

1 AN ACT concerning higher education.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Higher Education Student Assistance Act
5 is amended by changing Sections 50, 52, and 65.15 as follows:

6 (110 ILCS 947/50)

7 Sec. 50. Minority Teachers of Illinois scholarship
8 program.

9 (a) As used in this Section:

10 "Eligible applicant" means a minority student who
11 has graduated from high school or has received a General
12 Educational Development Certification and has maintained
13 a cumulative grade point average of no less than 2.5 on a
14 4.0 scale, and who by reason thereof is entitled to apply
15 for scholarships to be awarded under this Section.

16 "Minority student" means a student who is either (i)
17 Black (a person having origins in any of the black racial
18 groups in Africa); (ii) Hispanic (a person of Spanish or
19 Portuguese culture with origins in Mexico, South or
20 Central America, or the Caribbean islands, regardless of
21 race); (iii) Asian American (a person with origins in any
22 of the original peoples of the Far East, Southeast Asia,
23 the Indian subcontinent, including Pakistan, and the
24 Pacific Islands, including, among others, Hawaii,
25 Melanesia, Micronesia and Polynesia); or (iv) Native
26 American (a person who is a member of a federally or
27 state recognized Indian tribe, or whose parents or
28 grandparents have such membership) and to include the
29 native people of Alaska.

30 "Qualified student" means a person (i) who is a
31 resident of this State and a citizen or permanent

1 resident of the United States; (ii) who is a minority
2 student, as defined in this Section; (iii) who, as an
3 eligible applicant, has made a timely application for a
4 minority teaching scholarship under this Section; (iv)
5 who is enrolled on at least a half-time basis at a
6 qualified Illinois institution of higher learning; (v)
7 who is enrolled in a course of study leading to teacher
8 certification, including alternative teacher
9 certification; (vi) who maintains a grade point average
10 of no less than 2.5 on a 4.0 scale; and (vii) who
11 continues to advance satisfactorily toward the attainment
12 of a degree.

13 (b) In order to encourage academically talented Illinois
14 minority students to pursue teaching careers at the preschool
15 or elementary or secondary school level, each qualified
16 student shall be awarded a minority teacher scholarship to
17 any qualified Illinois institution of higher learning.
18 However, preference may be given to qualified applicants
19 enrolled at or above the junior level.

20 (c) Each minority teacher scholarship awarded under this
21 Section shall be in an amount sufficient to pay the tuition
22 and fees and room and board costs of the qualified Illinois
23 institution of higher learning at which the recipient is
24 enrolled, up to an annual maximum of \$5,000; except that in
25 the case of a recipient who does not reside on-campus at the
26 institution at which he or she is enrolled, the amount of the
27 scholarship shall be sufficient to pay tuition and fee
28 expenses and a commuter allowance, up to an annual maximum of
29 \$5,000.

30 (d) The total amount of minority teacher scholarship
31 assistance awarded by the Commission under this Section to an
32 individual in any given fiscal year, when added to other
33 financial assistance awarded to that individual for that
34 year, shall not exceed the cost of attendance at the

1 institution at which the student is enrolled. If the amount
2 of minority teacher scholarship to be awarded to a qualified
3 student as provided in subsection (c) of this Section exceeds
4 the cost of attendance at the institution at which the
5 student is enrolled, the minority teacher scholarship shall
6 be reduced by an amount equal to the amount by which the
7 combined financial assistance available to the student
8 exceeds the cost of attendance.

9 (e) The maximum number of academic terms for which a
10 qualified student can receive minority teacher scholarship
11 assistance shall be 8 semesters or 12 quarters.

12 (f) In any academic year for which an eligible applicant
13 under this Section accepts financial assistance through the
14 Paul Douglas Teacher Scholarship Program, as authorized by
15 Section 551 et seq. of the Higher Education Act of 1965, the
16 applicant shall not be eligible for scholarship assistance
17 awarded under this Section.

18 (g) All applications for minority teacher scholarships
19 to be awarded under this Section shall be made to the
20 Commission on forms which the Commission shall provide for
21 eligible applicants. The form of applications and the
22 information required to be set forth therein shall be
23 determined by the Commission, and the Commission shall
24 require eligible applicants to submit with their applications
25 such supporting documents or recommendations as the
26 Commission deems necessary.

27 (h) Subject to a separate appropriation for such
28 purposes, payment of any minority teacher scholarship awarded
29 under this Section shall be determined by the Commission.
30 All scholarship funds distributed in accordance with this
31 subsection shall be paid to the institution and used only for
32 payment of the tuition and fee and room and board expenses
33 incurred by the student in connection with his or her
34 attendance as an undergraduate student at a qualified

1 Illinois institution of higher learning. Any minority
2 teacher scholarship awarded under this Section shall be
3 applicable to 2 semesters or 3 quarters of enrollment. If a
4 qualified student withdraws from enrollment prior to
5 completion of the first semester or quarter for which the
6 minority teacher scholarship is applicable, the school shall
7 refund to the Commission the full amount of the minority
8 teacher scholarship.

9 (i) The Commission shall administer the minority teacher
10 scholarship aid program established by this Section and shall
11 make all necessary and proper rules not inconsistent with
12 this Section for its effective implementation.

13 (j) When an appropriation to the Commission for a given
14 fiscal year is insufficient to provide scholarships to all
15 qualified students, the Commission shall allocate the
16 appropriation in accordance with this subsection. If funds
17 are insufficient to provide all qualified students with a
18 scholarship as authorized by this Section, the Commission
19 shall allocate the available scholarship funds for that
20 fiscal year on the basis of the date the Commission receives
21 a complete application form.

22 (k) Notwithstanding the provisions of subsection (j) or
23 any other provision of this Section, at least 30% of the
24 funds appropriated for scholarships awarded under this
25 Section in each fiscal year shall be reserved for qualified
26 male minority applicants. If the Commission does not receive
27 enough applications from qualified male minorities on or
28 before January 1 of each fiscal year to award 30% of the
29 funds appropriated for these scholarships to qualified male
30 minority applicants, then the Commission may award a portion
31 of the reserved funds to qualified female minority
32 applicants.

33 (l) Prior to receiving scholarship assistance for any
34 academic year, each recipient of a minority teacher

1 scholarship awarded under this Section shall be required by
2 the Commission to sign an agreement under which the recipient
3 pledges that, within the one-year period following the
4 termination of the program for which the recipient was
5 awarded a minority teacher scholarship, the recipient (i)
6 shall begin teaching for a period of not less than one year
7 for each year of scholarship assistance he or she was awarded
8 under this Section; and (ii) shall fulfill this teaching
9 obligation at a nonprofit Illinois public, private, or
10 parochial preschool, elementary school, or secondary school
11 at which no less than 30% of the enrolled students are
12 minority students in the year during which the recipient
13 begins teaching at the school; and (iii) shall, upon request
14 by the Commission, provide the Commission with evidence that
15 he or she is fulfilling or has fulfilled the terms of the
16 teaching agreement provided for in this subsection.

17 (m) If a recipient of a minority teacher scholarship
18 awarded under this Section fails to fulfill the teaching
19 obligation set forth in subsection (l) of this Section, the
20 Commission shall require the recipient to repay the amount of
21 the scholarships received, prorated according to the fraction
22 of the teaching obligation not completed, at a rate of
23 interest equal to 5%, and, if applicable, reasonable
24 collection fees. The Commission is authorized to establish
25 rules relating to its collection activities for repayment of
26 scholarships under this Section. All repayments collected
27 under this Section shall be forwarded to the State
28 Comptroller for deposit into the State's General Revenue
29 Fund, except that that portion of a recipient's repayment
30 that equals the amount in expenses that the Commission has
31 reasonably incurred in attempting collection from that
32 recipient shall be forwarded to the State Comptroller for
33 deposit into the Commission's Accounts Receivable Fund.

34 (n) A recipient of minority teacher scholarship shall

1 not be considered in violation of the agreement entered into
2 pursuant to subsection (1) if the recipient (i) enrolls on a
3 full time basis as a graduate student in a course of study
4 related to the field of teaching at a qualified Illinois
5 institution of higher learning; (ii) is serving, not in
6 excess of 3 years, as a member of the armed services of the
7 United States; (iii) is temporarily totally disabled for a
8 period of time not to exceed 3 years as established by sworn
9 affidavit of a qualified physician; (iv) is seeking and
10 unable to find full time employment as a teacher at an
11 Illinois public, private, or parochial preschool or
12 elementary or secondary school that satisfies the criteria
13 set forth in subsection (1) of this Section and is able to
14 provide evidence of that fact; or, (v) becomes permanently
15 totally disabled as established by sworn affidavit of a
16 qualified physician.

17 (o) Scholarship recipients under this Section who
18 withdraw from a program of teacher education but remain
19 enrolled in school to continue their postsecondary studies in
20 another academic discipline shall not be required to commence
21 repayment of their Minority Teachers of Illinois scholarship
22 so long as they remain enrolled in school on a full-time
23 basis or if they can document for the Commission special
24 circumstances that warrant extension of repayment.

25 (Source: P.A. 91-670, eff. 12-22-99; 92-845, eff. 1-1-03.)

26 (110 ILCS 947/52)

27 Sec. 52. ITEACH Teacher Shortage Scholarship Program.

28 (a) In order to encourage academically talented Illinois
29 students, especially minority students, to pursue teaching
30 careers in teacher shortage disciplines, the Commission
31 shall, each year, receive and consider applications for
32 scholarship assistance under this Section. An applicant is
33 eligible for a scholarship under this Section when the

1 Commission finds that the applicant is:

2 (1) a United States citizen or eligible noncitizen;

3 (2) a resident of Illinois;

4 (3) a high school graduate or a person who has
5 received a General Educational Development Certificate;

6 (4) enrolled or accepted for enrollment, on at
7 least a half-time basis, at an Illinois institution of
8 higher learning; and

9 (5) pursuing a postsecondary course of study
10 leading to initial certification in a teacher shortage
11 discipline or pursuing additional course work needed to
12 gain State Board of Education approval to teach,
13 including alternative teacher certification, in an
14 approved specialized area in which a teacher shortage
15 exists.

16 (b) Recipients shall be selected from among applicants
17 qualified pursuant to subsection (a) based on a combination
18 of the following criteria as set forth by the Commission: (1)
19 academic excellence; (2) status as a minority student as
20 defined in Section 50; and (3) financial need. Preference
21 may be given to previous recipients of assistance under this
22 Section, provided they continue to maintain eligibility and
23 maintain satisfactory academic progress as determined by the
24 institution of higher learning at which they enroll.
25 Preference may also be given to qualified applicants enrolled
26 at or above the junior level.

27 (c) Each scholarship awarded under this Section shall be
28 in an amount sufficient to pay the tuition and fees and room
29 and board costs of the Illinois institution of higher
30 learning at which the recipient is enrolled, up to an annual
31 maximum of \$5,000; except that in the case of a recipient who
32 does not reside on-campus at the institution of higher
33 learning at which he or she is enrolled, the amount of the
34 scholarship shall be sufficient to pay tuition and fee

1 expenses and a commuter allowance, up to an annual maximum of
2 \$5,000.

3 (d) The total amount of scholarship assistance awarded
4 by the Commission under this Section to an individual in any
5 given fiscal year, when added to other financial assistance
6 awarded to that individual for that year, shall not exceed
7 the cost of attendance at the institution of higher learning
8 at which the student is enrolled.

9 (e) A recipient may receive up to 8 semesters or 12
10 quarters of scholarship assistance under this Section.

11 (f) All applications for scholarship assistance to be
12 awarded under this Section shall be made to the Commission in
13 a form as set forth by the Commission. The form of
14 application and the information required to be set forth
15 therein shall be determined by the Commission, and the
16 Commission shall require eligible applicants to submit with
17 their applications such supporting documents as the
18 Commission deems necessary.

19 (g) Subject to a separate appropriation made for such
20 purposes, payment of any scholarship awarded under this
21 Section shall be determined by the Commission. All
22 scholarship funds distributed in accordance with this Section
23 shall be paid to the institution on behalf of the recipients.
24 Scholarship funds are applicable toward 2 semesters or 3
25 quarters of enrollment within an academic year.

26 (h) The Commission shall administer the ITEACH Teacher
27 Shortage Scholarship Program established by this Section and
28 shall make all necessary and proper rules not inconsistent
29 with this Section for its effective implementation.

30 (i) Prior to receiving scholarship assistance for any
31 academic year, each recipient of a scholarship awarded under
32 this Section shall be required by the Commission to sign an
33 agreement under which the recipient pledges that, within the
34 one-year period following the termination of the academic

1 program for which the recipient was awarded a scholarship,
2 the recipient: (i) shall begin teaching in a teacher shortage
3 discipline for a period of not less than one year for each
4 year of scholarship assistance awarded under this Section,
5 (ii) shall fulfill this teaching obligation at a nonprofit
6 Illinois public, private, or parochial preschool or
7 elementary or secondary school, and (iii) shall, upon request
8 of the Commission, provide the Commission with evidence that
9 he or she is fulfilling or has fulfilled the terms of the
10 teaching agreement provided for in this subsection.

11 (j) If a recipient of a scholarship awarded under this
12 Section fails to fulfill the teaching obligation set forth in
13 subsection (i) of this Section, the Commission shall require
14 the recipient to repay the amount of the scholarships
15 received, prorated according to the fraction of the teaching
16 obligation not completed, plus interest at a rate of 5% and
17 if applicable, reasonable collection fees. The Commission is
18 authorized to establish rules relating to its collection
19 activities for repayment of scholarships under this Section.
20 Payments received by the Commission under this subsection (j)
21 shall be remitted to the State Comptroller for deposit into
22 the General Revenue Fund, except that that portion of a
23 recipient's repayment that equals the amount in expenses that
24 the Commission has reasonably incurred in attempting
25 collection from that recipient shall be remitted to the State
26 Comptroller for deposit into the Commission's Accounts
27 Receivable Fund.

28 (k) A recipient of a scholarship awarded by the
29 Commission under this Section shall not be in violation of
30 the agreement entered into pursuant to subsection (i) if the
31 recipient (i) enrolls on a full-time basis as a graduate
32 student in a course of study related to the field of teaching
33 at an institution of higher learning; (ii) is serving as a
34 member of the armed services of the United States; (iii) is

1 temporarily totally disabled, as established by sworn
2 affidavit of a qualified physician; or (iv) is seeking and
3 unable to find full-time employment as a teacher at a school
4 that satisfies the criteria set forth in subsection (i) and
5 is able to provide evidence of that fact. Any such extension
6 of the period during which the teaching requirement must be
7 fulfilled shall be subject to limitations of duration as
8 established by the Commission.

9 (Source: P.A. 91-670, eff. 12-22-99; 92-845, eff. 1-1-03.)

10 (110 ILCS 947/65.15)

11 Sec. 65.15. Special education teacher scholarships.

12 (a) There shall be awarded annually 250 scholarships to
13 persons qualifying as members of any either of the following
14 groups:

15 (1) Students who are otherwise qualified to receive
16 a scholarship as provided in subsections (b) and (c) of
17 this Section and who make application to the Commission
18 for such scholarship and agree to take courses that will
19 prepare the student for the teaching of children
20 described in Section 14-1 of the School Code.

21 (2) Persons holding a valid certificate issued
22 under the laws relating to the certification of teachers
23 and who make application to the Commission for such
24 scholarship and agree to take courses that will prepare
25 them for the teaching of children described in Section
26 14-1 of the School Code.

27 (3) Persons who (A) have graduated high school; (B)
28 have not been certified as a teacher; and (C) make
29 application to the Commission for such scholarship and
30 agree to take courses that will prepare them for the
31 teaching of children described in Section 14-1 of the
32 School Code.

33 Scholarships awarded under this Section shall be issued

1 pursuant to regulations promulgated by the Commission;
2 provided that no rule or regulation promulgated by the State
3 Board of Education prior to the effective date of this
4 amendatory Act of 1993 pursuant to the exercise of any right,
5 power, duty, responsibility or matter of pending business
6 transferred from the State Board of Education to the
7 Commission under this Section shall be affected thereby, and
8 all such rules and regulations shall become the rules and
9 regulations of the Commission until modified or changed by
10 the Commission in accordance with law.

11 For the purposes of this Section scholarships awarded
12 each school year shall be deemed to be issued on July 1 of
13 the year prior to the start of the postsecondary school term
14 and all calculations for use of the scholarship shall be
15 based on such date. Each scholarship shall entitle its
16 holder to exemption from fees as provided in subsection (a)
17 of Section 65.40 while enrolled in a special education
18 program of teacher education, for a period of not more than 4
19 calendar years and shall be available for use at any time
20 during such period of study except as provided in subsection
21 (b) of Section 65.40.

22 Scholarships issued to holders of a valid certificate
23 issued under the laws relating to the certification of
24 teachers as provided in paragraph (2) of this subsection may
25 also entitle the holder thereof to a program of teacher
26 education that will prepare the student for the teaching of
27 children described in Section 14-1 of the School Code at the
28 graduate level.

29 (b) Each year, the principal, or his or her designee,
30 of each recognized public, private and parochial high school
31 maintaining the twelfth grade shall certify to the Commission
32 the names and addresses of students who are completing an
33 application with the intent to prepare to teach in any
34 recognized public, private, or parochial school of Illinois

1 and ranked scholastically in the upper one-half of their
2 graduating class or, for those not yet graduated, whose
3 scholastic rank in the 4-year high school course of study at
4 the end of the sixth semester is in the upper one-half of
5 their class.

6 (c) Each holder of a scholarship must furnish proof to
7 the Commission, in such form and at such intervals as the
8 Commission prescribes, of the holder's continued enrollment
9 in a teacher education program qualifying the holder for the
10 scholarship. Any holder of a scholarship who fails to
11 register in a special education program of teacher education
12 at the university within 10 days after the commencement of
13 the term, quarter or semester immediately following the
14 receipt of the scholarship or who, having registered,
15 withdraws from the university or transfers out of teacher
16 education, shall thereupon forfeit the right to use it and it
17 may be granted to the person having the next highest rank as
18 shown on the list held by the Commission. If the person
19 having the next highest rank, within 10 days after
20 notification thereof by the Commission, fails to register at
21 any such university in a special education program of teacher
22 education, or who, having registered, withdraws from the
23 university or transfers out of teacher education, the
24 scholarship may then be granted to the person shown on the
25 list as having the rank next below such person.

26 (d) Any person who has accepted a scholarship under the
27 preceding subsections of this Section must, within one year
28 after graduation from or termination of enrollment in a
29 teacher education program, begin teaching at a nonprofit
30 Illinois public, private, or parochial preschool or
31 elementary or secondary school for a period of at least 2 of
32 the 5 years immediately following that graduation or
33 termination, excluding, however, from the computation of that
34 5 year period (i) any time up to 3 years spent in the

1 military service, whether such service occurs before or after
2 the person graduates; (ii) any time that person is enrolled
3 full-time in an academic program related to the field of
4 teaching leading to a graduate or postgraduate degree; (iii)
5 the time that person is temporarily totally disabled for a
6 period of time not to exceed 3 years, as established by the
7 sworn affidavit of a qualified physician; (iv) the time that
8 person is seeking and unable to find full time employment as
9 a teacher at an Illinois public, private, or parochial
10 school; or (v) the time that person is taking additional
11 courses, on at least a half-time basis, needed to obtain
12 certification as a teacher in Illinois.

13 A person who has accepted a scholarship under the
14 preceding subsections of this Section and who has been unable
15 to fulfill the teaching requirements of this Section may
16 receive a deferment from the obligation of repayment under
17 this subsection (d) under guidelines established by the
18 Commission; provided that no guideline established for any
19 such purpose by the State Board of Education prior to the
20 effective date of this amendatory Act of 1993 shall be
21 affected by the transfer to the Commission of the
22 responsibility for administering and implementing the
23 provisions of this Section, and all guidelines so established
24 shall become the guidelines of the Commission until modified
25 or changed by the Commission.

26 Any such person who fails to fulfill this teaching
27 requirement shall pay to the Commission the amount of tuition
28 waived by virtue of his or her acceptance of the scholarship,
29 together with interest at 5% per year on that amount.
30 However, this obligation to repay the amount of tuition
31 waived plus interest does not apply when the failure to
32 fulfill the teaching requirement results from the death or
33 adjudication as a person under legal disability of the person
34 holding the scholarship, and no claim for repayment may be

1 filed against the estate of such a decedent or person under
2 legal disability. Payments received by the Commission under
3 this subsection (d) shall be remitted to the State
4 Comptroller Treasurer for deposit in the General Revenue
5 Fund, except that that portion of a scholarship recipient's
6 repayment that equals the amount in expenses that the
7 Commission has reasonably incurred in attempting collection
8 from that recipient shall be remitted to the State
9 Comptroller for deposit into the Commission's Accounts
10 Receivable Fund. Each person receiving a scholarship shall be
11 provided with a description of the provisions of this
12 subsection (d) at the time he or she qualifies for the
13 benefits of such a scholarship.

14 (e) This Section is basically the same as Sections 30-1,
15 30-2, 30-3, and 30-4a of the School Code, which are repealed
16 by this amendatory Act of 1993, and shall be construed as a
17 continuation of the teacher scholarship program established
18 by that prior law, and not as a new or different teacher
19 scholarship program. The State Board of Education shall
20 transfer to the Commission, as the successor to the State
21 Board of Education for all purposes of administering and
22 implementing the provisions of this Section, all books,
23 accounts, records, papers, documents, contracts, agreements,
24 and pending business in any way relating to the teacher
25 scholarship program continued under this Section; and all
26 scholarships at any time awarded under that program by, and
27 all applications for any such scholarships at any time made
28 to, the State Board of Education shall be unaffected by the
29 transfer to the Commission of all responsibility for the
30 administration and implementation of the teacher scholarship
31 program continued under this Section. The State Board of
32 Education shall furnish to the Commission such other
33 information as the Commission may request to assist it in
34 administering this Section.

1 (Source: P.A. 91-496, eff. 8-13-99; 92-845, eff. 1-1-03.)

2 Section 99. Effective date. This Act takes effect on

3 July 1, 2003.