

SB2334



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2334

Introduced 1/8/2020, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

110 ILCS 305/90
110 ILCS 520/75
110 ILCS 660/5-185
110 ILCS 665/10-185
110 ILCS 670/15-185
110 ILCS 675/20-190
110 ILCS 680/25-185
110 ILCS 685/30-195
110 ILCS 690/35-190
110 ILCS 805/3-70

Amends various Acts relating to the governance of public universities and community colleges in Illinois. Requires the governing board of each public university and community college district to make available to the public, on the institution's Internet website, the president's employment contract, including all addendums or any other documents that change an initial contract.

LRB101 14133 NHT 63001 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 University of Illinois Act is amended by
5 changing Section 90 as follows:

6 (110 ILCS 305/90)

7 Sec. 90. Employment contract; president and chancellors
8 limitations.

9 (a) The Board of Trustees shall make available to the
10 public, on the University's Internet website, the University
11 president's employment contract, whether entered into,
12 amended, renewed, or extended before, on, or after the
13 effective date of this amendatory Act of the 101st General
14 Assembly, including all addendums or any other documents that
15 change an initial contract.

16 (b) This subsection (b) ~~Section~~ applies to the employment
17 contracts of the president or all chancellors of the University
18 entered into, amended, renewed, or extended after the effective
19 date of this amendatory Act of the 99th General Assembly. This
20 subsection (b) ~~Section~~ does not apply to collective bargaining
21 agreements. With respect to employment contracts entered into
22 with the president or all chancellors of the University:

23 (1) Severance under the contract may not exceed one

1 year salary and applicable benefits.

2 (2) A contract with a determinate start and end date
3 may not exceed 4 years.

4 (3) The contract may not include any automatic rollover
5 clauses.

6 (4) Severance payments or contract buyouts may be
7 placed in an escrow account if there are pending criminal
8 charges against the president or all chancellors of the
9 University related to their employment.

10 (5) Final action on the formation, renewal, extension,
11 or termination of the employment contracts of the president
12 or all chancellors of the University must be made during an
13 open meeting of the Board of Trustees.

14 (6) Public notice, compliant with the provisions of the
15 Open Meetings Act, must be given prior to final action on
16 the formation, renewal, extension, or termination of the
17 employment contracts of the president or all chancellors of
18 the University and must include a copy of the Board item or
19 other documentation providing, at a minimum, a description
20 of the proposed principal financial components of the
21 president's or all chancellors' appointments.

22 (7) Any performance-based bonus or incentive-based
23 compensation to the president or all chancellors of the
24 University must be approved by the Board in an open
25 meeting. The performance upon which the bonus is based must
26 be made available to the public no less than 48 hours

1 before Board approval of the performance-based bonus or
2 incentive-based compensation.

3 (8) Board minutes, board packets, and annual
4 performance reviews concerning the president or all
5 chancellors of the University must be made available to the
6 public on the University's Internet website.

7 (Source: P.A. 99-694, eff. 1-1-17.)

8 Section 10. The Southern Illinois University Management
9 Act is amended by changing Section 75 as follows:

10 (110 ILCS 520/75)

11 Sec. 75. Employment contract; president and chancellors
12 limitations.

13 (a) The Board shall make available to the public, on the
14 University's Internet website, the University president's
15 employment contract, whether entered into, amended, renewed,
16 or extended before, on, or after the effective date of this
17 amendatory Act of the 101st General Assembly, including all
18 addendums or any other documents that change an initial
19 contract.

20 (b) This subsection (b) ~~Section~~ applies to the employment
21 contracts of the president or all chancellors of the University
22 entered into, amended, renewed, or extended after the effective
23 date of this amendatory Act of the 99th General Assembly. This
24 subsection (b) ~~Section~~ does not apply to collective bargaining

1 agreements. With respect to employment contracts entered into
2 with the president or all chancellors of the University:

3 (1) Severance under the contract may not exceed one
4 year salary and applicable benefits.

5 (2) A contract with a determinate start and end date
6 may not exceed 4 years.

7 (3) The contract may not include any automatic rollover
8 clauses.

9 (4) Severance payments or contract buyouts may be
10 placed in an escrow account if there are pending criminal
11 charges against the president or all chancellors of the
12 University related to their employment.

13 (5) Final action on the formation, renewal, extension,
14 or termination of the employment contracts of the president
15 or all chancellors of the University must be made during an
16 open meeting of the Board.

17 (6) Public notice, compliant with the provisions of the
18 Open Meetings Act, must be given prior to final action on
19 the formation, renewal, extension, or termination of the
20 employment contracts of the president or all chancellors of
21 the University and must include a copy of the Board item or
22 other documentation providing, at a minimum, a description
23 of the proposed principal financial components of the
24 president's or all chancellors' appointments.

25 (7) Any performance-based bonus or incentive-based
26 compensation to the president or all chancellors of the

1 University must be approved by the Board in an open
2 meeting. The performance upon which the bonus is based must
3 be made available to the public no less than 48 hours
4 before Board approval of the performance-based bonus or
5 incentive-based compensation.

6 (8) Board minutes, board packets, and annual
7 performance reviews concerning the president or all
8 chancellors of the University must be made available to the
9 public on the University's Internet website.

10 (Source: P.A. 99-694, eff. 1-1-17.)

11 Section 15. The Chicago State University Law is amended by
12 changing Section 5-185 as follows:

13 (110 ILCS 660/5-185)

14 Sec. 5-185. Employment contract; president and chancellors
15 limitations.

16 (a) The Board shall make available to the public, on the
17 University's Internet website, the University president's
18 employment contract, whether entered into, amended, renewed,
19 or extended before, on, or after the effective date of this
20 amendatory Act of the 101st General Assembly, including all
21 addendums or any other documents that change an initial
22 contract.

23 (b) This subsection (b) ~~Section~~ applies to the employment
24 contracts of the president or all chancellors of the University

1 entered into, amended, renewed, or extended after the effective
2 date of this amendatory Act of the 99th General Assembly. This
3 subsection (b) ~~Section~~ does not apply to collective bargaining
4 agreements. With respect to employment contracts entered into
5 with the president or all chancellors of the University:

6 (1) Severance under the contract may not exceed one
7 year salary and applicable benefits.

8 (2) A contract with a determinate start and end date
9 may not exceed 4 years.

10 (3) The contract may not include any automatic rollover
11 clauses.

12 (4) Severance payments or contract buyouts may be
13 placed in an escrow account if there are pending criminal
14 charges against the president or all chancellors of the
15 University related to their employment.

16 (5) Final action on the formation, renewal, extension,
17 or termination of the employment contracts of the president
18 or all chancellors of the University must be made during an
19 open meeting of the Board.

20 (6) Public notice, compliant with the provisions of the
21 Open Meetings Act, must be given prior to final action on
22 the formation, renewal, extension, or termination of the
23 employment contracts of the president or all chancellors of
24 the University and must include a copy of the Board item or
25 other documentation providing, at a minimum, a description
26 of the proposed principal financial components of the

1 president's or all chancellors' appointments.

2 (7) Any performance-based bonus or incentive-based
3 compensation to the president or all chancellors of the
4 University must be approved by the Board in an open
5 meeting. The performance upon which the bonus is based must
6 be made available to the public no less than 48 hours
7 before Board approval of the performance-based bonus or
8 incentive-based compensation.

9 (8) Board minutes, board packets, and annual
10 performance reviews concerning the president or all
11 chancellors of the University must be made available to the
12 public on the University's Internet website.

13 (Source: P.A. 99-694, eff. 1-1-17.)

14 Section 20. The Eastern Illinois University Law is amended
15 by changing Section 10-185 as follows:

16 (110 ILCS 665/10-185)

17 Sec. 10-185. Employment contract; president and
18 chancellors ~~limitations~~.

19 (a) The Board shall make available to the public, on the
20 University's Internet website, the University president's
21 employment contract, whether entered into, amended, renewed,
22 or extended before, on, or after the effective date of this
23 amendatory Act of the 101st General Assembly, including all
24 addendums or any other documents that change an initial

1 contract.

2 (b) This subsection (b) ~~Section~~ applies to the employment
3 contracts of the president or all chancellors of the University
4 entered into, amended, renewed, or extended after the effective
5 date of this amendatory Act of the 99th General Assembly. This
6 subsection (b) ~~Section~~ does not apply to collective bargaining
7 agreements. With respect to employment contracts entered into
8 with the president or all chancellors of the University:

9 (1) Severance under the contract may not exceed one
10 year salary and applicable benefits.

11 (2) A contract with a determinate start and end date
12 may not exceed 4 years.

13 (3) The contract may not include any automatic rollover
14 clauses.

15 (4) Severance payments or contract buyouts may be
16 placed in an escrow account if there are pending criminal
17 charges against the president or all chancellors of the
18 University related to their employment.

19 (5) Final action on the formation, renewal, extension,
20 or termination of the employment contracts of the president
21 or all chancellors of the University must be made during an
22 open meeting of the Board.

23 (6) Public notice, compliant with the provisions of the
24 Open Meetings Act, must be given prior to final action on
25 the formation, renewal, extension, or termination of the
26 employment contracts of the president or all chancellors of

1 the University and must include a copy of the Board item or
2 other documentation providing, at a minimum, a description
3 of the proposed principal financial components of the
4 president's or all chancellors' appointments.

5 (7) Any performance-based bonus or incentive-based
6 compensation to the president or all chancellors of the
7 University must be approved by the Board in an open
8 meeting. The performance upon which the bonus is based must
9 be made available to the public no less than 48 hours
10 before Board approval of the performance-based bonus or
11 incentive-based compensation.

12 (8) Board minutes, board packets, and annual
13 performance reviews concerning the president or all
14 chancellors of the University must be made available to the
15 public on the University's Internet website.

16 (Source: P.A. 99-694, eff. 1-1-17.)

17 Section 25. The Governors State University Law is amended
18 by changing Section 15-185 as follows:

19 (110 ILCS 670/15-185)

20 Sec. 15-185. Employment contract; president and
21 chancellors ~~limitations~~.

22 (a) The Board shall make available to the public, on the
23 University's Internet website, the University president's
24 employment contract, whether entered into, amended, renewed,

1 or extended before, on, or after the effective date of this
2 amendatory Act of the 101st General Assembly, including all
3 addendums or any other documents that change an initial
4 contract.

5 (b) This subsection (b) ~~Section~~ applies to the employment
6 contracts of the president or all chancellors of the University
7 entered into, amended, renewed, or extended after the effective
8 date of this amendatory Act of the 99th General Assembly. This
9 subsection (b) ~~Section~~ does not apply to collective bargaining
10 agreements. With respect to employment contracts entered into
11 with the president or all chancellors of the University:

12 (1) Severance under the contract may not exceed one
13 year salary and applicable benefits.

14 (2) A contract with a determinate start and end date
15 may not exceed 4 years.

16 (3) The contract may not include any automatic rollover
17 clauses.

18 (4) Severance payments or contract buyouts may be
19 placed in an escrow account if there are pending criminal
20 charges against the president or all chancellors of the
21 University related to their employment.

22 (5) Final action on the formation, renewal, extension,
23 or termination of the employment contracts of the president
24 or all chancellors of the University must be made during an
25 open meeting of the Board.

26 (6) Public notice, compliant with the provisions of the

1 Open Meetings Act, must be given prior to final action on
2 the formation, renewal, extension, or termination of the
3 employment contracts of the president or all chancellors of
4 the University and must include a copy of the Board item or
5 other documentation providing, at a minimum, a description
6 of the proposed principal financial components of the
7 president's or all chancellors' appointments.

8 (7) Any performance-based bonus or incentive-based
9 compensation to the president or all chancellors of the
10 University must be approved by the Board in an open
11 meeting. The performance upon which the bonus is based must
12 be made available to the public no less than 48 hours
13 before Board approval of the performance-based bonus or
14 incentive-based compensation.

15 (8) Board minutes, board packets, and annual
16 performance reviews concerning the president or all
17 chancellors of the University must be made available to the
18 public on the University's Internet website.

19 (Source: P.A. 99-694, eff. 1-1-17.)

20 Section 30. The Illinois State University Law is amended by
21 changing Section 20-190 as follows:

22 (110 ILCS 675/20-190)

23 Sec. 20-190. Employment contract; president and
24 chancellors ~~limitations~~.

1 (a) The Board shall make available to the public, on the
2 University's Internet website, the University president's
3 employment contract, whether entered into, amended, renewed,
4 or extended before, on, or after the effective date of this
5 amendatory Act of the 101st General Assembly, including all
6 addendums or any other documents that change an initial
7 contract.

8 (b) This subsection (b) ~~Section~~ applies to the employment
9 contracts of the president or all chancellors of the University
10 entered into, amended, renewed, or extended after the effective
11 date of this amendatory Act of the 99th General Assembly. This
12 subsection (b) ~~Section~~ does not apply to collective bargaining
13 agreements. With respect to employment contracts entered into
14 with the president or all chancellors of the University:

15 (1) Severance under the contract may not exceed one
16 year salary and applicable benefits.

17 (2) A contract with a determinate start and end date
18 may not exceed 4 years.

19 (3) The contract may not include any automatic rollover
20 clauses.

21 (4) Severance payments or contract buyouts may be
22 placed in an escrow account if there are pending criminal
23 charges against the president or all chancellors of the
24 University related to their employment.

25 (5) Final action on the formation, renewal, extension,
26 or termination of the employment contracts of the president

1 or all chancellors of the University must be made during an
2 open meeting of the Board.

3 (6) Public notice, compliant with the provisions of the
4 Open Meetings Act, must be given prior to final action on
5 the formation, renewal, extension, or termination of the
6 employment contracts of the president or all chancellors of
7 the University and must include a copy of the Board item or
8 other documentation providing, at a minimum, a description
9 of the proposed principal financial components of the
10 president's or all chancellors' appointments.

11 (7) Any performance-based bonus or incentive-based
12 compensation to the president or all chancellors of the
13 University must be approved by the Board in an open
14 meeting. The performance upon which the bonus is based must
15 be made available to the public no less than 48 hours
16 before Board approval of the performance-based bonus or
17 incentive-based compensation.

18 (8) Board minutes, board packets, and annual
19 performance reviews concerning the president or all
20 chancellors of the University must be made available to the
21 public on the University's Internet website.

22 (Source: P.A. 99-694, eff. 1-1-17.)

23 Section 35. The Northeastern Illinois University Law is
24 amended by changing Section 25-185 as follows:

1 (110 ILCS 680/25-185)

2 Sec. 25-185. Employment contract; president and
3 chancellors limitations.

4 (a) The Board shall make available to the public, on the
5 University's Internet website, the University president's
6 employment contract, whether entered into, amended, renewed,
7 or extended before, on, or after the effective date of this
8 amendatory Act of the 101st General Assembly, including all
9 addendums or any other documents that change an initial
10 contract.

11 (b) This subsection (b) ~~Section~~ applies to the employment
12 contracts of the president or all chancellors of the University
13 entered into, amended, renewed, or extended after the effective
14 date of this amendatory Act of the 99th General Assembly. This
15 subsection (b) ~~Section~~ does not apply to collective bargaining
16 agreements. With respect to employment contracts entered into
17 with the president or all chancellors of the University:

18 (1) Severance under the contract may not exceed one
19 year salary and applicable benefits.

20 (2) A contract with a determinate start and end date
21 may not exceed 4 years.

22 (3) The contract may not include any automatic rollover
23 clauses.

24 (4) Severance payments or contract buyouts may be
25 placed in an escrow account if there are pending criminal
26 charges against the president or all chancellors of the

1 University related to their employment.

2 (5) Final action on the formation, renewal, extension,
3 or termination of the employment contracts of the president
4 or all chancellors of the University must be made during an
5 open meeting of the Board.

6 (6) Public notice, compliant with the provisions of the
7 Open Meetings Act, must be given prior to final action on
8 the formation, renewal, extension, or termination of the
9 employment contracts of the president or all chancellors of
10 the University and must include a copy of the Board item or
11 other documentation providing, at a minimum, a description
12 of the proposed principal financial components of the
13 president's or all chancellors' appointments.

14 (7) Any performance-based bonus or incentive-based
15 compensation to the president or all chancellors of the
16 University must be approved by the Board in an open
17 meeting. The performance upon which the bonus is based must
18 be made available to the public no less than 48 hours
19 before Board approval of the performance-based bonus or
20 incentive-based compensation.

21 (8) Board minutes, board packets, and annual
22 performance reviews concerning the president or all
23 chancellors of the University must be made available to the
24 public on the University's Internet website.

25 (Source: P.A. 99-694, eff. 1-1-17.)

1 Section 40. The Northern Illinois University Law is amended
2 by changing Section 30-195 as follows:

3 (110 ILCS 685/30-195)

4 Sec. 30-195. Employment contract; president and
5 chancellors ~~limitations~~.

6 (a) The Board shall make available to the public, on the
7 University's Internet website, the University president's
8 employment contract, whether entered into, amended, renewed,
9 or extended before, on, or after the effective date of this
10 amendatory Act of the 101st General Assembly, including all
11 addendums or any other documents that change an initial
12 contract.

13 (b) This subsection (b) ~~Section~~ applies to the employment
14 contracts of the president or all chancellors of the University
15 entered into, amended, renewed, or extended after the effective
16 date of this amendatory Act of the 99th General Assembly. This
17 subsection (b) ~~Section~~ does not apply to collective bargaining
18 agreements. With respect to employment contracts entered into
19 with the president or all chancellors of the University:

20 (1) Severance under the contract may not exceed one
21 year salary and applicable benefits.

22 (2) A contract with a determinate start and end date
23 may not exceed 4 years.

24 (3) The contract may not include any automatic rollover
25 clauses.

1 (4) Severance payments or contract buyouts may be
2 placed in an escrow account if there are pending criminal
3 charges against the president or all chancellors of the
4 University related to their employment.

5 (5) Final action on the formation, renewal, extension,
6 or termination of the employment contracts of the president
7 or all chancellors of the University must be made during an
8 open meeting of the Board.

9 (6) Public notice, compliant with the provisions of the
10 Open Meetings Act, must be given prior to final action on
11 the formation, renewal, extension, or termination of the
12 employment contracts of the president or all chancellors of
13 the University and must include a copy of the Board item or
14 other documentation providing, at a minimum, a description
15 of the proposed principal financial components of the
16 president's or all chancellors' appointments.

17 (7) Any performance-based bonus or incentive-based
18 compensation to the president or all chancellors of the
19 University must be approved by the Board in an open
20 meeting. The performance upon which the bonus is based must
21 be made available to the public no less than 48 hours
22 before Board approval of the performance-based bonus or
23 incentive-based compensation.

24 (8) Board minutes, board packets, and annual
25 performance reviews concerning the president or all
26 chancellors of the University must be made available to the

1 public on the University's Internet website.

2 (Source: P.A. 99-694, eff. 1-1-17.)

3 Section 45. The Western Illinois University Law is amended
4 by changing Section 35-190 as follows:

5 (110 ILCS 690/35-190)

6 Sec. 35-190. Employment contract; president and
7 chancellors ~~limitations~~.

8 (a) The Board shall make available to the public, on the
9 University's Internet website, the University president's
10 employment contract, whether entered into, amended, renewed,
11 or extended before, on, or after the effective date of this
12 amendatory Act of the 101st General Assembly, including all
13 addendums or any other documents that change an initial
14 contract.

15 (b) This subsection (b) ~~Section~~ applies to the employment
16 contracts of the president or all chancellors of the University
17 entered into, amended, renewed, or extended after the effective
18 date of this amendatory Act of the 99th General Assembly. This
19 subsection (b) ~~Section~~ does not apply to collective bargaining
20 agreements. With respect to employment contracts entered into
21 with the president or all chancellors of the University:

22 (1) Severance under the contract may not exceed one
23 year salary and applicable benefits.

24 (2) A contract with a determinate start and end date

1 may not exceed 4 years.

2 (3) The contract may not include any automatic rollover
3 clauses.

4 (4) Severance payments or contract buyouts may be
5 placed in an escrow account if there are pending criminal
6 charges against the president or all chancellors of the
7 University related to their employment.

8 (5) Final action on the formation, renewal, extension,
9 or termination of the employment contracts of the president
10 or all chancellors of the University must be made during an
11 open meeting of the Board.

12 (6) Public notice, compliant with the provisions of the
13 Open Meetings Act, must be given prior to final action on
14 the formation, renewal, extension, or termination of the
15 employment contracts of the president or all chancellors of
16 the University and must include a copy of the Board item or
17 other documentation providing, at a minimum, a description
18 of the proposed principal financial components of the
19 president's or all chancellors' appointments.

20 (7) Any performance-based bonus or incentive-based
21 compensation to the president or all chancellors of the
22 University must be approved by the Board in an open
23 meeting. The performance upon which the bonus is based must
24 be made available to the public no less than 48 hours
25 before Board approval of the performance-based bonus or
26 incentive-based compensation.

1 (8) Board minutes, board packets, and annual
2 performance reviews concerning the president or all
3 chancellors of the University must be made available to the
4 public on the University's Internet website.

5 (Source: P.A. 99-694, eff. 1-1-17.)

6 Section 50. The Public Community College Act is amended by
7 changing Section 3-70 as follows:

8 (110 ILCS 805/3-70)

9 Sec. 3-70. Employment contract transparency.

10 (a) A board shall make available to the public, on the
11 community college district's Internet website, the community
12 college president's employment contract, whether entered into,
13 amended, renewed, or extended before, on, or after the
14 effective date of this amendatory Act of the 101st General
15 Assembly, including all addendums or any other documents that
16 change an initial contract.

17 (b) This subsection (b) Section applies to the employment
18 contracts of the president or all chancellors of the community
19 college entered into, amended, renewed, or extended after the
20 effective date of this amendatory Act of the 99th General
21 Assembly. This subsection (b) Section does not apply to
22 collective bargaining agreements. With respect to employment
23 contracts entered into with the president or all chancellors of
24 the community college:

1 (1) Severance payments or contract buyouts may be
2 placed in an escrow account if there are pending criminal
3 charges against the president or all chancellors of the
4 community college related to their employment.

5 (2) Final action on the formation, renewal, extension,
6 or termination of the employment contracts of the president
7 or all chancellors of the community college must be made
8 during an open meeting of the board.

9 (3) Public notice, compliant with the Open Meetings
10 Act, must be given prior to final action on the formation,
11 renewal, extension, or termination of the employment
12 contracts of the president or all chancellors of the
13 community college and must include a copy of the board item
14 or other documentation providing, at a minimum, a
15 description of the proposed principal financial components
16 of the president's or any chancellor's appointment.

17 (4) Any performance-based bonus or incentive-based
18 compensation to the president or all chancellors of the
19 community college must be approved by the board in an open
20 meeting. The performance criteria and goals upon which the
21 bonus or incentive-based compensation is based must be made
22 available to the public no less than 48 hours before board
23 approval of the performance-based bonus or incentive-based
24 compensation.

25 (5) Board minutes, board packets, and annual
26 performance criteria and goals concerning the president or

1 any chancellors must be made available to the public on the
2 community college district's Internet website.

3 (Source: P.A. 99-694, eff. 1-1-17.)