

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 10-22.20 as follows:

(105 ILCS 5/10-22.20) (from Ch. 122, par. 10-22.20)

Sec. 10-22.20. Classes for adults and youths whose schooling has been interrupted; conditions for State reimbursement; use of child care facilities.

(a) To establish special classes for the instruction (1) of persons of age 21 years or over and (2) of persons less than age 21 and not otherwise in attendance in public school, for the purpose of providing adults in the community and youths whose schooling has been interrupted with such additional basic education, vocational skill training, and other instruction as may be necessary to increase their qualifications for employment or other means of self-support and their ability to meet their responsibilities as citizens, including courses of instruction regularly accepted for graduation from elementary or high schools and for Americanization and high school equivalency testing review classes.

The board shall pay the necessary expenses of such classes out of school funds of the district, including costs of student

transportation and such facilities or provision for child-care as may be necessary in the judgment of the board to permit maximum utilization of the courses by students with children, and other special needs of the students directly related to such instruction. The expenses thus incurred shall be subject to State reimbursement, as provided in Section 2-12.5 of the Public Community College Act ~~this Section~~. The board may make a tuition charge for persons taking instruction who are not subject to State reimbursement, such tuition charge not to exceed the per capita cost of such classes.

The cost of such instruction, including the additional expenses herein authorized, ~~incurred for recipients of financial aid under the Illinois Public Aid Code, or for persons for whom education and training aid has been authorized under Section 9-8 of that Code,~~ shall be assumed in its entirety from funds appropriated by the State to the Illinois Community College Board as provided in Section 2-12.5 of the Public Community College Act.

(b) The Illinois Community College Board shall establish the standards for the courses of instruction reimbursed under this Section. The Illinois Community College Board shall supervise the administration of the programs. The Illinois Community College Board shall determine the cost of instruction in accordance with standards established by the Illinois Community College Board, including therein other incidental costs as herein authorized, which shall serve as the basis of

State reimbursement in accordance with the provisions of the Public Community College Act ~~this Section~~. In the approval of programs and the determination of the cost of instruction, the Illinois Community College Board shall provide for the maximum utilization of federal funds for such programs. ~~The Illinois Community College Board shall also provide for:~~

~~(1) the development of an index of need for program planning and for area funding allocations, as defined by the Illinois Community College Board;~~

~~(2) the method for calculating hours of instruction, as defined by the Illinois Community College Board, claimable for reimbursement and a method to phase in the calculation and for adjusting the calculations in cases where the services of a program are interrupted due to circumstances beyond the control of the program provider;~~

~~(3) a plan for the reallocation of funds to increase the amount allocated for grants based upon program performance as set forth in subsection (d) below; and~~

~~(4) the development of standards for determining grants based upon performance as set forth in subsection (d) below and a plan for the phased in implementation of those standards.~~

~~For instruction provided by school districts and community college districts beginning July 1, 1996 and thereafter, reimbursement provided by the Illinois Community College Board for classes authorized by this Section shall be provided from~~

~~funds appropriated for the reimbursement criteria set forth in subsection (c) below.~~

~~(c) (Blank). Upon the annual approval of the Illinois Community College Board, reimbursement shall be first provided for transportation, child care services, and other special needs of the students directly related to instruction and then from the funds remaining an amount equal to the product of the total credit hours or units of instruction approved by the Illinois Community College Board, multiplied by the following:~~

~~(1) For adult basic education, the maximum reimbursement per credit hour or per unit of instruction shall be equal to (i) through fiscal year 2017, the general state aid per pupil foundation level established in subsection (B) of Section 18-8.05, divided by 60, or (ii) in fiscal year 2018 and thereafter, the prior fiscal year reimbursement level multiplied by the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor;~~

~~(2) The maximum reimbursement per credit hour or per unit of instruction in subparagraph (1) above shall be weighted for students enrolled in classes defined as vocational skills and approved by the Illinois Community College Board by 1.25;~~

~~(3) The maximum reimbursement per credit hour or per unit of instruction in subparagraph (1) above shall be multiplied by .90 for students enrolled in classes defined~~

~~as adult secondary education programs and approved by the Illinois Community College Board;~~

~~(4) (Blank); and~~

~~(5) Funding for program years after 1999-2000 shall be determined by the Illinois Community College Board.~~

~~(d) (Blank). Upon its annual approval, the Illinois Community College Board shall provide grants to eligible programs for supplemental activities to improve or expand services under the Adult Education Act. Eligible programs shall be determined based upon performance outcomes of students in the programs as set by the Illinois Community College Board.~~

~~(e) (Blank). Reimbursement under this Section shall not exceed the actual costs of the approved program.~~

~~If the amount appropriated to the Illinois Community College Board for reimbursement under this Section is less than the amount required under this Act, the apportionment shall be proportionately reduced.~~

~~School districts and community college districts may assess students up to \$3.00 per credit hour, for classes other than Adult Basic Education level programs, if needed to meet program costs.~~

~~(f) (Blank). An education plan shall be established for each adult or youth whose schooling has been interrupted and who is participating in the instructional programs provided under this Section.~~

~~Each school board and community college shall keep an~~

~~accurate and detailed account of the students assigned to and receiving instruction under this Section who are subject to State reimbursement and shall submit reports of services provided commencing with fiscal year 1997 as required by the Illinois Community College Board.~~

~~For classes authorized under this Section, a credit hour or unit of instruction is equal to 15 hours of direct instruction for students enrolled in approved adult education programs at midterm and making satisfactory progress, in accordance with standards established by the Illinois Community College Board.~~

~~(g) (Blank). Upon proof submitted to the Illinois Department of Human Services of the payment of all claims submitted under this Section, that Department shall apply for federal funds made available therefor and any federal funds so received shall be paid into the General Revenue Fund in the State Treasury.~~

~~School districts or community colleges providing classes under this Section shall submit applications to the Illinois Community College Board for preapproval in accordance with the standards established by the Illinois Community College Board. Payments shall be made by the Illinois Community College Board based upon approved programs. Interim expenditure reports may be required by the Illinois Community College Board. Final claims for the school year shall be submitted to the regional superintendents for transmittal to the Illinois Community College Board. Final adjusted payments shall be made by~~

~~September 30.~~

~~If a school district or community college district fails to provide, or is providing unsatisfactory or insufficient classes under this Section, the Illinois Community College Board may enter into agreements with public or private educational or other agencies other than the public schools for the establishment of such classes.~~

(h) (Blank). ~~If a school district or community college district establishes child care facilities for the children of participants in classes established under this Section, it may extend the use of these facilities to students who have obtained employment and to other persons in the community whose children require care and supervision while the parent or other person in charge of the children is employed or otherwise absent from the home during all or part of the day. It may make the facilities available before and after as well as during regular school hours to school age and preschool age children who may benefit thereby, including children who require care and supervision pending the return of their parent or other person in charge of their care from employment or other activity requiring absence from the home.~~

~~The Illinois Community College Board shall pay to the board the cost of care in the facilities for any child who is a recipient of financial aid under the Illinois Public Aid Code.~~

~~The board may charge for care of children for whom it cannot make claim under the provisions of this Section. The~~

~~charge shall not exceed per capita cost, and to the extent feasible, shall be fixed at a level which will permit utilization by employed parents of low or moderate income. It may also permit any other State or local governmental agency or private agency providing care for children to purchase care.~~

~~After July 1, 1970 when the provisions of Section 10-20.20 become operative in the district, children in a child care facility shall be transferred to the kindergarten established under that Section for such portion of the day as may be required for the kindergarten program, and only the prorated costs of care and training provided in the Center for the remaining period shall be charged to the Illinois Department of Human Services or other persons or agencies paying for such care.~~

~~(i) (Blank). The provisions of this Section shall also apply to school districts having a population exceeding 500,000.~~

~~(j) In addition to claiming reimbursement under this Section, a school district may claim general State aid under Section 18-8.05 or evidence-based funding under Section 18-8.15 for any student under age 21 who is enrolled in courses accepted for graduation from elementary or high school and who otherwise meets the requirements of Section 18-8.05 or 18-8.15, as applicable.~~

(Source: P.A. 100-465, eff. 8-31-17.)



Section 10. The Adult Education Act is amended by changing Sections 1-3, 2-4, and 3-1 as follows:

(105 ILCS 405/1-3) (from Ch. 122, par. 201-3)

Sec. 1-3. Definitions. The following terms shall have the meanings respectively prescribed for them, except as the context otherwise requires:

"Adult ~~and Continuing~~ Education" means academic instruction and educational services below the postsecondary level that increase an individual's ability to (i) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent and (ii) transition to postsecondary education and training or obtain employment ~~organized, systematic instruction, and related educational services, for students enrolled in a program conducted by a publicly supported educational institution. Such students are beyond compulsory education age, not currently enrolled in a regular elementary or high school, and are not seeking college credit toward an associate degree or degree. The instruction may be full-time or part-time for the purpose of providing students or groups with opportunities for personal improvement and enrichment, preparation for effective participation as citizens (including English for foreign-speaking individuals), family life and parent education, elementary and high school education, for which credit may be granted toward diploma~~

~~requirements, occupational and technical training and retraining.~~

"Board" means ~~(i) the State Board of Education until July 1, 2001 and (ii) the Illinois Community College Board on and after July 1, 2001.~~

(Source: P.A. 91-830, eff. 7-1-00.)

(105 ILCS 405/2-4) (from Ch. 122, par. 202-4)

Sec. 2-4. Area Planning Councils. ~~An~~ ~~On or before October 15, 1982,~~ an Area Planning Council shall be established within the boundaries of each community college district. A representative of each approved adult education provider is required to participate on the Area Planning Council. Other members may include:

- (1) regional superintendents of schools;
- (2) representatives of school districts;
- (3) representatives of the community college district's career and technical education program;
- (4) representatives of the community college district's financial aid office;
- (5) representatives of the community college district's student services office;
- (6) representatives of local workforce boards under the federal Workforce Innovation and Opportunity Act;
- (7) persons with an interest in adult education services provided within the community college district;

and

(8) persons with an interest in adult education services provided within the Area Planning Council district, including, but not limited to, representatives of social service agencies, businesses and employers, vocational rehabilitation services of the Department of Human Services, and the Department of Employment Security. Each Area Planning Council must elect officers and develop bylaws that indicate the membership of the Council. The Area Planning Council chairperson must be a representative of an adult education provider approved by the Board. In areas where large multiple-provider Area Planning Councils exist, the Board may designate sub-areas within an Area Planning Council district to ensure maximum representation of need. The Board shall determine the guidelines for the bylaws and operation of the Area Planning Council.

On or before March 1 of each year each Area Planning Council shall submit an annual Adult Education Plan for the area. The Area Adult Education Plan shall provide for the development and coordination of adult education programs in the area as prescribed by the Board. The Area Adult Education Plan must be aligned with Title II of the federal Workforce Innovation and Opportunity Act, the State Unified Plan, local workforce boards, and one-stop activities and must include involvement of the local Board-approved adult education workforce board representative. The local adult education

workforce board representative is responsible for convening Area Planning Council chairpersons in a local workforce area to provide information regarding the development of the Area Adult Education Plans and related federal Workforce Innovation and Opportunity Act activities. If the Board finds that the annual Area Adult Education Plan submitted by the Area Planning Council meets the requirements of this amendatory Act of 1982 and the established standards and guidelines, the Board shall approve the Plan. The approval of adult education programs by the Board for reimbursement under Section 2-12.5 of the Public Community College Act ~~10-22.20 of the School Code~~ shall be based on the Adult Education Plan approved for the Area. The Area Adult Education Plan must be approved prior to funding being made available to an Area Planning Council district.

On or before March 1, 2002 and each year thereafter, the Board shall submit an annual report to the Governor and the General Assembly for adult education for the preceding school year. The annual report shall include a summary of adult education needs and programs; the number of students served, federal Workforce Innovation and Opportunity Act activities, high school equivalency information, credit hours or units of instruction, performance data, total adult education allocations, and State reimbursement for adult basic education, adult secondary education, English language acquisition, high school credit, integrated English literacy ~~and~~, civics education, and bridge and integrated education and

training programs in coordination with ~~and~~ vocational skills training programs; the criteria used for program approval; and any recommendations.

(Source: P.A. 99-650, eff. 7-28-16.)

(105 ILCS 405/3-1) (from Ch. 122, par. 203-1)

Sec. 3-1. Apportionment for Adult Education Courses. Any school district maintaining adult education classes for the instruction of persons over 21 years of age and youths under 21 years of age whose schooling has been interrupted shall be entitled to claim an apportionment in accordance with the provisions of Section 10-22.20 of the School Code and Section 2-4 of this Act. Any public community college district maintaining adult education classes for the instruction of those persons who (i) are 16 years of age or older, are not enrolled or required to be enrolled in a secondary school under State law, and are basic-skills deficient, (ii) do not have a secondary school diploma or its recognized equivalent and have not achieved an equivalent level of education, or (iii) are an English language learner ~~over 21 years of age and youths under 21 years of age whose schooling has been interrupted~~ shall be entitled to claim an apportionment in accordance with the provisions of Section 2-16.02 of the Public Community College Act.

Reimbursement as herein provided shall be limited to adult basic education, adult secondary and high school equivalency

testing education, high school credit, literacy, English language acquisition, integrated English literacy and civics education, integrated education and training in coordination with vocational skills training, and any other activities that  
~~to courses regularly accepted for graduation from elementary or high schools and for Americanization and high school equivalency testing review classes which~~ are approved by the Board.

If the amount appropriated for this purpose is less than the amount required under the provisions of this Section, the apportionment for local districts shall be proportionately reduced.

(Source: P.A. 98-718, eff. 1-1-15.)

(105 ILCS 405/2-1 rep.)

(105 ILCS 405/2-2 rep.)

(105 ILCS 405/3-2 rep.)

(105 ILCS 405/3-3 rep.)

Section 15. The Adult Education Act is amended by repealing Sections 2-1, 2-2, 3-2, and 3-3.

(105 ILCS 410/Act rep.)

Section 20. The Adult Education Reporting Act is repealed.

Section 25. The Public Community College Act is amended by changing Section 2-12 and by adding Section 2-12.5 as follows:

(110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

Sec. 2-12. The State Board shall have the power and it shall be its duty:

(a) To provide statewide planning for community colleges as institutions of higher education and to coordinate the programs, services and activities of all community colleges in the State so as to encourage and establish a system of locally initiated and administered comprehensive community colleges.

(b) To organize and conduct feasibility surveys for new community colleges or for the inclusion of existing institutions as community colleges and the locating of new institutions.

(c) (Blank).

(c-5) In collaboration with the community colleges, to furnish information for State and federal accountability purposes, promote student and institutional improvement, and meet research needs.

(d) To cooperate with the community colleges in collecting and maintaining student characteristics, enrollment and completion data, faculty and staff characteristics, financial data, admission standards, qualification and certification of facilities, and any other issues facing community colleges.

(e) To enter into contracts with other governmental

agencies and eligible providers, such as local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities; to accept federal funds and to plan with other State agencies when appropriate for the allocation of such federal funds for instructional programs and student services including such funds for adult education and literacy, vocational and career and technical education, and retraining as may be allocated by state and federal agencies for the aid of community colleges. To receive, receipt for, hold in trust, expend and administer, for all purposes of this Act, funds and other aid made available by the federal government or by other agencies public or private, subject to appropriation by the General Assembly. The changes to this subdivision (e) made by Public Act 91-830 ~~this amendatory Act of the 91st General Assembly~~ apply on and after July 1, 2001.

(f) To determine efficient and adequate standards for community colleges for the physical plant, heating, lighting, ventilation, sanitation, safety, equipment and supplies, instruction and teaching, curriculum, library, operation, maintenance, administration and supervision, and to grant recognition certificates to community



colleges meeting such standards.

(g) To determine the standards for establishment of community colleges and the proper location of the site in relation to existing institutions of higher education offering academic, occupational and technical training curricula, possible enrollment, assessed valuation, industrial, business, agricultural, and other conditions reflecting educational needs in the area to be served; however, no community college may be considered as being recognized nor may the establishment of any community college be authorized in any district which shall be deemed inadequate for the maintenance, in accordance with the desirable standards thus determined, of a community college offering the basic subjects of general education and suitable vocational and semiprofessional and technical curricula.

(h) To approve or disapprove new units of instruction, research or public service as defined in Section 3-25.1 of this Act submitted by the boards of trustees of the respective community college districts of this State. The State Board may discontinue programs which fail to reflect the educational needs of the area being served. The community college district shall be granted 60 days following the State Board staff recommendation and prior to the State Board's action to respond to concerns regarding the program in question. If the State Board acts to abolish

a community college program, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act.

(i) To review and approve or disapprove any contract or agreement that community colleges enter into with any organization, association, educational institution, or government agency to provide educational services for academic credit. The State Board is authorized to monitor performance under any contract or agreement that is approved by the State Board. If the State Board does not approve a particular contract or agreement, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act. Nothing in this subdivision ~~subsection~~ (i) shall be interpreted as applying to collective bargaining agreements with any labor organization.

(j) To establish guidelines regarding sabbatical leaves.

(k) To establish guidelines for the admission into special, appropriate programs conducted or created by community colleges for elementary and secondary school dropouts who have received truant status from the school

districts of this State in compliance with Section 26-14 of the ~~The~~ School Code.

(l) (Blank).

(m) (Blank).

(n) To create and participate in the conduct and operation of any corporation, joint venture, partnership, association, or other organizational entity that has the power: (i) to acquire land, buildings, and other capital equipment for the use and benefit of the community colleges or their students; (ii) to accept gifts and make grants for the use and benefit of the community colleges or their students; (iii) to aid in the instruction and education of students of community colleges; and (iv) to promote activities to acquaint members of the community with the facilities of the various community colleges.

(o) To ~~On and after July 1, 2001, to~~ ensure the effective teaching of adult learners ~~adults~~ and to prepare them for success in employment and lifelong learning by administering a network of providers, programs, and services to provide classes for the instruction of those individuals who (i) are 16 years of age or older, are not enrolled or required to be enrolled in a secondary school under State law, and are basic-skills deficient, (ii) do not have a secondary school diploma or its recognized equivalent and have not achieved an equivalent level of education, or (iii) are an English language learner.

Classes in adult education may include adult basic education, adult secondary and high school equivalency testing education, high school credit, literacy, English language acquisition, integrated education and training in coordination with vocational skills training ~~English as a second language~~, and any other instruction designed to prepare adult students to function successfully in society and to experience success in postsecondary education and employment.

(p) ~~To~~ On ~~and after July 1, 2001, to~~ supervise the administration of adult education and literacy programs, to establish the standards for such courses of instruction and supervise the administration thereof, to contract with other State and local agencies and eligible providers of demonstrated effectiveness, such as local educational agencies, community-based organizations, volunteer literacy organizations, institutions of higher education, public and private nonprofit agencies, libraries, public housing authorities, and nonprofit ~~non-profit~~ institutions for the purpose of promoting and establishing classes for instruction under these programs, to contract with other State and local agencies to accept and expend appropriations for educational purposes to reimburse local eligible providers for the cost of these programs, and to establish an advisory council consisting of all categories of eligible providers; agency partners, such as the State

Board of Education, the Department of Human Services, the Department of Employment Security, the Department of Commerce and Economic Opportunity, and the Secretary of State literacy program; and other stakeholders to identify, deliberate, and make recommendations to the State Board on adult education policy and priorities. The State Board shall support statewide geographic distribution; diversity of eligible providers; and the adequacy, stability, and predictability of funding so as not to disrupt or diminish, but rather to enhance, adult education and literacy services.

(Source: P.A. 99-655, eff. 7-28-16; 100-884, eff. 1-1-19; revised 10-9-18.)

(110 ILCS 805/2-12.5 new)

Sec. 2-12.5. Classes for adults and youths whose schooling has been interrupted.

(a) The State Board shall reimburse adult education providers from funds appropriated for approved expenses that are established and determined by the State Board in compliance with the federal Workforce Innovation and Opportunity Act and other State and federal requirements. The State Board shall establish standards to determine the cost of instruction, including any other authorized incidental costs, which shall serve as the basis of State reimbursement in accordance with the provisions of this Section. In the approval of programs and

the determination of the cost of instruction, the State Board shall provide for the maximum utilization of federal and State funds for those programs. The State Board shall also provide for:

(1) the development of an index of need for program planning and for area funding allocations, as defined by the State Board;

(2) the method for calculating hours of instruction, as defined by the State Board, claimable for reimbursement and a method to phase in the calculation and for adjusting the calculations in cases in which the services of a program are interrupted due to circumstances beyond the control of the program provider;

(3) a plan for the reallocation of funds to increase the amount allocated for grants based upon program performance; and

(4) the development of standards, programs, and guidelines consistent with the federal Workforce Innovation and Opportunity Act.

(b) For adult education instruction as listed under subdivision (o) of Section 2-12, the maximum generation rate for reimbursement per credit hour or per unit of instruction shall be equal to the community college system reimbursement rate for adult education divided by one-third.

(c) Upon its annual approval, the State Board shall provide grants to eligible programs for activities to improve or expand

services under the federal Workforce Innovation and Opportunity Act, Title II - Adult Education and Literacy. Eligible programs shall be determined based upon competitive processes and based on federal and State program considerations, as set by the State Board.

(d) Reimbursement under this Section may not exceed the actual costs of the approved program. Approved programs may assess students, except those students receiving public aid under the Illinois Public Aid Code, up to \$6.00 per credit hour or unit of instruction, not to exceed \$30.00 per semester per student, if needed to meet program costs.

(e) An education plan shall be established for each adult learner who is participating in the instructional programs provided under this Section.

(f) Each adult education provider shall keep an accurate and detailed account of the students assigned to and receiving instruction under this Section who are enrolled in classroom instruction. Each adult education provider shall submit reports of services provided as required by the State Board.

(g) For classes authorized under this Section, a credit hour or unit of instruction is equal to 15 hours of direct instruction for students enrolled in approved adult education programs at midterm and making satisfactory progress, in accordance with standards established by the State Board.

(h) If an approved adult education provider fails to provide or is providing unsatisfactory or insufficient classes

Public Act 101-0289

HB3628 Enrolled

LRB101 10021 AXK 55123 b

under Section 2-12 and this Section, the State Board may enter into agreements with other eligible providers.

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