



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3992

Introduced 1/8/2020, by Rep. Maurice A. West, II

#### SYNOPSIS AS INTRODUCED:

110 ILCS 205/9.39 new  
110 ILCS 947/10  
110 ILCS 947/35

Amends the Board of Higher Education Act to prohibit the Board of Higher Education from awarding any grant funds to a private institution of higher education that is operated for profit. Amends the Higher Education Student Assistance Act to remove a for-profit educational organization from the definition of "institution of higher learning", "qualified institution", and "institution". Removes a provision allowing Monetary Award Program grants to be made to applicants enrolled at qualified for-profit institutions. Effective immediately.

LRB101 15553 NHT 64896 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The Board of Higher Education Act is amended by  
5 adding Section 9.39 as follows:

6 (110 ILCS 205/9.39 new)

7 Sec. 9.39. Grant funds to for-profit institutions  
8 prohibited. Notwithstanding any other law to the contrary, the  
9 Board is prohibited from awarding any grant funds to a private  
10 institution of higher education that is operated for profit.

11 Section 10. The Higher Education Student Assistance Act is  
12 amended by changing Sections 10 and 35 as follows:

13 (110 ILCS 947/10)

14 Sec. 10. Definitions. In this Act, and except to the extent  
15 that any of the following words or phrases is specifically  
16 qualified by its context:

17 "Commission" means the Illinois Student Assistance  
18 Commission created by this Act.

19 "Enrollment" means the establishment and maintenance of an  
20 individual's status as a student in an institution of higher  
21 learning, regardless of the terms used at the institution to

1 describe that status.

2 "Approved high school" means any public high school located  
3 in this State; and any high school, located in this State or  
4 elsewhere (whether designated as a high school, secondary  
5 school, academy, preparatory school, or otherwise) which in the  
6 judgment of the State Superintendent of Education provides a  
7 course of instruction at the secondary level and maintains  
8 standards of instruction substantially equivalent to those of  
9 the public high schools located in this State.

10 "Institution of higher learning", "qualified institution",  
11 or "institution" means an educational organization located in  
12 this State that: ~~which~~

13 (1) provides at least an organized 2-year ~~2-year~~  
14 program of collegiate grade in the liberal arts or  
15 sciences, or both, directly applicable toward the  
16 attainment of a baccalaureate degree or a program in health  
17 education directly applicable toward the attainment of a  
18 certificate, diploma, or an associate degree;

19 (2) either is:

20 (A) operated by this State; ~~or~~

21 (B) operated publicly or privately, not for  
22 profit; ~~or~~

23 ~~(C) operated for profit, provided such for profit~~  
24 ~~organization~~

25 ~~(i) offers degree programs which have been~~  
26 ~~approved by the Board of Higher Education for a~~

1 ~~minimum of 3 years under the Academic Degree Act,~~

2 ~~and~~

3 ~~(ii) enrolls a majority of its students in such~~  
4 ~~degree programs, and~~

5 ~~(iii) maintains an accredited status with the~~  
6 ~~Commission on Institutions of Higher Education of~~  
7 ~~the North Central Association of Colleges and~~  
8 ~~Schools;~~

9 (3) in the judgment of the Commission meets standards  
10 substantially equivalent to those of comparable  
11 institutions operated by this State; and

12 (4) if so required by the Commission, uses the State as  
13 its primary guarantor of student loans made under the  
14 federal Higher Education Act of 1965.

15 For otherwise eligible educational organizations which provide  
16 academic programs for incarcerated students, the terms  
17 "institution of higher learning", "qualified institutions",  
18 and "institution" shall specifically exclude academic programs  
19 for incarcerated students.

20 "Academic year" means a 12 month period of time, normally  
21 but not exclusively, from September 1 of any year through  
22 August 31 of the ensuing year.

23 "Full-time student" means any undergraduate student  
24 enrolled in 12 or more semester or quarter hours of credit  
25 courses in any given semester or quarter or in the equivalent  
26 number of units of registration as determined by the

1 Commission.

2 "Part-time student" means any undergraduate student, other  
3 than a full-time student, enrolled in 6 or more semester or  
4 quarter hours of credit courses in any given semester or  
5 quarter or in the equivalent number of units of registration as  
6 determined by the Commission. Beginning with fiscal year 1999,  
7 the Commission may, on a program by program basis, expand this  
8 definition of "part-time student" to include students who  
9 enroll in less than 6 semester or quarter hours of credit  
10 courses in any given semester or quarter.

11 "Public university" means any public 4-year university in  
12 this State.

13 "Public university campus" means any campus under the  
14 governance or supervision of a public university.

15 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18.)

16 (110 ILCS 947/35)

17 Sec. 35. Monetary award program.

18 (a) The Commission shall, each year, receive and consider  
19 applications for grant assistance under this Section. Subject  
20 to a separate appropriation for such purposes, an applicant is  
21 eligible for a grant under this Section when the Commission  
22 finds that the applicant:

23 (1) is a resident of this State and a citizen or  
24 permanent resident of the United States; and

25 (2) in the absence of grant assistance, will be

1           deterred by financial considerations from completing an  
2           educational program at the qualified institution of his or  
3           her choice.

4           (b) The Commission shall award renewals only upon the  
5           student's application and upon the Commission's finding that  
6           the applicant:

7                   (1) has remained a student in good standing;

8                   (2) remains a resident of this State; and

9                   (3) is in a financial situation that continues to  
10           warrant assistance.

11           (c) All grants shall be applicable only to tuition and  
12           necessary fee costs. The Commission shall determine the grant  
13           amount for each student, which shall not exceed the smallest of  
14           the following amounts:

15                   (1) subject to appropriation, \$5,468 for fiscal year  
16           2009, \$5,968 for fiscal year 2010, and \$6,468 for fiscal  
17           year 2011 and each fiscal year thereafter, or such lesser  
18           amount as the Commission finds to be available, during an  
19           academic year;

20                   (2) the amount which equals 2 semesters or 3 quarters  
21           tuition and other necessary fees required generally by the  
22           institution of all full-time undergraduate students; or

23                   (3) such amount as the Commission finds to be  
24           appropriate in view of the applicant's financial  
25           resources.

26           Subject to appropriation, the maximum grant amount for

1 students not subject to subdivision (1) of this subsection (c)  
2 must be increased by the same percentage as any increase made  
3 by law to the maximum grant amount under subdivision (1) of  
4 this subsection (c).

5 "Tuition and other necessary fees" as used in this Section  
6 include the customary charge for instruction and use of  
7 facilities in general, and the additional fixed fees charged  
8 for specified purposes, which are required generally of  
9 nongrant recipients for each academic period for which the  
10 grant applicant actually enrolls, but do not include fees  
11 payable only once or breakage fees and other contingent  
12 deposits which are refundable in whole or in part. The  
13 Commission may prescribe, by rule not inconsistent with this  
14 Section, detailed provisions concerning the computation of  
15 tuition and other necessary fees.

16 (d) No applicant, including those presently receiving  
17 scholarship assistance under this Act, is eligible for monetary  
18 award program consideration under this Act after receiving a  
19 baccalaureate degree or the equivalent of 135 semester credit  
20 hours of award payments.

21 (d-5) In this subsection (d-5), "renewing applicant" means  
22 a student attending an institution of higher learning who  
23 received a Monetary Award Program grant during the prior  
24 academic year. Beginning with the processing of applications  
25 for the 2020-2021 academic year, the Commission shall annually  
26 publish a priority deadline date for renewing applicants.

1 Subject to appropriation, a renewing applicant who files by the  
2 published priority deadline date shall receive a grant if he or  
3 she continues to meet the eligibility requirements under this  
4 Section. A renewing applicant's failure to apply by the  
5 priority deadline date established under this subsection (d-5)  
6 shall not disqualify him or her from receiving a grant if  
7 sufficient funding is available to provide awards after that  
8 date.

9 (e) The Commission, in determining the number of grants to  
10 be offered, shall take into consideration past experience with  
11 the rate of grant funds unclaimed by recipients. The Commission  
12 shall notify applicants that grant assistance is contingent  
13 upon the availability of appropriated funds.

14 (e-5) The General Assembly finds and declares that it is an  
15 important purpose of the Monetary Award Program to facilitate  
16 access to college both for students who pursue postsecondary  
17 education immediately following high school and for those who  
18 pursue postsecondary education later in life, particularly  
19 Illinoisans who are dislocated workers with financial need and  
20 who are seeking to improve their economic position through  
21 education. For the 2015-2016 and 2016-2017 academic years, the  
22 Commission shall give additional and specific consideration to  
23 the needs of dislocated workers with the intent of allowing  
24 applicants who are dislocated workers an opportunity to secure  
25 financial assistance even if applying later than the general  
26 pool of applicants. The Commission's consideration shall



1 include, in determining the number of grants to be offered, an  
2 estimate of the resources needed to serve dislocated workers  
3 who apply after the Commission initially suspends award  
4 announcements for the upcoming regular academic year, but prior  
5 to the beginning of that academic year. For the purposes of  
6 this subsection (e-5), a dislocated worker is defined as in the  
7 federal Workforce Innovation and Opportunity Act.

8 (f) (Blank).

9 (g) (Blank). ~~The Commission shall determine the~~  
10 ~~eligibility of and make grants to applicants enrolled at~~  
11 ~~qualified for-profit institutions in accordance with the~~  
12 ~~criteria set forth in this Section. The eligibility of~~  
13 ~~applicants enrolled at such for-profit institutions shall be~~  
14 ~~limited as follows:~~

15 ~~(1) Beginning with the academic year 1997, only to~~  
16 ~~eligible first time freshmen and first time transfer~~  
17 ~~students who have attained an associate degree.~~

18 ~~(2) Beginning with the academic year 1998, only to~~  
19 ~~eligible freshmen students, transfer students who have~~  
20 ~~attained an associate degree, and students who receive a~~  
21 ~~grant under paragraph (1) for the academic year 1997 and~~  
22 ~~whose grants are being renewed for the academic year 1998.~~

23 ~~(3) Beginning with the academic year 1999, to all~~  
24 ~~eligible students.~~

25 (h) The Commission may adopt rules to implement this  
26 Section.

1 (Source: P.A. 100-477, eff. 9-8-17; 100-621, eff. 7-20-18;  
2 100-823, eff. 8-13-18; 101-81, eff. 7-12-19.)

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