

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 changing Section 7 and by adding Section 9.45 as follows:

6 (110 ILCS 205/7) (from Ch. 144, par. 187)

7 Sec. 7. The Board of Trustees of the University of
8 Illinois, the Board of Trustees of Southern Illinois
9 University, the Board of Trustees of Chicago State University,
10 the Board of Trustees of Eastern Illinois University, the
11 Board of Trustees of Governors State University, the Board of
12 Trustees of Illinois State University, the Board of Trustees
13 of Northeastern Illinois University, the Board of Trustees of
14 Northern Illinois University, the Board of Trustees of Western
15 Illinois University, the Illinois Community College Board and
16 the campuses under their governance or supervision shall not
17 hereafter undertake the establishment of any new unit of
18 instruction, research, or public service without the approval
19 of the Board. The term "new unit of instruction, research, or
20 public service" includes the establishment of a college,
21 school, division, institute, department, or other unit in any
22 field of instruction, research, or public service not
23 theretofore included in the program of the institution, and

1 includes the establishment of any new branch or campus. The
2 term does not include reasonable and moderate extensions of
3 existing curricula, research, or public service programs which
4 have a direct relationship to existing programs; and the Board
5 may, under its rulemaking power, define the character of such
6 reasonable and moderate extensions.

7 Such governing boards shall submit to the Board all
8 proposals for a new unit of instruction, research, or public
9 service. The Board may approve or disapprove the proposal in
10 whole or in part or approve modifications thereof whenever in
11 its judgment such action is consistent with the objectives of
12 an existing or proposed statewide strategic plan of higher
13 education.

14 The Board of Higher Education is authorized to review
15 periodically all existing programs of instruction, research,
16 and public service at the State universities and colleges and
17 to advise the appropriate board of control if the contribution
18 of each program is not educationally and economically
19 justified. The Board shall annually identify and provide to
20 each public university certain programs of instruction that
21 exhibit indicators of low performance in enrollment, degree
22 completion, and relative high expense per degree. Each public
23 university shall review this information, together with any
24 other relevant information, and report annually to the Board
25 using a status rubric provided by the Board, including
26 programs to be closed or consolidated. The Board shall report

1 annually on the instructional programs offered at public
2 institutions of higher education, showing (i) the number,
3 types, and locations of instructional programs, (ii) any new
4 programs that were created, (iii) any existing programs that
5 have been closed or consolidated as a result of the review and
6 report, and (iv) other information relevant to assessing the
7 State's portfolio of programs. ~~Each State university shall~~
8 ~~report annually to the Board on programs of instruction,~~
9 ~~research, or public service that have been terminated,~~
10 ~~dissolved, reduced, or consolidated by the university. Each~~
11 ~~State university shall also report to the Board all programs~~
12 ~~of instruction, research, and public service that exhibit a~~
13 ~~trend of low performance in enrollments, degree completions,~~
14 ~~and high expense per degree. The Board shall compile an annual~~
15 ~~report that shall contain information on new programs created,~~
16 ~~existing programs that have been closed or consolidated, and~~
17 ~~programs that exhibit low performance or productivity. The~~
18 report must be submitted to the General Assembly and the
19 Governor by March 15, 2026 and each March 15 thereafter. The
20 Board shall have the authority to define relevant terms and
21 timelines by rule with respect to this reporting.

22 (Source: P.A. 101-81, eff. 7-12-19; 102-1046, eff. 6-7-22.)

23 (110 ILCS 205/9.45 new)

24 Sec. 9.45. Acceptance of gifts, grants, and legacies;
25 creation of corporations, joint ventures, partnerships, and

1 associations; distribution of grants.

2 (a) To accept gifts, grants, or legacies from any source
3 when made for higher education purposes.

4 (b) To create and participate in the conduct and operation
5 of any corporation, joint venture, partnership, association,
6 or other organizational entity that has the power (i) to
7 acquire land, buildings, and other capital equipment for the
8 use and benefit of higher education and students in this
9 State; (ii) to accept gifts and make grants for the use and
10 benefit of higher education and students in this State; (iii)
11 to aid in the instruction and education of students in this
12 State; and (iv) to promote activities to acquaint residents of
13 this State with the facilities of the various institutions of
14 higher education.

15 (c) To distribute such other grants as may be authorized
16 or appropriated by the General Assembly for which the Board
17 may adopt any rules necessary for the purposes of implementing
18 and distributing funds pursuant to an authorized or
19 appropriated grant.

20 Section 10. The Private College Act is amended by changing
21 Sections 3 and 4.5 as follows:

22 (110 ILCS 1005/3) (from Ch. 144, par. 123)

23 Sec. 3. (a) Applications submitted to the Board for a
24 certificate of approval to operate a post-secondary

1 educational institution shall contain a statement of the
2 following:

3 1. the proposed name of the institution and its
4 proposed location;

5 2. the nature, extent and purposes of the courses of
6 study to be given;

7 3. the fees to be charged, ~~and~~ the conditions under
8 which the fees are to be paid, and a tuition schedule that
9 includes, but is not limited to, tuition rates per course
10 or unit of work;

11 4. the education and experience of the members of the
12 teaching staff;

13 5. the degrees to be issued to students upon
14 completion of courses of instruction.

15 (b) The Board may not approve any application for a
16 certificate of approval that has been plagiarized, in part or
17 in whole. Additionally, the Board may not approve any
18 application that has not been completed in its entirety and
19 such application shall be returned to the post-secondary
20 educational institution.

21 (Source: P.A. 102-1046, eff. 6-7-22.)

22 (110 ILCS 1005/4.5)

23 Sec. 4.5. Disclosure of heightened monitoring of finances.
24 Any institution with a certificate of approval under this Act
25 is required to make the following disclosures:

1 (1) If the United States Department of Education
2 places the institution on either the Heightened Cash
3 Monitoring 2 payment method or the reimbursement payment
4 method, as authorized under 34 CFR 668.162, a clear and
5 conspicuous disclosure that the United States Department
6 of Education has heightened monitoring of the
7 institution's finances and the reason for such monitoring.
8 Such disclosure shall be made by the institution within 14
9 days of the action of the United States Department of
10 Education by (i) notice ~~both~~ on the institution's website,
11 (ii) notice ~~and~~ to all students and prospective students
12 on a form prescribed by the Board, and (iii) written
13 notice to the Board.

14 (2) Any other disclosure the Board requires by rule
15 adopted pursuant to this Act.

16 (Source: P.A. 102-1046, eff. 6-7-22.)

17 Section 15. The Academic Degree Act is amended by changing
18 Sections 5 and 6 as follows:

19 (110 ILCS 1010/5) (from Ch. 144, par. 235)

20 Sec. 5. Degrees by other than residence institutions. ~~—(a)—~~
21 Any educational organization or entity which does not conduct
22 instruction in residence may award degrees and qualify as a
23 degree granting institution upon approval by the Board. Such
24 approval shall be given only if the Board finds that the

1 applicant, organization or entity:

2 (1) maintains ~~Maintains~~ physical facilities suitable
3 and sufficient to the giving of a program or programs of
4 instruction of degree caliber in the field or fields
5 wherein it proposes to grant degrees;

6 (2) maintains ~~Maintains~~ a suitable and sufficient
7 faculty for instruction in its degree granting program or
8 programs;

9 (3) maintains ~~Maintains~~ its student records in a safe
10 and suitable place so that there is reasonable assurance
11 that they are and will remain available for all normal
12 purposes for a reasonable period of time;

13 (4) maintains financial ~~Maintains—a~~ stability
14 sufficient to carry out its obligations under the
15 enrollment contracts; ~~and~~

16 (4.5) maintains appropriate accreditation to provide
17 educational programming; and

18 (5) complies ~~Complies~~ with all provisions of this Act
19 other than the requirement for instruction in residence.

20 (Source: P.A. 80-1309.)

21 (110 ILCS 1010/6) (from Ch. 144, par. 236)

22 Sec. 6. Right of inspection; penalty for refusal or
23 obstruction. Any duly authorized employee or other
24 representative of the Board may, announced or unannounced,
25 enter upon the premises of any degree granting institution or

1 may have access through electronic means to inspect or
2 otherwise examine the same and any books, papers or other
3 records pertaining to the degree granting program of such
4 institution including, but not limited to, financial records
5 such as balance sheets, income statements, and cash flow
6 statements. For failure to permit such entry, inspection or
7 examination or for obstruction thereof, the Board may
8 invalidate any notice filed with it by the degree granting
9 institution and revoke any authorization made pursuant to
10 Section 4 of this Act and may refuse to accept another notice
11 from or on behalf of such institution or any person connected
12 with the administration thereof until such refusal or
13 obstruction has been withdrawn. Any action taken pursuant to
14 this Section shall be in addition to any other penalty which
15 may be imposed for violation of this Act.

16 (Source: P.A. 102-1046, eff. 6-7-22.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.