



Rep. Katie Stuart

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10400HB4304ham001

LRB104 16443 AAS 36070 a

1 AMENDMENT TO HOUSE BILL 4304

2 AMENDMENT NO. _____. Amend House Bill 4304 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Higher Education Student Support and Academic Freedom Act.

6 Section 5. Legislative findings. The General Assembly
7 finds that:

8 (1) this State has a compelling interest in preserving
9 the integrity, independence, and academic freedom of its
10 public institutions of higher education and in supporting
11 students' pursuit of learning, inquiry, and career
12 readiness;

13 (2) students benefit when this State affirms core
14 principles, including free inquiry, viewpoint-neutral
15 access to programs and activities, safety,
16 nondiscrimination, and academic excellence, while

1 providing public institutions of higher education with
2 clear, workable standards; and

3 (3) this State likewise has an interest in ensuring
4 that public institutions of higher education are not
5 subjected to expansive or uncertain liabilities due to the
6 institutions' good-faith efforts at substantial
7 compliance.

8 Section 10. Student support and academic access charter.

9 (a) Inclusive and safe learning environment. Public
10 institutions of higher education shall strive to foster an
11 environment that is free from unlawful discrimination or
12 harassment based on any protected characteristic under
13 applicable law.

14 (b) Safety and respect. Public institutions of higher
15 education shall strive to maintain clear, content-neutral
16 conduct standards and reporting channels designed to address
17 unlawful discrimination, harassment, intimidation, and
18 retaliation, in accordance with applicable law.

19 (c) Accessibility. Public institutions of higher education
20 shall strive to have clear policies describing how students
21 with disabilities can request and receive reasonable
22 accommodations to enable equal academic and campus
23 participation, in accordance with applicable law and
24 educational standards.

25 (d) Free expression and academic access. Public

1 institutions of higher education may not unlawfully infringe
2 on students' constitutional rights to free speech, press,
3 assembly, and petition. Public institutions of higher
4 education shall have the ability to adopt viewpoint-neutral
5 time, place, and manner restrictions and safeguard academic
6 freedom within pedagogically relevant contexts, in accordance
7 with applicable law.

8 (e) Freedom of association and freedom to organize. Public
9 institutions of higher education shall have the ability to
10 allow students to form and join associations, subject to
11 reasonable, viewpoint-neutral requirements for recognition and
12 funding that are consistently enforced and in accordance with
13 applicable law.

14 (f) Peaceful protest. Public institutions of higher
15 education shall have the ability to allow students to engage
16 in lawful, peaceful protest, subject to reasonable,
17 viewpoint-neutral time, place, and manner restrictions,
18 including restrictions that protect campus safety and the
19 continuity of educational operations.

20 (g) Academic transparency. Public institutions of higher
21 education shall strive to publish clear, accurate, and timely
22 information regarding courses, degree pathways, credit
23 evaluation and transferability, and graduation criteria.

24 (h) Fair evaluation. Public institutions of higher
25 education shall strive to assess academic performance based on
26 demonstrated learning and achievement and pursuant to

1 published standards, with due regard for the professional
2 judgment of faculty.

3 (i) Educational records. Students have the right to
4 inspect, review, and request corrections to higher educational
5 records, in accordance with applicable law.

6 (j) Insulation of academic programs from undue political
7 interference. Public institutions of higher education shall
8 have the ability to ensure academic programs are guided by
9 professional and disciplinary standards and academic
10 integrity.

11 (k) Career preparation. Public institutions of higher
12 education shall strive to provide students with information
13 and opportunities in pertinent academic programs that promote
14 workforce-relevant skills, career exploration, and stackable
15 or recognized credentials of value.

16 (l) Educational quality. Public institutions of higher
17 education shall strive to provide independently accredited
18 education that integrates broad learning, cultivates
19 transferable skills, and prepares students for engaged
20 citizenship.

21 (m) Due process. Public institutions of higher education
22 shall strive to provide students with a fair disciplinary
23 process appropriate to the nature of the applicable
24 disciplinary charge, including notice of the charge, access to
25 relevant evidence if feasible, and an opportunity to be heard,
26 in accordance with applicable law.

1 (n) Institutional accountability. Public institutions of
2 higher education shall strive to follow published policies and
3 provide internal appeal routes for adverse educational actions
4 as appropriate or required by applicable law.

5 (o) Financial transparency. Public institutions of higher
6 education shall strive to clearly disclose tuition, fees, and
7 applicable, material financial obligations prior to and during
8 enrollment.

9 (p) Refunds and withdrawals. Public institutions of higher
10 education shall have the ability to publish transparent
11 policies on tuition refunds, withdrawals, and cancellations.

12 (q) Transfer practices. Public institutions of higher
13 education shall strive to provide a timely, transparent, and
14 consistent evaluation of transfer credits using published
15 criteria. Nothing in this Act requires an acceptance of
16 credits inconsistent with any legitimate academic standards
17 the public institution of higher education deems appropriate.

18 Section 15. Construction of Act.

19 (a) This Act shall be construed in accordance with, and
20 not in conflict with, applicable federal and State law,
21 including, but not limited to, Title VI of the federal Civil
22 Rights Act of 1964, Title IX of the federal Education
23 Amendments of 1972, the federal Jeanne Clery Disclosure of
24 Campus Security Policy and Campus Crime Statistics Act, the
25 federal Family Educational Rights and Privacy Act of 1974, the

1 federal Americans with Disabilities Act of 1990, Section 504
2 of the federal Rehabilitation Act of 1973, and the Illinois
3 Human Rights Act.

4 (b) Nothing in this Act imposes obligations that would
5 cause a public institution of higher education to violate
6 applicable law, including any federal requirements, or risk
7 the loss of federal or other funds.

8 (c) Nothing in this Act may be construed to create
9 contractual rights or to convert institutional policies into
10 express or implied contracts.

11 (d) Nothing in this Act may be construed to grant a private
12 right of action to enforce the provisions of this Act."