



Sen. Cristina Castro

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10400SB0404sam003

LRB104 06641 LNS 26777 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 member who is a
3 community college faculty member who is a representative of a
4 statewide professional teachers' organization and one member
5 who is a community college faculty member who is a
6 representative from a different statewide professional
7 teachers' organization. The Executive Director of the Board of
8 Higher Education or the Executive Director's designee shall
9 serve as an ex-officio member.

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

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

19 (110 ILCS 27/20)

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

23 (1) High school instructors teaching credit-bearing
24 college-level courses for dual credit must meet any of the
25 academic credential requirements set forth in this

1 paragraph or paragraph (2), (2.5), or (3) of this Section
2 and need not meet higher certification requirements or
3 those set out in Article 21B of the School Code:

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

22 (B) An instructor who does not meet the faculty
23 credential standards allowed by the Higher Learning
24 Commission to determine minimally qualified faculty
25 may teach dual credit courses if the instructor has a
26 professional development plan, approved by the

1 postsecondary institution and shared with the State
2 Board of Education ~~no later than January 1, 2025,~~ to
3 raise his or her credentials to be in line with the
4 credentials under subparagraph (A) of this paragraph
5 (1). The postsecondary institution shall have 30 days
6 to review the plan and approve an instructor
7 professional development plan that is in line with the
8 credentials set forth in paragraph (2) or (2.5) of
9 this Section. The postsecondary institution shall not
10 unreasonably withhold approval of a professional
11 development plan. These approvals shall be good for as
12 long as satisfactory progress toward the completion of
13 the credential is demonstrated, but in no event shall
14 a professional development plan be in effect for more
15 than 3 years from the date of its approval ~~or after~~
16 ~~January 1, 2028, whichever is sooner.~~ A high school
17 instructor whose professional development plan is not
18 approved by the postsecondary institution may appeal
19 to the Illinois Community College Board or the Board
20 of Higher Education, as appropriate.

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

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

1 (ii) the number of instructors who
2 successfully completed an approved professional
3 development plan;

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

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

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

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

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

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

25 (B) has a bachelor's degree with a minimum of 18
26 graduate hours in a discipline that he or she is

1 currently teaching or expects to teach and is enrolled
2 in a discipline-specific master's degree program; and

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

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

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

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

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

1 instruction.

2 (4) Course content must be equivalent to
3 credit-bearing college-level courses offered at the
4 community college.

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

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

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

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

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

25 (10) Within 15 days after entering into or renewing a
26 partnership agreement, the postsecondary institution shall

1 notify its faculty of the agreement, including access to
2 copies of the agreement if requested.

3 (Source: P.A. 102-558, eff. 8-20-21; 102-1077, eff. 1-1-23;
4 103-154, eff. 6-30-23.)

5 (110 ILCS 27/22 new)

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

1 is received within 30 calendar days, the Executive Director's
2 decision shall be final and binding. The community college
3 district and school district may make both oral and written
4 presentations to the Illinois Community College Board at the
5 time the decision is reconsidered. The Illinois Community
6 College Board's decision shall be final and binding.

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

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

1 prohibited from establishing a new partnership agreement
2 with the community college district if the course request,
3 instructor, or course documentation changes.

4 (110 ILCS 27/25)

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

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

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

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

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

25 (2) Faculty teaching dual credit courses and their

1 academic credentials.

2 (3) Enrollments in dual credit courses.

3 (4) Sites of dual credit offerings.

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

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

14 (110 ILCS 27/45 new)

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

22 (110 ILCS 27/50 new)

23 Sec. 50. Study. Five years after the effective date of
24 this amendatory Act of the 104th General Assembly, the

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

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.".