

AN ACT concerning education.

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

Section 5. The Illinois Mathematics and Science Academy Law is amended by changing Sections 2 and 4 as follows:

(105 ILCS 305/2) (from Ch. 122, par. 1503-2)

Sec. 2. Establishment, Funding and Location. There is hereby created the Illinois Mathematics and Science Academy, which shall be a residential institution located in the Fox River Valley in close proximity to the national science laboratories based in Illinois. The Academy may develop additional campuses throughout the State, however, any additional campus does not need to serve as a residential institution. The Academy shall be a State agency, funded by State appropriations, private contributions and endowments. Minimal fees for residential students who are Illinois residents may be charged. Tuition, fees, and room and board costs shall be charged for students who are not Illinois residents, the totality of which must be sufficient to ensure that no State appropriations are used to fund the costs of those students attending the Academy. The Academy may admit those students (i) who are Illinois residents or who are not Illinois residents and (ii) who have completed the academic

equivalent of the 8th 9th grade. No more than 25% of the Academy's student body may be composed of students who are not Illinois residents. The Academy and may offer a program of secondary and postsecondary course work. Admission shall be determined by competitive examination.

In order to be eligible for State appropriations, the Academy shall submit to the Board of Higher Education not later than the 1st day of October of each year its budget proposal for the operation and capital needs of the Academy for its next fiscal year and information demonstrating that students who are not Illinois residents have paid and will pay tuition, fees, and room and board costs sufficient to ensure that no State appropriations were used or will be used to fund the costs of those students attending the Academy.

(Source: P.A. 95-793, eff. 1-1-09.)

(105 ILCS 305/4) (from Ch. 122, par. 1503-4)

Sec. 4. Powers of the Board. The board is hereby authorized to:

(a) Accept donations, bequests, or other forms of financial assistance for educational purposes from any public or private person or agency and comply with rules and regulations governing grants from the federal government or from any other person or agency, which are not in contravention of the Illinois Constitution or the laws of the State of Illinois.

(b) Purchase equipment and make improvements to facilities

necessary for the use of the school, in accordance with applicable law.

(c) Adopt, amend, or repeal rules, regulations, and policies necessary or proper for the conduct of the business of the board.

(d) Award certificates and issue diplomas for successful completion of programs of study requirements.

(e) Select a Director who shall be the chief administrative officer of the Academy and who shall administer the rules, regulations, and policies adopted by the Board pursuant hereto. The Director shall also be the chief administrative officer of the Board and shall be responsible for all the administrative functions, duties, and needs of the Board.

(f) Determine faculty and staff positions necessary for the efficient operation of the school and select personnel for such positions.

(g) Prepare and adopt an annual budget necessary for the continued operation of the school.

(h) Enter into contracts and agreements which have been recommended by the Director, in accordance with applicable law, and to the extent that funds are specifically appropriated therefor, with other public agencies with respect to cooperative enterprises and undertaking related to or associated with an educational purpose or program affecting education in the school. This shall not preclude the Board from entering into other such contracts and agreements that it may

deem necessary to carry out its duties and functions.

(i) Perform such other functions as are necessary to the supervision and control of those phases of education under its supervision and control.

(j) The Board shall delegate to the Director such of its administrative powers and duties as it deems appropriate to aid the Director in the efficient administration of his responsibility for the implementation of the policies of the Board.

(k) The Academy shall be empowered to lease or purchase real and personal property on commercially reasonable terms for the use of the Academy. After July 1, 1988, any leases or purchases of real or personal property and any disposition thereof by the Academy must be in compliance with the provisions of The Civil Administrative Code of Illinois and the State Property Control Act. Personal property acquired for the use of the Academy shall be inventoried and disposed of in accordance with the State Property Control Act.

In addition to the authorities granted herein and any powers, duties, and responsibilities vested by any other applicable laws, the Board shall:

(1) Adopt rules, regulations, and policies necessary for the efficient operation of the school.

(2) Establish criteria to be used in determining eligibility of applicants for enrollment. Such criteria shall ensure adequate geographic representation of this

State and adequate ~~–~~ sexual and ethnic representation.

(3) Determine subjects and extracurricular activities to be offered.

(4) Pay salaries and expenses, including but not necessarily restricted to facilities, equipment, and supplies of the faculty and staff of the Academy out of funds appropriated or otherwise made available for the operating and administrative expenses of the Board and the Academy.

(5) Exercise budgetary responsibility and allocate for expenditure by the Academy and programs under its jurisdiction, all monies appropriated or otherwise made available for purposes of the Board and of such Academy and programs.

(6) Prescribe and select for use in the school free school books and other materials of instruction for children enrolled in the school and programs under its jurisdiction for which the General Assembly provides funds. However, free school books and other materials of instruction need not be provided to students who are not Illinois residents, and a fee may be charged to such students for books and materials.

(7) Prepare and adopt or approve programs of study and rules, bylaws, and regulations for the conduct of students and for the government of the school and programs under its jurisdiction.

(8) Employ such personnel as may be needed, establish policies governing their employment and dismissal, and fix the amount of their compensation. In the employment, establishment of policies and fixing of compensation the board may make no discrimination on account of sex, race, creed, color or national origin.

The Academy, its board of trustees, and its employees shall be represented and indemnified in certain civil law suits in accordance with "An Act to provide for representation and indemnification in certain civil law suits", approved December 3, 1977, as amended.

Neither the Academy, nor its officers, employees or board members shall participate in the creation of any corporation, joint venture, partnership, association, or other organizational entity which exercises, expands, or enhances the powers, duties, or responsibilities of the Academy unless specifically authorized by the General Assembly by law.

This Section does not restrict the Academy from creating any organization entity which is within or a part of the Academy.

(Source: P.A. 86-109.)