

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 1. Short title. This Act may be cited as the Higher
5 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
17 providing public institutions of higher education with
18 clear, workable standards; and

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

1 Section 10. Student support and academic access charter.

2 (a) Inclusive and safe learning environment. Public
3 institutions of higher education shall strive to foster an
4 environment that is free from unlawful discrimination or
5 harassment based on any protected characteristic under
6 applicable law.

7 (b) Safety and respect. Public institutions of higher
8 education shall strive to maintain clear, content-neutral
9 conduct standards and reporting channels designed to address
10 unlawful discrimination, harassment, intimidation, and
11 retaliation, in accordance with applicable law.

12 (c) Accessibility. Public institutions of higher education
13 shall strive to have clear policies describing how students
14 with disabilities can request and receive reasonable
15 accommodations to enable equal academic and campus
16 participation, in accordance with applicable law and
17 educational standards.

18 (d) Free expression and academic access. Public
19 institutions of higher education may not unlawfully infringe
20 on students' constitutional rights to free speech, press,
21 assembly, and petition. Public institutions of higher
22 education shall have the ability to adopt viewpoint-neutral
23 time, place, and manner restrictions and safeguard academic
24 freedom within pedagogically relevant contexts, in accordance
25 with applicable law.

1 (e) Freedom of association and freedom to organize. Public
2 institutions of higher education shall have the ability to
3 allow students to form and join associations, subject to
4 reasonable, viewpoint-neutral requirements for recognition and
5 funding that are consistently enforced and in accordance with
6 applicable law.

7 (f) Peaceful protest. Public institutions of higher
8 education shall have the ability to allow students to engage
9 in lawful, peaceful protest, subject to reasonable,
10 viewpoint-neutral time, place, and manner restrictions,
11 including restrictions that protect campus safety and the
12 continuity of educational operations.

13 (g) Academic transparency. Public institutions of higher
14 education shall strive to publish clear, accurate, and timely
15 information regarding courses, degree pathways, credit
16 evaluation and transferability, and graduation criteria.

17 (h) Fair evaluation. Public institutions of higher
18 education shall strive to assess academic performance based on
19 demonstrated learning and achievement and pursuant to
20 published standards, with due regard for the professional
21 judgment of faculty.

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

25 (j) Insulation of academic programs from undue political
26 interference. Public institutions of higher education shall

1 have the ability to ensure academic programs are guided by
2 professional and disciplinary standards and academic
3 integrity.

4 (k) Career preparation. Public institutions of higher
5 education shall strive to provide students with information
6 and opportunities in pertinent academic programs that promote
7 workforce-relevant skills, career exploration, and stackable
8 or recognized credentials of value.

9 (l) Educational quality. Public institutions of higher
10 education shall strive to provide independently accredited
11 education that integrates broad learning, cultivates
12 transferable skills, and prepares students for engaged
13 citizenship.

14 (m) Due process. Public institutions of higher education
15 shall strive to provide students with a fair disciplinary
16 process appropriate to the nature of the applicable
17 disciplinary charge, including notice of the charge, access to
18 relevant evidence if feasible, and an opportunity to be heard,
19 in accordance with applicable law.

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

24 (o) Financial transparency. Public institutions of higher
25 education shall strive to clearly disclose tuition, fees, and
26 applicable, material financial obligations prior to and during

1 enrollment.

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

5 (q) Transfer practices. Public institutions of higher
6 education shall strive to provide a timely, transparent, and
7 consistent evaluation of transfer credits using published
8 criteria. Nothing in this Act requires an acceptance of
9 credits inconsistent with any legitimate academic standards
10 the public institution of higher education deems appropriate.

11 Section 15. Construction of Act.

12 (a) This Act shall be construed in accordance with, and
13 not in conflict with, applicable federal and State law,
14 including, but not limited to, Title VI of the federal Civil
15 Rights Act of 1964, Title IX of the federal Education
16 Amendments of 1972, the federal Jeanne Clery Disclosure of
17 Campus Security Policy and Campus Crime Statistics Act, the
18 federal Family Educational Rights and Privacy Act of 1974, the
19 federal Americans with Disabilities Act of 1990, Section 504
20 of the federal Rehabilitation Act of 1973, and the Illinois
21 Human Rights Act.

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

1 (c) Nothing in this Act may be construed to create
2 contractual rights or to convert institutional policies into
3 express or implied contracts.

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