



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5135

Introduced 2/10/2026, by Rep. Aarón M. Ortíz

#### SYNOPSIS AS INTRODUCED:

|                     |                           |
|---------------------|---------------------------|
| 105 ILCS 405/2-4    | from Ch. 122, par. 202-4  |
| 105 ILCS 405/3-1    | from Ch. 122, par. 203-1  |
| 110 ILCS 805/2-12   | from Ch. 122, par. 102-12 |
| 110 ILCS 805/2-12.5 |                           |

Amends the Adult Education Act and the Public Community College Act. With respect to the annual report on adult education for the preceding school year by the Illinois Community College Board, removes the requirement to include a summary of State reimbursement for adult basic education, adult secondary education, English language acquisition, high school credit, integrated English literacy and civics education, and bridge and integrated education and training programs in coordination with vocational skills training. Provides that any public community college district maintaining adult education classes for the instruction of those persons who, among other requirements, are 17 (rather than 16) years of age or older are entitled to claim an apportionment of State reimbursement. Allows classes in adult education to include digital literacy. Removes language providing that the maximum generation rate for reimbursement per credit hour or per unit of instruction shall be equal to the community college system reimbursement rate for adult education divided by one-third. Provides that State adult education funds, other than matching funds, are not subject to the authorizing federal law. Removes language providing that approved programs for adult education may assess students up to \$6 per credit hour or unit of instruction per semester per student. Removes language requiring an education plan to be established for each adult learner participating in the instructional programs. Requires each adult learner participating in the instructional programs to complete an assessment of foundational skills to appropriately place the adult learner in an instructional program. Makes other and conforming changes.

LRB104 19770 LNS 33220 b

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 Adult Education Act is amended by changing  
5 Sections 2-4 and 3-1 as follows:

6 (105 ILCS 405/2-4) (from Ch. 122, par. 202-4)

7 Sec. 2-4. Area Planning Councils. An Area Planning Council  
8 shall be established within the boundaries of each community  
9 college district. A representative of each approved adult  
10 education provider is required to participate on the Area  
11 Planning Council. Other members may include:

12 (1) regional superintendents of schools;

13 (2) representatives of school districts;

14 (3) representatives of the community college  
15 district's career and technical education program;

16 (4) representatives of the community college  
17 district's financial aid office;

18 (5) representatives of the community college  
19 district's student services office;

20 (6) representatives of local workforce boards under  
21 the federal Workforce Innovation and Opportunity Act;

22 (7) persons with an interest in adult education  
23 services provided within the community college district;

1 and

2 (8) persons with an interest in adult education  
3 services provided within the Area Planning Council  
4 district, including, but not limited to, representatives  
5 of social service agencies, businesses and employers,  
6 vocational rehabilitation services of the Department of  
7 Human Services, and the Department of Employment Security.

8 Each Area Planning Council must elect officers and develop  
9 bylaws that indicate the membership of the Council. The Area  
10 Planning Council chairperson must be a representative of an  
11 adult education provider approved by the Board. In areas where  
12 large multiple-provider Area Planning Councils exist, the  
13 Board may designate sub-areas within an Area Planning Council  
14 district to ensure maximum representation of need. The Board  
15 shall determine the guidelines for the bylaws and operation of  
16 the Area Planning Council.

17 On or before March 1 of each year each Area Planning  
18 Council shall submit an annual Adult Education Plan for the  
19 area. The Area Adult Education Plan shall provide for the  
20 development and coordination of adult education programs in  
21 the area as prescribed by the Board. The Area Adult Education  
22 Plan must be aligned with Title II of the federal Workforce  
23 Innovation and Opportunity Act, the State Unified Plan, local  
24 workforce boards, and one-stop activities and must include  
25 involvement of the local Board-approved adult education  
26 workforce board representative. The local adult education

1 workforce board representative is responsible for convening  
2 Area Planning Council chairpersons in a local workforce area  
3 to provide information regarding the development of the Area  
4 Adult Education Plans and related federal Workforce Innovation  
5 and Opportunity Act activities. If the Board finds that the  
6 annual Area Adult Education Plan submitted by the Area  
7 Planning Council meets the ~~requirements of this amendatory Act~~  
8 ~~of 1982 and the~~ established standards and guidelines, the  
9 Board shall approve the Plan. The approval of adult education  
10 programs by the Board for reimbursement under Section 2-12.5  
11 of the Public Community College Act shall be based on the Adult  
12 Education Plan approved for the Area. The Area Adult Education  
13 Plan must be approved prior to funding being made available to  
14 an Area Planning Council district.

15 On or before March 1, 2002 and each year thereafter, the  
16 Board shall submit an annual report to the Governor and the  
17 General Assembly for adult education for the preceding school  
18 year. The annual report shall include a summary of adult  
19 education needs and programs; the number of students served,  
20 federal Workforce Innovation and Opportunity Act activities,  
21 high school equivalency information, credit hours or units of  
22 instruction, performance data, and total adult education  
23 allocations, ~~and State reimbursement for adult basic~~  
24 ~~education, adult secondary education, English language~~  
25 ~~acquisition, high school credit, integrated English literacy~~  
26 ~~and civics education, and bridge and integrated education and~~

1 ~~training programs in coordination with vocational skills~~  
2 ~~training~~; the criteria used for program approval; and any  
3 recommendations.

4 (Source: P.A. 101-289, eff. 8-9-19.)

5 (105 ILCS 405/3-1) (from Ch. 122, par. 203-1)

6 Sec. 3-1. Apportionment for adult education courses. Any  
7 school district maintaining adult education classes for the  
8 instruction of persons over 21 years of age and youths under 21  
9 years of age whose schooling has been interrupted shall be  
10 entitled to claim an apportionment in accordance with the  
11 provisions of Section 10-22.20 of the School Code and Section  
12 2-4 of this Act. Any public community college district  
13 maintaining adult education classes for the instruction of  
14 those persons who (i) are 17 ~~16~~ years of age or older, are not  
15 enrolled or required to be enrolled in a secondary school  
16 under State law, and are basic-skills deficient, (ii) do not  
17 have a secondary school diploma or its recognized equivalent  
18 and have not achieved an equivalent level of education, or  
19 (iii) are an English language learner shall be entitled to  
20 claim an apportionment in accordance with the provisions of  
21 Section 2-16.02 of the Public Community College Act.

22 Reimbursement as herein provided shall be limited to adult  
23 basic education, adult secondary and high school equivalency  
24 testing education, high school credit, literacy, including  
25 digital literacy, English language acquisition, integrated

1 English literacy and civics education, integrated education  
2 and training ~~in coordination with vocational skills training,~~  
3 and any other activities that are approved by the Board.

4 If the amount appropriated for this purpose is less than  
5 the amount required under the provisions of this Section, the  
6 apportionment for local districts shall be proportionately  
7 reduced.

8 (Source: P.A. 101-289, eff. 8-9-19.)

9 Section 10. The Public Community College Act is amended by  
10 changing Sections 2-12 and 2-12.5 as follows:

11 (110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

12 Sec. 2-12. The State Board shall have the power and it  
13 shall be its duty:

14 (a) To provide statewide planning for community  
15 colleges as institutions of higher education and to  
16 coordinate the programs, services and activities of all  
17 community colleges in the State so as to encourage and  
18 establish a system of locally initiated and administered  
19 comprehensive community colleges.

20 (b) To organize and conduct feasibility surveys for  
21 new community colleges or for the inclusion of existing  
22 institutions as community colleges and the locating of new  
23 institutions.

24 (c) (Blank).

1           (c-5) In collaboration with the community colleges, to  
2           furnish information for State and federal accountability  
3           purposes, promote student and institutional improvement,  
4           and meet research needs.

5           (d) To cooperate with the community colleges in  
6           collecting and maintaining student characteristics,  
7           enrollment and completion data, faculty and staff  
8           characteristics, financial data, admission standards,  
9           facility data, and any other issues facing community  
10          colleges.

11          (e) To enter into contracts with other governmental  
12          agencies and eligible providers, such as local educational  
13          agencies, community-based organizations of demonstrated  
14          effectiveness, volunteer literacy organizations of  
15          demonstrated effectiveness, institutions of higher  
16          education, public and private nonprofit agencies,  
17          libraries, and public housing authorities; to accept  
18          federal funds and to plan with other State agencies when  
19          appropriate for the allocation of such federal funds for  
20          instructional programs and student services including such  
21          funds for adult education and literacy, vocational and  
22          career and technical education, and retraining as may be  
23          allocated by state and federal agencies for the aid of  
24          community colleges. To receive, receipt for, hold in  
25          trust, expend and administer, for all purposes of this  
26          Act, funds and other aid made available by the federal

1 government or by other agencies public or private, subject  
2 to appropriation by the General Assembly. The changes to  
3 this subdivision (e) made by Public Act 91-830 apply on  
4 and after July 1, 2001.

5 (f) To determine efficient and adequate standards for  
6 community colleges for the physical plant, heating,  
7 lighting, ventilation, sanitation, safety, equipment and  
8 supplies, instruction and teaching, curriculum, library,  
9 operation, maintenance, and administration and  
10 supervision.

11 (g) To determine the standards for establishment of  
12 community colleges and the proper location of the site in  
13 relation to existing institutions of higher education  
14 offering academic, occupational and technical training  
15 curricula, possible enrollment, assessed valuation,  
16 industrial, business, agricultural, and other conditions  
17 reflecting educational needs in the area to be served;  
18 however, no community college may be considered as being  
19 recognized nor may the establishment of any community  
20 college be authorized in any district which shall be  
21 deemed inadequate for the maintenance, in accordance with  
22 the desirable standards thus determined, of a community  
23 college offering the basic subjects of general education  
24 and suitable vocational and semiprofessional and technical  
25 curricula.

26 (h) To approve or disapprove new units of instruction,

1 research or public service as defined in Section 3-25.1 of  
2 this Act submitted by the boards of trustees of the  
3 respective community college districts of this State. The  
4 State Board may discontinue programs which fail to reflect  
5 the educational needs of the area being served. The  
6 community college district shall be granted 60 days  
7 following the State Board staff recommendation and prior  
8 to the State Board's action to respond to concerns  
9 regarding the program in question. If the State Board acts  
10 to abolish a community college program, the community  
11 college district has a right to appeal the decision in  
12 accordance with administrative rules promulgated by the  
13 State Board under the provisions of the Illinois  
14 Administrative Procedure Act.

15 (i) To review and approve or disapprove any contract  
16 or agreement that community colleges enter into with any  
17 organization, association, educational institution, or  
18 government agency to provide educational services for  
19 academic credit. The State Board is authorized to monitor  
20 performance under any contract or agreement that is  
21 approved by the State Board. If the State Board does not  
22 approve a particular contract or agreement, the community  
23 college district has a right to appeal the decision in  
24 accordance with administrative rules promulgated by the  
25 State Board under the provisions of the Illinois  
26 Administrative Procedure Act. Nothing in this subdivision

1 (i) shall be interpreted as applying to collective  
2 bargaining agreements with any labor organization.

3 (j) To establish guidelines regarding sabbatical  
4 leaves.

5 (k) (Blank).

6 (l) (Blank).

7 (m) (Blank).

8 (n) To create and participate in the conduct and  
9 operation of any corporation, joint venture, partnership,  
10 association, or other organizational entity that has the  
11 power: (i) to acquire land, buildings, and other capital  
12 equipment for the use and benefit of the community  
13 colleges or their students; (ii) to accept gifts and make  
14 grants for the use and benefit of the community colleges  
15 or their students; (iii) to aid in the instruction and  
16 education of students of community colleges; and (iv) to  
17 promote activities to acquaint members of the community  
18 with the facilities of the various community colleges.

19 (o) To ensure the effective teaching of adult learners  
20 and to prepare them for success in employment and lifelong  
21 learning by administering a network of providers,  
22 programs, and services to provide classes for the  
23 instruction of those individuals who (i) are 17 ~~16~~ years  
24 of age or older, are not enrolled or required to be  
25 enrolled in a secondary school under State law, and are  
26 basic-skills deficient, (ii) do not have a secondary

1 school diploma or its recognized equivalent and have not  
2 achieved an equivalent level of education, or (iii) are an  
3 English language learner. Classes in adult education may  
4 include adult basic education, adult secondary and high  
5 school equivalency testing education, high school credit,  
6 literacy, including digital literacy, English language  
7 acquisition, integrated education and training in  
8 coordination with vocational skills training, and any  
9 other instruction designed to prepare adult students to  
10 function successfully in society and to experience success  
11 in postsecondary education and employment.

12 (p) To supervise the administration of adult education  
13 and literacy programs, to establish the standards for such  
14 courses of instruction and supervise the administration  
15 thereof, to contract with other State and local agencies  
16 and eligible providers of demonstrated effectiveness, such  
17 as local educational agencies, community-based  
18 organizations, volunteer literacy organizations,  
19 institutions of higher education, public and private  
20 nonprofit agencies, libraries, public housing authorities,  
21 and nonprofit institutions for the purpose of promoting  
22 and establishing classes for instruction under these  
23 programs, to contract with other State and local agencies  
24 to accept and expend appropriations for educational  
25 purposes to fund ~~reimburse~~ local eligible providers for  
26 the cost of these programs, and to establish an advisory

1 council consisting of all categories of eligible  
2 providers; agency partners, such as the State Board of  
3 Education, the Department of Human Services, the  
4 Department of Employment Security, the Department of  
5 Commerce and Economic Opportunity, and the Secretary of  
6 State literacy program; and other stakeholders to  
7 identify, deliberate, and make recommendations to the  
8 State Board on adult education policy and priorities. The  
9 State Board shall support statewide geographic  
10 distribution; diversity of eligible providers; and the  
11 adequacy, stability, and predictability of funding so as  
12 not to disrupt or diminish, but rather to enhance, adult  
13 education and literacy services.

14 (Source: P.A. 103-940, eff. 8-9-24.)

15 (110 ILCS 805/2-12.5)

16 Sec. 2-12.5. Classes for adults and youths, 17 and older,  
17 who are not currently enrolled in secondary school whose  
18 schooling has been interrupted.

19 (a) The State Board shall distribute funds to ~~reimburse~~  
20 adult education providers from funds appropriated for approved  
21 expenses that are established and determined by the State  
22 Board in compliance with ~~the federal Workforce Innovation and~~  
23 ~~Opportunity Act and other~~ State and federal requirements. The  
24 ~~State Board shall establish standards to determine the cost of~~  
25 ~~instruction, including any other authorized incidental costs,~~

1 ~~which shall serve as the basis of State reimbursement in~~  
2 ~~accordance with the provisions of this Section. In the~~  
3 ~~approval of programs and the determination of the cost of~~  
4 ~~instruction,~~ the State Board shall provide for the maximum  
5 utilization of federal and State funds for those programs. The  
6 State Board shall also provide for:

7 (1) the method for allocating federal and State funds,  
8 including the development of an index of need for program  
9 planning and for area funding allocations, as defined by  
10 the State Board;

11 (2) the method for calculating hours of instruction,  
12 as defined by the State Board, ~~claimable for reimbursement~~  
13 ~~and a method to phase in the calculation and for adjusting~~  
14 ~~the calculations in cases in which the services of a~~  
15 ~~program are interrupted due to circumstances beyond the~~  
16 ~~control of the program provider;~~

17 (3) a plan for the reallocation of funds to increase  
18 the amount allocated for grants based upon program  
19 performance; and

20 (4) the development of standards, programs, and  
21 guidelines consistent with ~~the~~ federal and State law  
22 ~~Workforce Innovation and Opportunity Act.~~

23 (b) (Blank). ~~For adult education instruction as listed~~  
24 ~~under subdivision (c) of Section 2-12, the maximum generation~~  
25 ~~rate for reimbursement per credit hour or per unit of~~  
26 ~~instruction shall be equal to the community college system~~

1 ~~reimbursement rate for adult education divided by one third.~~

2 (c) Upon ~~its annual~~ approval, the State Board shall  
3 provide grants to eligible programs for activities to improve  
4 or expand services under ~~the federal~~ and State law ~~Workforce~~  
5 ~~Innovation and Opportunity Act, Title II Adult Education and~~  
6 ~~Literacy~~. Eligible programs shall be determined based upon  
7 competitive processes and based on federal and State program  
8 considerations, as set by the State Board.

9 (c-5) State adult education funds, except for funds  
10 specifically provided as a match as required by federal law,  
11 are not subject to the authorizing federal law.

12 (d) Reimbursement under this Section may not exceed the  
13 actual costs of the approved program. Approved programs may  
14 assess students, except those students receiving public aid  
15 under the Illinois Public Aid Code, up to ~~\$6.00 per credit hour~~  
16 ~~or unit of instruction, not to exceed~~ \$30.00 per semester per  
17 student, if needed to meet program costs.

18 (e) Each ~~An education plan shall be established for each~~  
19 adult learner who is participating in the instructional  
20 programs provided under this Section shall complete an  
21 assessment of foundational skills to appropriately place the  
22 adult learner in an instructional program.

23 (f) Each adult education provider shall keep an accurate  
24 and detailed account of the students assigned to and receiving  
25 instruction under this Section who are enrolled in classroom  
26 instruction. Each adult education provider shall submit

1 periodic reports ~~of services provided~~ as required by the State  
2 Board.

3 (g) For classes authorized under this Section, a credit  
4 hour or unit of instruction is equal to 15 hours of direct  
5 instruction for students enrolled in approved adult education  
6 programs at midterm and making satisfactory progress, in  
7 accordance with standards established by the State Board.

8 (h) If an approved adult education provider fails to  
9 provide or is providing unsatisfactory or insufficient classes  
10 under Section 2-12 and this Section, the State Board may enter  
11 into agreements with other eligible providers.

12 (Source: P.A. 101-289, eff. 8-9-19.)