act to classify community college districts as units of local government that must adopt resolutions regulating the political activities and the solicitation and acceptance of gifts by their officials and employees (now, community colleges are classified as state agencies subject to the entire Act's regulation and enforcement by the Executive Ethics Commission and the Governor's Executive Inspector General). Effective immediately. HB 3504 is identical to **SB 589**.

**HB 3651 SURS 6% Limitation -- Annuity Calculation (Eddy)**

**ICCTA Position: MONITOR**

Amends the State Universities Article of the Illinois Pension Code. Provides that, if the final rate of earnings of an employee is \$30,000 or below and the employee is not receiving benefits under any other Article of the Code, then any salary increase in excess of 6% for any academic year used to determine the final rate of earnings under the Article over his or her earnings with the same employer for the previous academic year is exempt from provisions requiring the participant's employer to pay the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. Effective immediately.

**Senate Bill 179            Community College Wind Farms (Risinger)**

**ICCTA Position:        MONITOR**

Allows school districts and community college districts to own and operate wind generation turbine farms that directly or indirectly reduce energy or other operating costs. Effective immediately.

**SB 313                    Remedial Coursework at Universities (Maloney)**

**ICCTA Position:        SUPPORT**

Amends the Board of Higher Education Act and the Higher Education Student Assistance Act. Provides that if a state university determines that a student needs remedial coursework, then the university must require that the student complete the remedial course work before pursuing his or her course of study. Provides that a student is not ineligible for MAP consideration if (1) a state university that the student was enrolled at required that the student complete remedial coursework; (2) by subtracting the total number of semester credit hours, not to exceed 15 semester credit hours, of required remedial course work that the student successfully completed and received award payments for, the student has received less than the equivalent of 135 semester credit hours of award payments; and (3) the student began his or her post-secondary course of study during the 2007-08 academic year.

**SB 401                    Community College Board Meeting Schedules (Demuzio)**

**ICCTA Position:        SUPPORT**

This ICCTA initiative would amend the Public Community College Act to provide that public notice of the schedule of regular meetings of a board of trustees for the next calendar year, as set at the organizational meeting of the board of trustees, must be given at the beginning of that calendar year. The bill clarifies language differences between the Open Meetings Act and the Public Community College Act. SB401 is identical to **HB 721**.

**SB 402                    Community College Board Quorum (Demuzio)**

**ICCTA Position:        SUPPORT**

This ICCTA bill amends the Public Community College Act to provide that for all meetings of a board of trustees, a quorum of members must be physically present at the location of the meeting. The bill clarifies language differences between the Open Meetings Act and the Public Community College Act. SB 402 is identical to **HB 720**.

**SB 420                    Open Meetings Act -- E-mail or Vacation Attendance (Hultgren)**

**ICCTA Position:        MONITOR**

Amends the Open Meetings Act. Provides that the e-mail distribution of materials for the individual use of a public body's members is not a violation of the Act. With respect to public bodies with statewide jurisdiction, provides that no per diem payments shall be made to members who attend meetings by electronic means or by audio or video conference. Provides that at a meeting of a public body with less than statewide jurisdiction at which a majority of a quorum of members must be physically present, provides that a majority of the physically present members (now, a majority of the members) may allow the attendance of other members by audio or video conference for the reasons specified by the Act. Adds vacation outside the territorial limits of the jurisdiction of the public body to that list of reasons.

**SB 433                    Guidance Counseling for Community College Students (Maloney)**

**ICCTA Position:        MONITOR**

Amends the Public Community College Act. Provides that the board of each community college district shall require all of its full-time students who are in their first year of attendance at the community college, including transfer students, to meet with a guidance counselor or academic advisor at the community college to discuss course selection at least once during the student's first year of attendance, preferably during the first semester of attendance.

**SB 437                    State Scholar Grants (Maloney)**

**ICCTA Position:        MONITOR**

Amends the Higher Education Student Assistance Act. Provides that, subject to appropriation, each State Scholar who enrolls or is enrolled in an institution of higher learning in Illinois shall also receive a one-time grant of \$1,000 to be applied to tuition and mandatory fees and paid directly to the institution of higher learning. Adds a provision concerning ISAC's rule-making authority as it relates to the State Scholar Program.

**SB 519 College Savings Program (Clayborne)**

**ICCTA Position: MONITOR**

Amends the State Treasurer Act. Removes the requirement that the State Treasurer adjust each account at least annually to ensure compliance with the requirements of the College Savings Pool. Provides that the Treasurer shall limit the contributions that may be made on behalf of a designated College Savings Pool beneficiary based on the limitations established by the Internal Revenue Service (now, based on an actuarial estimate of what is required to pay tuition, fees, and room and board for 5 undergraduate years at the highest cost eligible educational institution). Amends the Illinois Income Tax Act. Provides that for taxable years beginning on or after January 1, 2007, distributions from certain qualified tuition programs under the Internal Revenue Code that are administered by other states are exempt from the requirement that a distribution from an Internal Revenue Code qualified tuition program be included when determining adjusted gross income for purposes of determining base income. Requires taxpayers to add to their base income an amount equal to the amount previously deducted for deposits into a qualified tuition program if the moneys are transferred from a qualified tuition program that is administered by the state to an out-of-state program. Makes other changes.

**SB 589 Clarification of Ethics Act (Halvorson)**

**ICCTA Position: SUPPORT**

This bill was introduced at ICCTA's request to amend the State Officials and Employees Ethics Act and classify community college districts as units of local government that must adopt resolutions regulating the political activities and the solicitation and acceptance of gifts by their officials and employees (currently, community colleges are classified as state agencies subject to the entire Act's regulation and enforcement by the Executive Ethics Commission and the Governor's Executive Inspector General). Effective immediately. SB 589 is identical to **HB 3504**.

**SB 674 Student Referendum All-American Energy Act (Maloney)**

**ICCTA Position: MONITOR**

Creates the Student Referendum All-American Energy Act. Provides that students at a public institution of higher education may, by a majority vote of the students participating in a referendum, authorize the imposition of an All-American Energy Fee on students. Provides that the revenues of an All-American Energy Fee must be used for energy conservation measures in student residence halls or purchasing renewable energy resources to provide power for student residence halls or both. Provides that the referendum for an All-American Energy Fee must be submitted to a vote of the student body if a petition for such a vote is signed by no fewer than 300 students currently enrolled. If approved, the fee, which must not exceed \$10 per full-time student per term, must be imposed on students at the start of the next following term. Requires IBHE to report to the Governor and General Assembly no later than 2 years following the effective date of the Act concerning the fee.

**SB 729 College Campus Press Act (Garrett)**

**ICCTA Position: MONITOR**

Creates the College Campus Press Act. Provides that all campus media produced primarily by students at a state-sponsored institution of higher learning is a public forum for expression by the student journalists and editors at the particular institution. Provides that campus media, whether campus-sponsored or noncampus-sponsored, is not subject to prior review by public officials of those institutions. Provides that collegiate student editors of campus media are responsible for determining the news, opinions, feature content, and advertising content of campus media. Provides for an exception for teaching professional standards of grammar and journalism. Prohibits a collegiate media adviser from being terminated, transferred, removed, otherwise disciplined, or retaliated against for refusing to suppress protected free expression rights of collegiate student journalists and of collegiate student editors. Allows a collegiate student or collegiate media adviser to commence a civil action to obtain appropriate injunctive and declaratory relief; provides for the awarding of attorney's fees. Distinguishes campus policy. Allows for discipline for unprotected speech. Contains a severability clause.

**SB 1278 Clarification of Community Colleges as Units of Local Government (Dillard)**

**ICCTA Position: SUPPORT**

This ICCTA bill amends the Higher Education Cooperation Act to provide that the term "public institutions of higher learning" under the State Officials and Employees Ethics Act does not include public community colleges and community college districts. Removes community colleges from the definition of state employee.

**SB 1414                      Increase in Safety Bond Authorization (Haine)**

**ICCTA Position:            SUPPORT**

This ICCTA bill amends the Public Community College Act to allow a community college district to levy a tax or issue bonds for alteration or repair of physical facilities for certain health, safety, energy conservation, environmental protection, and handicapped accessibility purposes. Provides that the district may levy the tax if, among other conditions, a certified estimate of a licensed architect or engineer stating the estimated amount (instead of stating the estimated amount of not less than \$25,000) that is necessary to make alterations or repairs has been secured by the district. Provides that the district may borrow money in not to exceed the aggregate amount of \$4,500,000 during any one calendar year (instead of allowing the district to borrow money not in excess of \$4,500,000 in the aggregate at any one time). Provides that the district may borrow money if, among other conditions, a certified estimate of a licensed architect or engineer stating the estimated amount (instead of stating the estimated amount of not less than \$25,000) has been secured by the district.

**SB 1446                      “We Want To Learn English” Initiative (Sandoval)**

**ICCTA Position:            MONITOR**

Amends the Public Community College Act. Requires the ICCB to establish and administer a “We Want to Learn English Initiative” to provide resources for immigrants and refugees in Illinois to learn English in order to move towards becoming full members of American society. Provides that each fiscal year, the Board shall include in its budget proposal \$25,000,000 in funding for the Initiative. Provides that no less than half of the funds appropriated for the Initiative each fiscal year shall be disbursed to community-based, not-for-profit organizations, immigrant social service organizations, faith-based organizations, and on-site job training programs.

**SB 1455                      Higher Education Revolving Loan Program (Sandoval)**

**ICCTA Position:            MONITOR**

Amends the Higher Education Student Assistance Act and the State Finance Act. Requires ISAC to implement and administer a higher education revolving loan program to provide nominal interest loans for the costs of attending a public or private institution of higher education in Illinois. Provides that the loans must be made to high-performance students and may not exceed \$10,000 per person per academic year. Contains provisions concerning repayment. Creates the Higher Education Revolving Loan Fund as a special fund in the state treasury. Effective July 1, 2007.

**SB 1731                      Whistleblower Referenda (Kotowski)**

**ICCTA Position:            MONITOR**

Amends the Whistleblower Reward and Protection Act. Provides that the electors of any school district, public community college district, municipality, municipal corporation, or unit of local government may pass, by initiative petition and referendum, a binding ordinance adopting the provisions of the Act (at present, these entities may adopt the provisions of the Act by ordinance or resolution). Provides the requirements for filing a petition and hearing an objection to a petition.

***ICCTA’s Lobby Day is Wednesday, April 25, in Springfield***

**■ For additional legislative updates, call ICCTA at 1-800-454-2282 ■**