SB0473

94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0473

Introduced 2/16/2005, by Sen. Donne E. Trotter

SYNOPSIS AS INTRODUCED:

110 ILCS 805/2-16.02   from Ch. 122, par. 102-16.02

Amends the Public Community College Act. Makes a technical change in a Section concerning State grants.

LRB094 09609 NHT 39863 b

A BILL FOR

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 Public Community College Act is amended by

5   changing Section 2-16.02 as follows:

6   (110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)

7   Sec. 2-16.02. Grants. Any community college district that

8   ~~that~~ maintains a community college recognized by the State

9   Board shall receive, when eligible, grants enumerated in this

10   Section. Funded semester credit hours or other measures or both

11   as specified by the State Board shall be used to distribute

12   grants to community colleges. Funded semester credit hours

13   shall be defined, for purposes of this Section, as the greater

14   of (1) the number of semester credit hours, or equivalent, in

15   all funded instructional categories of students who have been

16   certified as being in attendance at midterm during the

17   respective terms of the base fiscal year or (2) the average of

18   semester credit hours, or equivalent, in all funded

19   instructional categories of students who have been certified as

20   being in attendance at midterm during the respective terms of

21   the base fiscal year and the 2 prior fiscal years. For purposes

22   of this Section, "base fiscal year" means the fiscal year 2

23   years prior to the fiscal year for which the grants are

24   appropriated. Such students shall have been residents of

25   Illinois and shall have been enrolled in courses that are part

26   of instructional program categories approved by the State Board

27   and that are applicable toward an associate degree or

28   certificate. Courses that are eligible for reimbursement are

29   those courses for which the district pays 50% or more of the

30   program costs from unrestricted revenue sources, with the

31   exception of courses offered by contract with the Department of

32   Corrections in correctional institutions. For the purposes of

1   this Section, "unrestricted revenue sources" means those
2   revenues in which the provider of the revenue imposes no
3   financial limitations upon the district as it relates to the
4   expenditure of the funds. Base operating grants shall be paid
5   based on rates per funded semester credit hour or equivalent
6   calculated by the State Board for funded instructional
7   categories using cost of instruction, enrollment, inflation,
8   and other relevant factors. A portion of the base operating
9   grant shall be allocated on the basis of non-residential gross
10 square footage of space maintained by the district.

11   Equalization grants shall be calculated by the State Board
12 by determining a local revenue factor for each district by: (A)
13 adding (1) each district's Corporate Personal Property
14 Replacement Fund allocations from the base fiscal year or the
15 average of the base fiscal year and prior year, whichever is
16 less, divided by the applicable statewide average tax rate to
17 (2) the district's most recently audited year's equalized
18 assessed valuation or the average of the most recently audited
19 year and prior year, whichever is less, (B) then dividing by
20 the district's audited full-time equivalent resident students
21 for the base fiscal year or the average for the base fiscal
22 year and the 2 prior fiscal years, whichever is greater, and
23 (C) then multiplying by the applicable statewide average tax
24 rate. The State Board shall calculate a statewide weighted
25 average threshold by applying the same methodology to the
26 totals of all districts' Corporate Personal Property Tax
27 Replacement Fund allocations, equalized assessed valuations,
28 and audited full-time equivalent district resident students
29 and multiplying by the applicable statewide average tax rate.
30 The difference between the statewide weighted average
31 threshold and the local revenue factor, multiplied by the
32 number of full-time equivalent resident students, shall
33 determine the amount of equalization funding that each district
34 is eligible to receive. A percentage factor, as determined by
35 the State Board, may be applied to the statewide threshold as a
36 method for allocating equalization funding. A minimum

1   equalization grant of an amount per district as determined by
2   the State Board shall be established for any community college
3   district which qualifies for an equalization grant based upon
4   the preceding criteria, but becomes ineligible for
5   equalization funding, or would have received a grant of less
6   than the minimum equalization grant, due to threshold
7   prorations applied to reduce equalization funding. As of July
8   1, 2004, a community college district must maintain a minimum
9   required combined in-district tuition and universal fee rate
10 per semester credit hour equal to 85% of the State-average
11 combined rate, as determined by the State Board, for
12 equalization funding. As of July 1, 2004, a community college
13 district must maintain a minimum required operating tax rate
14 equal to at least 95% of its maximum authorized tax rate to
15 qualify for equalization funding. This 95% minimum tax rate
16 requirement shall be based upon the maximum operating tax rate
17 as limited by the Property Tax Extension Limitation Law.
18   The State Board shall distribute such other grants as may
19 be authorized or appropriated by the General Assembly.
20   Each community college district entitled to State grants
21 under this Section must submit a report of its enrollment to
22 the State Board not later than 30 days following the end of
23 each semester, quarter, or term in a format prescribed by the
24 State Board. These semester credit hours, or equivalent, shall
25 be certified by each district on forms provided by the State
26 Board. Each district's certified semester credit hours, or
27 equivalent, are subject to audit pursuant to Section 3-22.1.
28   The State Board shall certify, prepare, and submit to the
29 State Comptroller during August, November, February, and May of
30 each fiscal year vouchers setting forth an amount equal to 25%
31 of the grants approved by the State Board for base operating
32 grants and equalization grants. The State Board shall prepare
33 and submit to the State Comptroller vouchers for payments of
34 other grants as appropriated by the General Assembly. If the
35 amount appropriated for grants is different from the amount
36 provided for such grants under this Act, the grants shall be

1   proportionately reduced or increased accordingly.

2   For the purposes of this Section, "resident student" means
3   a student in a community college district who maintains
4   residency in that district or meets other residency definitions
5   established by the State Board, and who was enrolled either in
6   one of the approved instructional program categories in that
7   district, or in another community college district to which the
8   resident's district is paying tuition under Section 6-2 or with
9   which the resident's district has entered into a cooperative
10   agreement in lieu of such tuition.

11   For the purposes of this Section, a "full-time equivalent"
12   student is equal to 30 semester credit hours.

13   The Illinois Community College Board Contracts and Grants
14   Fund is hereby created in the State Treasury. Items of income
15   to this fund shall include any grants, awards, endowments, or
16   like proceeds, and where appropriate, other funds made
17   available through contracts with governmental, public, and
18   private agencies or persons. The General Assembly shall from
19   time to time make appropriations payable from such fund for the
20   support, improvement, and expenses of the State Board and
21   Illinois community college districts.

22   (Source: P.A. 93-21, eff. 7-1-03.)