



Sen. Iris Y. Martinez

Filed: 4/15/2013

09800SB1791sam001

LRB098 09198 NHT 44455 a

1 AMENDMENT TO SENATE BILL 1791

2 AMENDMENT NO. _____. Amend Senate Bill 1791 by replacing
3 everything after the enacting clause with the following:

4 "Section 3. The State Finance Act is amended by changing
5 Section 5.562 as follows:

6 (30 ILCS 105/5.562)

7 Sec. 5.562. The Golden Apple Scholars of Illinois ~~Future~~
8 ~~Teacher Corps Scholarship~~ Fund.

9 (Source: P.A. 92-445, eff. 8-17-01; 92-651, eff. 7-11-02.)

10 Section 5. The Higher Education Student Assistance Act is
11 amended by changing Section 52 as follows:

12 (110 ILCS 947/52)

13 Sec. 52. Golden Apple Scholars of Illinois Program; Golden
14 Apple Foundation for Excellence in Teaching.

1 (a) In this Section, "Foundation" means the Golden Apple
2 Foundation for Excellence in Teaching, a registered,
3 501(c)(3), not-for-profit corporation.

4 (a-2) ~~(a)~~ In order to encourage academically talented
5 Illinois students, especially minority students, to pursue
6 teaching careers, especially in teacher shortage disciplines
7 (which shall be defined to include early childhood education)
8 or at hard-to-staff schools (as defined by the Commission in
9 consultation with the State Board of Education), to provide
10 those students with the crucial mentoring, guidance, and
11 in-service support that will significantly increase the
12 likelihood that they will complete their full teaching
13 commitments and elect to continue teaching in targeted
14 disciplines and hard-to-staff schools, and to ensure that
15 students in this State will continue to have access to a pool
16 of highly-qualified teachers, each qualified student shall be
17 awarded a Golden Apple Scholars of Illinois Program scholarship
18 to any Illinois institution of higher learning. The Commission
19 shall administer the Golden Apple Scholars of Illinois Program,
20 which shall be managed by the Foundation pursuant to the terms
21 of a grant agreement meeting the requirements of Section 4 of
22 the Illinois Grant Funds Recovery Act.

23 (a-3) For purposes of this Section, a qualified student
24 shall be a student who meets the following qualifications:

25 (1) is a resident of this State and a citizen or
26 eligible noncitizen of the United States;

1 (2) is a high school graduate or a person who has
2 received a General Educational Development certificate;

3 (3) is enrolled or accepted, on at least a half-time
4 basis, at an institution of higher learning;

5 (4) is pursuing a postsecondary course of study leading
6 to initial certification or pursuing additional course
7 work needed to gain State Board of Education approval to
8 teach, including alternative teacher licensure; and

9 (5) is a participant in programs managed by and is
10 approved to receive a scholarship from the Foundation. ~~the~~

11 ~~Commission shall combine the best practices and methods and~~
12 ~~programmatic functions of the Illinois Future Teacher~~
13 ~~Corps Program and the Golden Apple Foundation for~~
14 ~~Excellence in Teaching's Golden Apple Scholars of Illinois~~
15 ~~Program into one program. The consolidated program shall be~~
16 ~~known as the Golden Apple Scholars of Illinois Program and~~
17 ~~shall be managed by the Golden Apple Foundation for~~
18 ~~Excellence in Teaching.~~

19 ~~(1) This consolidated program shall be fully~~
20 ~~operational before July 1, 2012. The existing programs, the~~
21 ~~Illinois Future Teacher Corps Program and the Golden Apple~~
22 ~~Scholars Program, shall continue to exist and be governed~~
23 ~~as they have under this Section before the effective date~~
24 ~~of this amendatory Act of the 96th General Assembly and any~~
25 ~~associated administrative rules, but shall also begin a~~
26 ~~transition period commencing on the first day of the 2010~~

1 ~~fiscal year and ending on the last day of the 2013 fiscal~~
2 ~~year.~~

3 ~~(2) During the transition period, the Commission~~
4 ~~shall, in consultation with the Golden Apple Foundation,~~
5 ~~establish rules governing the transition period and~~
6 ~~related fund transfers and to facilitate coordination and~~
7 ~~implementation of the consolidated program. Eligible~~
8 ~~students in this State may continue to apply for Illinois~~
9 ~~Future Teacher Corps scholarships under the current rules~~
10 ~~governing such applications during the transition period.~~
11 ~~Fiscal Year 2012 shall be the last year that such~~
12 ~~scholarships are available.~~

13 ~~(3) The Commission shall, by March 30, 2010, develop an~~
14 ~~estimate of General Revenue Funds that it expects will~~
15 ~~remain unexpended at the end of FY 2010 from the FY 2010~~
16 ~~appropriation for the Illinois Future Teacher Corps. No~~
17 ~~later than April 15, 2010, the Commission shall cause to be~~
18 ~~transferred funds comprising 85% of this estimated amount~~
19 ~~to the Golden Apple Foundation for Excellence in Teaching.~~
20 ~~The Commission shall subsequently transfer funding from~~
21 ~~the Illinois Future Teacher Corps Program to the Golden~~
22 ~~Apple Foundation for Excellence in Teaching on the~~
23 ~~following schedule and in the following amounts:~~

24 ~~(A) FY 2011: an amount equal to 58% of the total~~
25 ~~combined appropriation for the Golden Apple Foundation~~
26 ~~for Excellence in Teaching and the Illinois Future~~

1 ~~Teacher Corps Program;~~

2 ~~(B) FY 2012: an amount equal to 80% of the combined~~
3 ~~total appropriation for the Golden Apple Foundation~~
4 ~~for Excellence in Teaching and the Illinois Future~~
5 ~~Teacher Corps Program;~~

6 ~~(C) FY 2013: the entire appropriation shall be~~
7 ~~designated for the Golden Apple Foundation for~~
8 ~~Excellence in Teaching.~~

9 ~~(4) Following the consolidation of the 2 programs, at~~
10 ~~least 30% of Golden Apple Scholars of Illinois Program~~
11 ~~scholarships available each year shall be awarded to~~
12 ~~students residing in counties having a population of less~~
13 ~~than 500,000.~~

14 ~~(5) Following the consolidation of the 2 programs, the~~
15 ~~Auditor General shall prepare an annual audit of the~~
16 ~~operations and finances of the Golden Apple Scholars of~~
17 ~~Illinois Program. This audit shall be provided to the~~
18 ~~Governor and the General Assembly.~~

19 (a-5) (Blank). ~~The Commission shall, each year until Fiscal~~
20 ~~Year 2011, receive and consider applications for scholarship~~
21 ~~assistance under this Section. An applicant is eligible for an~~
22 ~~Illinois Future Teacher Corps scholarship under this Section~~
23 ~~when the Commission finds that the applicant is:~~

24 ~~(1) a United States citizen or eligible noncitizen;~~

25 ~~(2) a resident of Illinois;~~

26 ~~(3) a high school graduate or a person who has received~~

1 ~~a General Educational Development Certificate;~~

2 ~~(4) enrolled or accepted for enrollment at or above the~~
3 ~~junior level, on at least a half-time basis, at an Illinois~~
4 ~~institution of higher learning; and~~

5 ~~(5) pursuing a postsecondary course of study leading to~~
6 ~~initial certification or pursuing additional course work~~
7 ~~needed to gain State Board of Education approval to teach,~~
8 ~~including alternative teacher certification.~~

9 (b) (Blank). ~~Recipients shall be selected from among~~
10 ~~applicants qualified pursuant to subsection (a) based on a~~
11 ~~combination of the following criteria as set forth by the~~
12 ~~Commission until Fiscal Year 2011: (1) academic excellence; (2)~~
13 ~~status as a minority student as defined in Section 50; and (3)~~
14 ~~financial need. Preference may be given to previous recipients~~
15 ~~of assistance under this Section, provided they continue to~~
16 ~~maintain eligibility and maintain satisfactory academic~~
17 ~~progress as determined by the institution of higher learning at~~
18 ~~which they enroll.~~

19 ~~In each year until the consolidation of the 2 programs~~
20 ~~under subsection (a) of this Section has been completed, to~~
21 ~~support mentoring, guidance, and in-service support for~~
22 ~~teaching candidates in order to increase the likelihood that~~
23 ~~they will complete their full teaching commitments and elect to~~
24 ~~continue teaching in targeted disciplines and hard-to-staff~~
25 ~~schools, a minimum of 200 awards shall be allocated to~~
26 ~~participants in the Golden Apple Scholars of Illinois program.~~

1 (b-5) Funds designated for the Golden Apple Scholars of
2 Illinois Program shall be used by the Commission for the
3 payment of scholarship assistance under this Section or for the
4 award of grant funds, subject to the Illinois Grant Funds
5 Recovery Act, to the Foundation. Subject to appropriation,
6 awards of grant funds to the Foundation shall be made on an
7 annual basis and following an application for grant funds by
8 the Foundation.

9 (b-10) Each year, the Foundation shall include in its
10 application to the Commission for grant funds an estimate of
11 the amount of scholarship assistance to be provided to
12 qualified students during the grant period. Any amount of
13 appropriated funds exceeding the estimated amount of
14 scholarship assistance may be awarded by the Commission to the
15 Foundation for management expenses expected to be incurred by
16 the Foundation in providing the mentoring, guidance, and
17 in-service supports that will increase the likelihood that
18 qualified students will complete their teaching commitments
19 and elect to continue teaching in hard-to-staff schools. If the
20 estimate of the amount of scholarship assistance described in
21 the Foundation's application is less than the actual amount
22 required for the award of scholarship assistance to qualified
23 students, the Foundation shall be responsible for using awarded
24 grant funds to ensure all qualified students receive
25 scholarship assistance under this Section.

26 (b-15) All grant funds not expended or legally obligated

1 within the time specified in a grant agreement between the
2 Foundation and the Commission shall be returned to the
3 Commission within 45 days. Any funds legally obligated by the
4 end of a grant agreement shall be liquidated within 45 days or
5 otherwise returned to the Commission within 90 days after the
6 end of the grant agreement that resulted in the award of grant
7 funds.

8 (c) Each scholarship awarded under this Section shall be in
9 an amount sufficient to pay the tuition and fees and room and
10 board costs of the Illinois institution of higher learning at
11 which the recipient is enrolled, up to an annual maximum of
12 \$5,000; except that in the case of a recipient who does not
13 reside on-campus at the institution of higher learning at which
14 he or she is enrolled, the amount of the scholarship shall be
15 sufficient to pay tuition and fee expenses and a commuter
16 allowance, up to an annual maximum of \$5,000. All scholarship
17 funds distributed in accordance with this Section shall be paid
18 to the institution on behalf of recipients. ~~For recipients who~~
19 ~~agree to teach in a teacher shortage discipline or at a~~
20 ~~hard-to-staff school under subsection (i) of this Section, the~~
21 ~~Commission may, by rule and subject to appropriation, increase~~
22 ~~the annual maximum amount to \$10,000. If a recipient agrees to~~
23 ~~teach in both a teacher shortage discipline and at a~~
24 ~~hard-to-staff school under subsection (i) of this Section, the~~
25 ~~Commission may increase the amount of the scholarship awarded~~
26 ~~by up to an additional \$5,000.~~

1 (d) The total amount of scholarship assistance awarded by
2 the Commission under this Section to an individual in any given
3 fiscal year, when added to other financial assistance awarded
4 to that individual for that year, shall not exceed the cost of
5 attendance at the institution of higher learning at which the
6 student is enrolled. In any academic year for which a qualified
7 student under this Section accepts financial assistance
8 through any other teacher scholarship program administered by
9 the Commission, a qualified student shall not be eligible for
10 scholarship assistance awarded under this Section.

11 (e) A recipient may receive up to 8 4 semesters or 12 6
12 quarters of scholarship assistance under this Section.
13 Scholarship funds are applicable toward 2 semesters or 3
14 quarters of enrollment each academic year.

15 (f) All applications for scholarship assistance to be
16 awarded under this Section shall be made to the Foundation in a
17 form determined by the Foundation. Each year, the Foundation
18 shall notify the Commission of the individuals awarded
19 scholarship assistance under this Section. Each year, at least
20 30% of the Golden Apple Scholars of Illinois Program
21 scholarships shall be awarded to students residing in counties
22 having a population of less than 500,000. ~~Commission in a form~~
23 ~~as set forth by the Commission. The form of application and the~~
24 ~~information required to be set forth therein shall be~~
25 ~~determined by the Commission, and the Commission shall require~~
26 ~~eligible applicants to submit with their applications such~~

1 ~~supporting documents as the Commission deems necessary.~~
2 ~~Notwithstanding any other provision of this Act, following the~~
3 ~~completion of the transition of funding of the Illinois Future~~
4 ~~Teacher Corps to the Golden Apple Foundation for Excellence in~~
5 ~~Teaching, all applications for scholarship assistance under~~
6 ~~this Section shall be in a form determined by the Golden Apple~~
7 ~~Foundation for Excellence in Teaching.~~

8 (g) (Blank). ~~Subject to a separate appropriation made for~~
9 ~~such purposes, payment of any scholarship awarded under this~~
10 ~~Section shall be determined by the Commission. There shall be a~~
11 ~~separate appropriation made for scholarships awarded to~~
12 ~~recipients who agree to teach in a teacher shortage discipline~~
13 ~~or at a hard-to-staff school under subsection (i) of this~~
14 ~~Section. The Commission may use for scholarship assistance~~
15 ~~under this Section (i) all funds appropriated for scholarships~~
16 ~~under this Section that were formerly known as ITEACH Teacher~~
17 ~~Shortage Scholarships and (ii) all funds appropriated for~~
18 ~~scholarships under Section 65.65 of this Act (repealed by this~~
19 ~~amendatory Act of the 93rd General Assembly), formerly known as~~
20 ~~Illinois Future Teacher Corps Scholarships.~~

21 ~~All scholarship funds distributed in accordance with this~~
22 ~~Section shall be paid to the institution on behalf of the~~
23 ~~recipients. Scholarship funds are applicable toward 2~~
24 ~~semesters or 3 quarters of enrollment within an academic year.~~

25 (h) The Commission shall administer the payment of
26 scholarship assistance provided through the Golden Apple

1 Scholars of Illinois program ~~program established by this~~
2 ~~Section~~ and shall make all necessary and proper rules not
3 inconsistent with this Section for the ~~its~~ effective
4 implementation of this Section.

5 (i) Prior to receiving scholarship assistance for any
6 academic year, each recipient of a scholarship awarded under
7 this Section shall be required by the Foundation ~~Commission~~ to
8 sign an agreement under which the recipient pledges that,
9 within the 2-year ~~one-year~~ period following the termination of
10 the academic program for which the recipient was awarded a
11 scholarship, the recipient: (i) shall begin teaching for a
12 period of not less than 5 years, (ii) shall fulfill this
13 teaching obligation at a nonprofit Illinois public, private, or
14 parochial preschool or an Illinois public elementary or
15 secondary school that qualifies for teacher loan cancellation
16 under Section 465(a)(2)(A) of the federal Higher Education Act
17 of 1965 (20 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools
18 deemed eligible for fulfilling the teaching commitment as
19 designated by the Foundation, and (iii) shall, upon request of
20 the Foundation ~~Commission~~, provide the Foundation ~~Commission~~
21 with evidence that he or she is fulfilling or has fulfilled the
22 terms of the teaching agreement provided for in this
23 subsection. Upon request, the Foundation shall provide
24 evidence of teacher fulfillment to the Commission.

25 (j) If a recipient of a scholarship awarded under this
26 Section fails to fulfill the teaching obligation set forth in

1 subsection (i) of this Section, the Commission shall require
2 the recipient to repay the amount of the scholarships received,
3 prorated according to the fraction of the teaching obligation
4 not completed, plus interest at a rate of 5% and if applicable,
5 reasonable collection fees. ~~The Commission is authorized to~~
6 ~~establish rules relating to its collection activities for~~
7 ~~repayment of scholarships under this Section.~~ Payments
8 received by the Commission under this subsection (j) shall be
9 remitted to the State Comptroller for deposit into the General
10 Revenue Fund, except that that portion of a recipient's
11 repayment that equals the amount in expenses that the
12 Commission has reasonably incurred in attempting collection
13 from that recipient shall be remitted to the State Comptroller
14 for deposit into the Commission's Accounts Receivable Fund.

15 (k) A recipient of a scholarship awarded by the Foundation
16 ~~Commission~~ under this Section shall not be considered to have
17 failed to fulfill the teaching obligations in violation of the
18 agreement entered into pursuant to subsection (i) if the
19 recipient (i) enrolls on a full-time basis as a graduate
20 student in a course of study related to the field of teaching
21 at an institution of higher learning; (ii) is serving as a
22 member of the armed services of the United States; (iii) is
23 temporarily totally disabled, as established by sworn
24 affidavit of a qualified physician; (iv) is seeking and unable
25 to find full-time employment as a teacher at a school that
26 satisfies the criteria set forth in subsection (i) and is able

1 to provide evidence of that fact; (v) is taking additional
2 courses, on at least a half-time basis, needed to obtain
3 certification as a teacher in Illinois; ~~or~~ (vi) is fulfilling
4 teaching requirements associated with other programs
5 administered by the Commission and cannot concurrently fulfill
6 them under this Section in a period of time equal to the length
7 of the teaching obligation; or (vii) is participating in a
8 program established under Executive Order 10924 of the
9 President of the United States or the federal National
10 Community Service Act of 1990 (42 U.S.C. 12501 et seq.). Any
11 such extension of the period during which the teaching
12 requirement must be fulfilled shall be subject to limitations
13 of duration as established by the Commission.

14 (l) A recipient who fails to fulfill the teaching
15 obligations of the agreement entered into pursuant to
16 subsection (i) of this Section shall repay the amount of
17 scholarship assistance awarded to them under this Section
18 within 10 years.

19 (m) Annually, at a time determined by the Commission in
20 consultation with the Foundation, the Foundation shall submit a
21 report to assist the Commission in monitoring the Foundation's
22 performance of grant activities. The report shall describe the
23 following:

24 (1) the Foundation's anticipated expenditures for the
25 next fiscal year;

26 (2) the number of qualified students receiving

1 scholarship assistance at each institution of higher
2 learning where a qualified student was enrolled under this
3 Section during the previous fiscal year;

4 (3) the total monetary value of scholarship funds paid
5 to each institution of higher learning at which a qualified
6 student was enrolled during the previous fiscal year;

7 (4) the number of scholarship recipients who completed
8 a baccalaureate degree during the previous fiscal year;

9 (5) the number of scholarship recipients who fulfilled
10 their teaching obligation during the previous fiscal year;

11 (6) the number of scholarship recipients who failed to
12 fulfill their teaching obligation during the previous
13 fiscal year;

14 (7) the number of scholarship recipients granted an
15 extension described in subsection (k) of this Section
16 during the previous fiscal year;

17 (8) the number of scholarship recipients required to
18 repay scholarship assistance in accordance with subsection
19 (j) of this Section during the previous fiscal year;

20 (9) the number of scholarship recipients who
21 successfully repaid scholarship assistance in full during
22 the previous fiscal year;

23 (10) the number of scholarship recipients who
24 defaulted on their obligation to repay scholarship
25 assistance during the previous fiscal year;

26 (11) the amount of scholarship assistance subject to

1 collection in accordance with subsection (j) of this
2 Section at the end of the previous fiscal year;

3 (12) the amount of collected funds to be remitted to
4 the Comptroller in accordance with subsection (j) of this
5 Section at the end of the previous fiscal year; and

6 (13) other information that the Commission may
7 reasonably request.

8 (n) Nothing in this Section shall affect the rights of the
9 Commission to collect moneys owed to it by recipients of
10 scholarship assistance through the Illinois Future Teacher
11 Corps Program, repealed by this amendatory Act of the 98th
12 General Assembly.

13 (o) The Auditor General shall prepare an annual audit of
14 the operations and finances of the Golden Apple Scholars of
15 Illinois Program. This audit shall be provided to the Governor,
16 General Assembly, and the Commission.

17 (p) The suspension of grant making authority found in
18 Section 4.2 of the Illinois Grant Funds Recovery Act shall not
19 apply to grants made pursuant to this Section.

20 (Source: P.A. 95-939, eff. 1-1-09; 96-411, eff. 8-13-09.)

21 Section 10. The Illinois Vehicle Code is amended by
22 changing Section 3-648 as follows:

23 (625 ILCS 5/3-648)

24 Sec. 3-648. Education license plates.

1 (a) The Secretary, upon receipt of an application made in
2 the form prescribed by the Secretary, may issue special
3 registration plates designated as Education license plates.
4 The special plates issued under this Section shall be affixed
5 only to passenger vehicles of the first division and motor
6 vehicles of the second division weighing not more than 8,000
7 pounds. Plates issued under this Section shall expire according
8 to the multi-year procedure established by Section 3-414.1 of
9 this Code.

10 (b) The design and color of the plates shall be determined
11 by a contest that every elementary school pupil in the State of
12 Illinois is eligible to enter. The designs submitted for the
13 contest shall be judged on September 30, 2002, and the winning
14 design shall be selected by a committee composed of the
15 Secretary, the Director of State Police, 2 members of the
16 Senate, one member chosen by the President of the Senate and
17 one member chosen by the Senate Minority Leader, and 2 members
18 of the House of Representatives, one member chosen by the
19 Speaker of the House and one member chosen by the House
20 Minority Leader. The Secretary may allow the plates to be
21 issued as vanity or personalized plates under Section 3-405.1
22 of the Code. The Secretary shall prescribe stickers or decals
23 as provided under Section 3-412 of this Code.

24 (c) An applicant for the special plate shall be charged a
25 \$40 fee for original issuance, in addition to the appropriate
26 registration fee. Of this \$40 additional original issuance fee,

1 \$15 shall be deposited into the Secretary of State Special
2 License Plate Fund, to be used by the Secretary to help defray
3 the administrative processing costs, and \$25 shall be deposited
4 into the Golden Apple Scholars of Illinois ~~Future Teacher Corps~~
5 ~~Scholarship~~ Fund. For each registration renewal period, a \$40
6 fee, in addition to the appropriate registration fee, shall be
7 charged. Of this \$40 additional renewal fee, \$2 shall be
8 deposited into the Secretary of State Special License Plate
9 Fund and \$38 shall be deposited into the Golden Apple Scholars
10 of Illinois ~~Future Teacher Corps Scholarship~~ Fund. Each fiscal
11 year, once deposits from the additional original issuance and
12 renewal fees into the Secretary of State Special License Plate
13 Fund have reached \$500,000, all the amounts received for the
14 additional fees for the balance of the fiscal year shall be
15 deposited into the Golden Apple Scholars of Illinois ~~Future~~
16 ~~Teacher Corps Scholarship~~ Fund.

17 (d) The Golden Apple Scholars of Illinois ~~Future Teacher~~
18 ~~Corps Scholarship~~ Fund is created as a special fund in the
19 State treasury. All ~~Ninety five percent~~ of the moneys in the
20 Golden Apple Scholars of Illinois ~~Future Teacher Corps~~
21 ~~Scholarship~~ Fund shall be appropriated to the Illinois Student
22 ~~Assistance Commission for scholarships under Section 52 of the~~
23 ~~Higher Education Student Assistance Act, and 5% of the moneys~~
24 ~~in the Illinois Future Teacher Corps Scholarship Fund shall be~~
25 ~~appropriated to the State Board of Education for grants to the~~
26 ~~Golden Apple Foundation for Excellence in Teaching, a~~

1 ~~recognized charitable organization that meets the requirements~~
2 ~~of Title 26, Section 501(c)(3) of the United States Code.~~
3 ~~Notwithstanding the other provisions of this subsection (d),~~
4 ~~beginning in the 2010 fiscal year, funds for the Illinois~~
5 ~~Future Teacher Corps Program and the Golden Apple Foundation~~
6 ~~for Excellence in Teaching shall be apportioned according to~~
7 Section 52 of the Higher Education Student Assistance Act.
8 (Source: P.A. 95-331, eff. 8-21-07; 96-411, eff. 8-13-09.)

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