



Sen. Cristina Castro

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10400SB0404sam002

LRB104 06641 LNS 26674 a

1 AMENDMENT TO SENATE BILL 404

2 AMENDMENT NO. _____. Amend Senate Bill 404 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Dual Credit Quality Act is amended by
5 changing Sections 5, 10, 15, 16, 17, 20, and 25 and by adding
6 Sections 16.10, 19.5, 22, 45, and 50 as follows:

7 (110 ILCS 27/5)

8 Sec. 5. Definitions. In this Act:

9 "Dual credit course" means a college course taken by a
10 high school student for credit at both the college and high
11 school level.

12 "Postsecondary institution" ~~"Institution"~~ means an
13 "institution of higher learning" as defined in the Higher
14 Education Student Assistance Act.

15 (Source: P.A. 96-194, eff. 1-1-10.)

1 (110 ILCS 27/10)

2 Sec. 10. Purpose. The purpose of this Act is to accomplish
3 all of the following:

4 (1) To reduce college costs.

5 (2) To speed time to degree completion.

6 (3) To improve the curriculum for high school students
7 and the alignment of the curriculum with college and
8 workplace expectations.

9 (4) To facilitate the transition between high school
10 and college.

11 (5) To enhance communication and collaboration between
12 high schools and colleges, which leads to the
13 establishment of strong local partnerships that seek to
14 expand opportunities for students.

15 (6) To offer opportunities for improving degree
16 attainment for underserved student populations and provide
17 meaningful educational opportunities that support student
18 success and ensure dual credit is used as a strategic tool
19 for closing opportunity gaps by increasing postsecondary
20 completion.

21 (Source: P.A. 96-194, eff. 1-1-10.)

22 (110 ILCS 27/15)

23 Sec. 15. Student academic standing. Postsecondary
24 institutions ~~Institutions~~ may adopt policies to protect the
25 academic standing of students who are not successful in dual

1 credit courses, including, but not limited to, options for (i)
2 late withdrawal from a course, or (ii) taking the course on a
3 pass-fail basis, or both. All institutional policies relating
4 to the academic standing of students enrolled in dual credit
5 courses or the transfer of credit for dual credit courses must
6 be made publicly available by the postsecondary institution
7 and provided to each student enrolled in dual credit courses
8 offered by that postsecondary institution.

9 (Source: P.A. 100-1049, eff. 1-1-19.)

10 (110 ILCS 27/16)

11 Sec. 16. High school and community college partnership
12 agreements; dual credit.

13 (a) A community college district shall, upon the written
14 request of a school district within the jurisdiction of the
15 community college district, enter into a partnership agreement
16 with the school district to offer dual credit coursework.

17 The school district and community college district must
18 designate a liaison and begin negotiations to reach a
19 partnership agreement no later than 60 calendar days after the
20 initial request.

21 A school district may offer any course identified in the
22 Illinois Articulation Initiative General Education Core
23 Curriculum package under the Illinois Articulation Initiative
24 Act as a dual credit course on the campus of a high school of
25 the school district and may use a high school instructor who

1 has met the academic credential requirements under this Act to
2 teach the dual credit course.

3 (b) The partnership agreement shall include all of the
4 following:

5 (1) The establishment of the school district's and the
6 community college district's respective roles and
7 responsibilities in providing the program and ensuring the
8 quality and instructional rigor of the program. This must
9 include an assurance that the community college district
10 has appropriate academic control of the curriculum,
11 consistent with any State or federal law and as required
12 or negotiated with the Higher Learning Commission or other
13 applicable accrediting agency.

14 (2) The dual credit courses that the school district
15 will offer its students and whether those courses will be
16 offered on the high school or community college campus or
17 through an online (hybrid or virtual) platform ~~established~~
18 ~~by the Illinois Community College Board.~~

19 (3) The establishment of academic criteria for
20 granting eligibility for high school students to enroll in
21 dual credit coursework. The academic criteria shall be
22 evidence-based and shall include multiple appropriate
23 measures to determine whether a student is prepared for
24 any dual credit coursework in which the student enrolls.

25 (4) The establishment of any limitations that the
26 school district or community college district may put on

1 course offerings due to availability of instructors, the
2 availability of students for specific course offerings, or
3 local board policy.

4 (5) The requirement that the dual credit instructor
5 meet the academic credential requirements to teach a dual
6 credit course, consistent with paragraphs (1), (2), (2.5),
7 and (3) of Section 20 of this Act, but shall not be
8 required to exceed those minimum credentials.

9 (6) The collaborative process and criteria by which
10 the school district shall identify and recommend and the
11 community college district shall review and approve high
12 school instructors of dual credit courses taught on the
13 campus of a high school. This provision shall require that
14 the school district be responsible for hiring and
15 compensating the instructor.

16 (7) The requirement that a community college district
17 take the appropriate steps to ensure that dual credit
18 courses are equivalent to those courses offered at the
19 community college in quality and rigor to qualify for
20 college credit. The dual credit programs shall encompass
21 the following characteristics:

22 (A) Student learning outcomes expected for dual
23 credit courses in General Education Core Curriculum
24 courses and the professional and career and technical
25 disciplines shall be the same as the student learning
26 outcomes expected for the same courses taught on the

1 postsecondary campus.

2 (B) Course content, course delivery, and course
3 rigor shall be evaluated by the community college
4 chief academic officer or his or her designee, in
5 consultation with the school district's superintendent
6 or his or her designee. The evaluation shall be
7 conducted in a manner that is consistent with the
8 community college district's review and evaluation
9 policy and procedures for on-campus adjunct faculty,
10 including visits to the secondary class. This
11 evaluation shall be limited to the course and the
12 ability of the instructor to deliver quality, rigorous
13 college credit coursework. This evaluation shall not
14 impact the instructor's performance evaluation under
15 Article 24A of the School Code. This evaluation shall
16 be completed within the same school year that the
17 course is taught.

18 (C) The academic supports and, if applicable,
19 guidance that will be provided to students
20 participating in the program by the high school and
21 the community college district.

22 (8) Identify all fees and costs to be assessed by the
23 community college district for dual credit courses. This
24 provision shall require that any fees and costs assessed
25 for dual credit courses shall be reasonable and promote
26 student access to those courses, and may take into account

1 regional considerations and differences.

2 (8.5) The collaborative process and criteria by which
3 a school district and a community college district shall
4 work to ensure that individual students with disabilities
5 have access to dual credit courses, provided that those
6 students are able to meet the criteria for entry into a
7 dual credit course. Through this process and criteria, the
8 student shall have access to the supplementary aids and
9 accommodations included in the student's individualized
10 education program under Article 14 of the School Code or
11 Section 504 plan under the federal Rehabilitation Act of
12 1973 while the student is accessing a dual credit course
13 on a high school campus, in accordance with established
14 practices at the high school for providing these services.
15 A student who accesses a dual credit course on a community
16 college campus shall have access to supplementary aids and
17 accommodations provided in the partnership agreement,
18 including access to the community college's disability
19 services. A school district and community college district
20 shall work together to provide seamless communication
21 about the student's eligibility for disability services
22 and dual credit course progress.

23 (9) The community college district shall establish a
24 mechanism for evaluating and documenting on a regular
25 basis the performance of students who complete dual credit
26 courses, consistent with paragraph (9) of Section 20 and

1 Section 30 of this Act, and for sharing that data in a
2 meaningful and timely manner with the school district.
3 This evaluation shall be limited to the course and the
4 coursework. This evaluation shall not impact the
5 instructor's performance evaluation under Article 24A of
6 the School Code.

7 (10) The expectations for maintaining the rigor of
8 dual credit courses that are taught at the high school and
9 including students not deemed ready for college-level
10 coursework according to the standards of the community
11 college.

12 (11) A requirement that the school district and
13 community college annually assess disaggregated data
14 pertaining to dual credit course enrollments, completions,
15 and subsequent postsecondary enrollment and performance to
16 the extent feasible. If applicable, this assessment shall
17 include an analysis of dual credit courses with credit
18 sections for dual credit and for high school credit only
19 pursuant to subsection (a) of Section 16.5 that reviews
20 student characteristics by credit section in relation to
21 gender, race and ethnicity, and low-income status.

22 ~~If, within 180 calendar days of the school district's~~
23 ~~initial request to enter into a partnership agreement with the~~
24 ~~community college district, the school district and the~~
25 ~~community college district do not reach agreement on the~~
26 ~~partnership agreement, then the school district and community~~

1 ~~college district shall jointly implement the provisions of the~~
2 ~~Model Partnership Agreement established under Section 19 of~~
3 ~~this Act for which local agreement could not be reached. A~~
4 ~~community college district may combine its negotiations with~~
5 ~~multiple school districts to establish one multi district~~
6 ~~partnership agreement or may negotiate individual partnership~~
7 ~~agreements at its discretion.~~

8 (Source: P.A. 102-516, eff. 8-20-21; 102-1077, eff. 1-1-23.)

9 (110 ILCS 27/16.10 new)

10 Sec. 16.10. Partnership agreement negotiations with
11 liaison. Prior to offering dual credit coursework with any
12 postsecondary institution other than a community college, a
13 school district shall first negotiate with the designated
14 liaison of the school district's local community college
15 district to seek a partnership agreement with the community
16 college district as provided in Section 16. After mutually
17 agreeing that a partnership with the community college
18 district is not feasible, the school district may enter into a
19 partnership agreement with an alternative postsecondary
20 institution that addresses each item listed in subsection (b)
21 of Section 16.

22 (110 ILCS 27/17)

23 Sec. 17. Out-of-state dual credit contracts. On or after
24 the effective date of this amendatory Act of the 100th General

1 Assembly, a school district may not enter into a new contract
2 with an out-of-state postsecondary institution to provide a
3 dual credit course without first offering the community
4 college district in the district in which the school district
5 is located the opportunity to provide the course. Prior to
6 entering into a contract with an out-of-state postsecondary
7 institution, the school district shall notify the Illinois
8 Community College Board ~~Board of Higher Education~~ of its
9 intent to enter into an agreement with an out-of-state
10 postsecondary institution. The Illinois Community College
11 Board ~~Board of Higher Education~~ shall have 30 days to provide
12 the school district with a list of in-state postsecondary
13 institutions that can provide the school district an
14 equivalent dual credit opportunity. The school district may
15 not enter into a contract with an out-of-state postsecondary
16 institution on or after the effective date of this amendatory
17 Act of the 104th General Assembly until the school district
18 has demonstrated to the Illinois Community College Board that
19 the school district has taken appropriate steps to consider
20 the listing of in-state postsecondary institutions and
21 provides a rationale as to why the course can be provided only
22 by an out-of-state postsecondary institution; however, this
23 limitation does not apply to a contract that was entered into
24 prior to the effective date of this amendatory Act of the 104th
25 General Assembly. In deciding which dual credit courses to
26 offer, a school district reserves the right to evaluate any

1 dual credit course offered by any postsecondary institution
2 for quality, rigor, and alignment with the school district's
3 students' needs.

4 Agreements to provide dual credit courses between a school
5 district and an out-of-state postsecondary institution in
6 existence on the effective date of this amendatory Act of the
7 100th General Assembly shall remain in effect and shall not be
8 impacted by this Section.

9 (Source: P.A. 100-1049, eff. 1-1-19.)

10 (110 ILCS 27/19.5 new)

11 Sec. 19.5. Dual Credit Committee.

12 (a) Because postsecondary institutions and school
13 districts are equally committed to the success of all students
14 involved in dual credit and to ensure the equity and quality of
15 the student experience that leads to college completion and
16 increased economic mobility, a standing Dual Credit Committee
17 involving collaboration between the Illinois Community College
18 Board and the State Board of Education is created and shall
19 consist of: the State Superintendent of Education or the
20 Superintendent's designee; 10 members appointed by the State
21 Superintendent, including one representative from a statewide
22 professional teachers' organization and one representative
23 from a different statewide professional teachers'
24 organization; the Executive Director of the Illinois Community
25 College Board or the Executive Director's designee; and 10

1 members appointed by the Executive Director of the Illinois
2 Community College Board, including one representative from a
3 statewide professional teachers' organization and one
4 representative from a different statewide professional
5 teachers' organization. The Executive Director of the Board of
6 Higher Education or the Executive Director's designee shall
7 serve as an ex-officio member.

8 (b) The Illinois Community College Board shall provide
9 administrative support to the Committee.

10 (c) The Committee shall meet within 60 days after the
11 effective date of this amendatory Act of the 104th General
12 Assembly and subsequently shall meet at least annually to
13 focus on approving accessibility, quality, and alignment of
14 dual credit programs to meet the needs of students. The
15 Committee may consider and develop updates to the Model
16 Partnership Agreement and associated exhibits.

17 (110 ILCS 27/20)

18 Sec. 20. Standards. All postsecondary institutions
19 offering dual credit courses shall meet the following
20 standards:

21 (1) High school instructors teaching credit-bearing
22 college-level courses for dual credit must meet any of the
23 academic credential requirements set forth in this
24 paragraph or paragraph (2), (2.5), or (3) of this Section
25 and need not meet higher certification requirements or

1 those set out in Article 21B of the School Code:

2 (A) Approved instructors of dual credit courses
3 shall meet any of the faculty credential standards
4 allowed by the Higher Learning Commission to determine
5 minimally qualified faculty. At the request of an
6 instructor, an instructor who meets these credential
7 standards shall be provided by the State Board of
8 Education with a Dual Credit Endorsement, to be placed
9 on the professional educator license, as established
10 by the State Board of Education and as authorized
11 under Article 21B of the School Code and promulgated
12 through administrative rule in cooperation with the
13 Illinois Community College Board and the Board of
14 Higher Education. The academic credentials required to
15 be a fully qualified instructor shall include either
16 (i) a master's degree in the discipline to be taught or
17 (ii) a master's degree in any other discipline and a
18 minimum of, but not more than, 18 graduate hours in the
19 discipline to be taught.

20 (B) An instructor who does not meet the faculty
21 credential standards allowed by the Higher Learning
22 Commission to determine minimally qualified faculty
23 may teach dual credit courses if the instructor has a
24 professional development plan, approved by the
25 postsecondary institution and shared with the State
26 Board of Education ~~no later than January 1, 2025,~~ to

1 raise his or her credentials to be in line with the
2 credentials under subparagraph (A) of this paragraph
3 (1). The postsecondary institution shall have 30 days
4 to review the plan and approve an instructor
5 professional development plan that is in line with the
6 credentials set forth in paragraph (2) or (2.5) of
7 this Section. The postsecondary institution shall not
8 unreasonably withhold approval of a professional
9 development plan. These approvals shall be good for as
10 long as satisfactory progress toward the completion of
11 the credential is demonstrated, but in no event shall
12 a professional development plan be in effect for more
13 than 3 years from the date of its approval ~~or after~~
14 ~~January 1, 2028, whichever is sooner~~. A high school
15 instructor whose professional development plan is not
16 approved by the postsecondary institution may appeal
17 to the Illinois Community College Board or the Board
18 of Higher Education, as appropriate.

19 (C) The Illinois Community College Board and Board
20 of Higher Education shall report yearly on their
21 Internet websites the following:

22 (i) the number of teachers presently enrolled
23 in an approved professional development plan under
24 this Section;

25 (ii) the number of instructors who
26 successfully completed an approved professional

1 development plan;

2 (iii) the number of instructors who did not
3 successfully complete an approved professional
4 development plan after 3 years;

5 (iv) a breakdown of the information in
6 subdivisions (i), (ii), and (iii) of this
7 subparagraph (C) by subject area; and

8 (v) a summary, by community college district,
9 of professional development plans that are in
10 progress, that were successfully completed, or
11 that have expired.

12 The State Board of Education shall provide the
13 Illinois Community College Board and Board of Higher
14 Education with any information necessary to complete
15 the reporting required under this subparagraph (C).

16 (2) For a high school instructor entering into a
17 professional development plan prior to January 1, 2023,
18 the high school instructor shall qualify for a
19 professional development plan if the instructor:

20 (A) has a master's degree in any discipline and
21 has earned 9 graduate hours in a discipline in which he
22 or she is currently teaching or expects to teach; or

23 (B) has a bachelor's degree with a minimum of 18
24 graduate hours in a discipline that he or she is
25 currently teaching or expects to teach and is enrolled
26 in a discipline-specific master's degree program; and

1 (C) agrees to demonstrate his or her progress
2 toward completion to the supervising postsecondary
3 institution, as outlined in the professional
4 development plan.

5 (2.5) For a high school instructor entering into a
6 professional development plan on or after January 1, 2023,
7 the high school instructor shall qualify for a
8 professional development plan if the instructor:

9 (A) has a master's degree in any discipline, has
10 earned 9 graduate hours in a discipline in which he or
11 she currently teaches or expects to teach, and agrees
12 to demonstrate his or her progress toward completion
13 to the supervising postsecondary institution, as
14 outlined in the professional development plan; or

15 (B) is a fully licensed instructor in career and
16 technical education who is halfway toward meeting the
17 postsecondary institution's requirements for faculty
18 in the discipline to be taught and agrees to
19 demonstrate his or her progress toward completion to
20 the supervising postsecondary institution, as outlined
21 in the professional development plan.

22 (3) An instructor in career and technical education
23 courses must possess the credentials and demonstrated
24 teaching competencies appropriate to the field of
25 instruction.

26 (4) Course content must be equivalent to

1 credit-bearing college-level courses offered at the
2 community college.

3 (5) Learning outcomes must be the same as
4 credit-bearing college-level courses and be appropriately
5 measured.

6 (6) A high school instructor is expected to
7 participate in any orientation developed by the
8 postsecondary institution for dual credit instructors in
9 course curriculum, assessment methods, and administrative
10 requirements.

11 (7) Dual credit instructors must be given the
12 opportunity to participate in all activities available to
13 other adjunct faculty, including professional development,
14 seminars, site visits, and internal communication,
15 provided that such opportunities do not interfere with an
16 instructor's regular teaching duties.

17 (8) Every dual credit course must be reviewed annually
18 by faculty through the appropriate department to ensure
19 consistency with campus courses.

20 (9) Dual credit students must be assessed using
21 methods consistent with students in traditional
22 credit-bearing college courses.

23 (10) Within 15 days after entering into or renewing a
24 partnership agreement, the postsecondary institution shall
25 notify its faculty of the agreement, including access to
26 copies of the agreement if requested.

1 (Source: P.A. 102-558, eff. 8-20-21; 102-1077, eff. 1-1-23;
2 103-154, eff. 6-30-23.)

3 (110 ILCS 27/22 new)

4 Sec. 22. Notification of disapproval or withdrawal;
5 appeal. A community college district with an established
6 partnership agreement with a school district has 30 calendar
7 days from the initial course request to notify the school
8 district of the community college district's disapproval of
9 the course request, instructor, or course documentation or the
10 community college district's withdrawal of course or
11 instructor approval. Thereafter, the school district may
12 appeal the disapproval or withdrawal to the Executive Director
13 of the Illinois Community College Board within 14 calendar
14 days after the notice is received. The Executive Director of
15 the Illinois Community College Board shall render a decision
16 within 45 calendar days after the appeal is filed and provide
17 notice of the Executive Director's decision to the community
18 college district and school district. The decision of the
19 Executive Director may be appealed to the Illinois Community
20 College Board by either the community college district or the
21 school district within 30 calendar days after the decision by
22 submitting a written request for reconsideration of the
23 decision to the Illinois Community College Board. If no appeal
24 is received within 30 calendar days, the Executive Director's
25 decision shall be final and binding. The community college

1 district and school district may make both oral and written
2 presentations to the Illinois Community College Board at the
3 time the decision is reconsidered. The Illinois Community
4 College Board's decision shall be final and binding.

5 (1) If the Illinois Community College Board finds in
6 favor of the school district with respect to the course,
7 instructor, or course documentation but the community
8 college district elects not to offer the course or approve
9 the instructor or course documentation, the school
10 district may pursue an alternative postsecondary
11 institution to provide that course and must notify the
12 community college district within 14 calendar days after
13 the Illinois Community College Board's decision with the
14 school district's intent to do so, along with the reason
15 for seeking an alternative postsecondary institution.

16 (2) If the Illinois Community College Board finds in
17 favor of the community college district's decision to
18 disapprove the school district's course request,
19 instructor, or course documentation or the community
20 college district's withdrawal of course or instructor
21 approval, the school district may not approach an
22 alternative postsecondary institution, including another
23 community college district, with the same course or
24 instructor proposal. The school district may not be
25 prohibited from establishing a new partnership agreement
26 with the community college district if the course request,

1 instructor, or course documentation changes.

2 (110 ILCS 27/25)

3 Sec. 25. Oversight, review, and reporting.

4 (a) The Illinois Community College Board shall be
5 responsible for oversight and review of dual credit programs
6 offered jointly by public community colleges and high schools.
7 The Illinois Community College Board shall implement a review
8 process and criteria for evaluating dual credit program
9 quality based upon the standards enumerated in Section 20 of
10 this Act.

11 (b) The Board of Higher Education shall be responsible for
12 oversight and review of dual credit programs offered jointly
13 by high schools and postsecondary institutions, except for
14 public community colleges as provided in subsection (a) of
15 this Section. The Board of Higher Education shall develop and
16 implement a review process based on the standards enumerated
17 in Section 20 of this Act.

18 (c) Each postsecondary institution shall report annually
19 to the appropriate agency, the Illinois Community College
20 Board or the Board of Higher Education. The reports shall
21 include, but not be limited to, the following data:

22 (1) Number and description of dual credit courses.

23 (2) Faculty teaching dual credit courses and their
24 academic credentials.

25 (3) Enrollments in dual credit courses.

1 (4) Sites of dual credit offerings.

2 (d) Each postsecondary institution shall file an
3 electronic copy of any dual credit agreement executed or
4 amended on or after the effective date of this amendatory Act
5 of the 104th General Assembly within 30 days after execution
6 or amendment with the Board of Higher Education or Illinois
7 Community College Board, as appropriate. The Illinois
8 Community College Board shall publish all dual credit
9 agreements between school districts and out-of-state or
10 private postsecondary institutions on its website.

11 (Source: P.A. 96-194, eff. 1-1-10.)

12 (110 ILCS 27/45 new)

13 Sec. 45. State and federal law and administrative rule
14 requirements. All postsecondary institutions and school
15 districts shall ensure that dual credit courses, instructors,
16 and course documentation meet requirements established by
17 State and federal law and administrative rules adopted by
18 State agencies and are aligned with the Higher Learning
19 Commission or other applicable accreditation agencies.

20 (110 ILCS 27/50 new)

21 Sec. 50. Study. Five years after the effective date of
22 this amendatory Act of the 104th General Assembly, the
23 Illinois Community College Board shall conduct a study
24 concerning the impact of the changes made by this amendatory

1 Act of the 104th General Assembly, including, but not limited
2 to, the impact on postsecondary enrollment, persistence,
3 completion, quality, and access to dual credit in Illinois.
4 The study shall include student demographics. The study shall
5 be submitted to the General Assembly and the Governor by
6 October 1, 2030 and published on the Illinois Community
7 College Board's website.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".