



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2845

Introduced 2/13/2018, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

110 ILCS 305/90
110 ILCS 520/75
110 ILCS 660/5-185
110 ILCS 665/10-185
110 ILCS 670/15-185
110 ILCS 675/20-190
110 ILCS 680/25-185
110 ILCS 685/30-195
110 ILCS 690/35-190
110 ILCS 805/3-65

Amends various Acts relating to the governance of public universities and community colleges in Illinois. With respect to employment contracts entered into with the president or all chancellors of a public university or an employee of a community college district, provides that severance under the contract may not exceed 6 months (rather than one year) of salary and applicable benefits.

LRB100 18379 AXK 33586 b

FISCAL NOTE ACT
MAY APPLY

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 University of Illinois Act is amended by
5 changing Section 90 as follows:

6 (110 ILCS 305/90)

7 Sec. 90. Employment contract limitations. This Section
8 applies to the employment contracts of the president or all
9 chancellors of the University entered into, amended, renewed,
10 or extended after the effective date of this amendatory Act of
11 the 99th General Assembly. This Section does not apply to
12 collective bargaining agreements. With respect to employment
13 contracts entered into with the president or all chancellors of
14 the University:

15 (1) Severance under the contract may not exceed one
16 year salary and applicable benefits, except that severance
17 under a contract entered into, amended, renewed, or
18 extended on or after the effective date of this amendatory
19 Act of the 100th General Assembly may not exceed 6 months
20 of ~~one year~~ salary and applicable benefits.

21 (2) A contract with a determinate start and end date
22 may not exceed 4 years.

23 (3) The contract may not include any automatic rollover

1 clauses.

2 (4) Severance payments or contract buyouts may be
3 placed in an escrow account if there are pending criminal
4 charges against the president or all chancellors of the
5 University related to their employment.

6 (5) Final action on the formation, renewal, extension,
7 or termination of the employment contracts of the president
8 or all chancellors of the University must be made during an
9 open meeting of the Board of Trustees.

10 (6) Public notice, compliant with the provisions of the
11 Open Meetings Act, must be given prior to final action on
12 the formation, renewal, extension, or termination of the
13 employment contracts of the president or all chancellors of
14 the University and must include a copy of the Board item or
15 other documentation providing, at a minimum, a description
16 of the proposed principal financial components of the
17 president's or all chancellors' appointments.

18 (7) Any performance-based bonus or incentive-based
19 compensation to the president or all chancellors of the
20 University must be approved by the Board in an open
21 meeting. The performance upon which the bonus is based must
22 be made available to the public no less than 48 hours
23 before Board approval of the performance-based bonus or
24 incentive-based compensation.

25 (8) Board minutes, board packets, and annual
26 performance reviews concerning the president or all

1 chancellors of the University must be made available to the
2 public on the University's Internet website.

3 (Source: P.A. 99-694, eff. 1-1-17.)

4 Section 10. The Southern Illinois University Management
5 Act is amended by changing Section 75 as follows:

6 (110 ILCS 520/75)

7 Sec. 75. Employment contract limitations. This Section
8 applies to the employment contracts of the president or all
9 chancellors of the University entered into, amended, renewed,
10 or extended after the effective date of this amendatory Act of
11 the 99th General Assembly. This Section does not apply to
12 collective bargaining agreements. With respect to employment
13 contracts entered into with the president or all chancellors of
14 the University:

15 (1) Severance under the contract may not exceed one
16 year salary and applicable benefits, except that severance
17 under a contract entered into, amended, renewed, or
18 extended on or after the effective date of this amendatory
19 Act of the 100th General Assembly may not exceed 6 months
20 of ~~one year~~ salary and applicable benefits.

21 (2) A contract with a determinate start and end date
22 may not exceed 4 years.

23 (3) The contract may not include any automatic rollover
24 clauses.

1 (4) Severance payments or contract buyouts may be
2 placed in an escrow account if there are pending criminal
3 charges against the president or all chancellors of the
4 University related to their employment.

5 (5) Final action on the formation, renewal, extension,
6 or termination of the employment contracts of the president
7 or all chancellors of the University must be made during an
8 open meeting of the Board.

9 (6) Public notice, compliant with the provisions of the
10 Open Meetings Act, must be given prior to final action on
11 the formation, renewal, extension, or termination of the
12 employment contracts of the president or all chancellors of
13 the University and must include a copy of the Board item or
14 other documentation providing, at a minimum, a description
15 of the proposed principal financial components of the
16 president's or all chancellors' appointments.

17 (7) Any performance-based bonus or incentive-based
18 compensation to the president or all chancellors of the
19 University must be approved by the Board in an open
20 meeting. The performance upon which the bonus is based must
21 be made available to the public no less than 48 hours
22 before Board approval of the performance-based bonus or
23 incentive-based compensation.

24 (8) Board minutes, board packets, and annual
25 performance reviews concerning the president or all
26 chancellors of the University must be made available to the

1 public on the University's Internet website.

2 (Source: P.A. 99-694, eff. 1-1-17.)

3 Section 15. The Chicago State University Law is amended by
4 changing Section 5-185 as follows:

5 (110 ILCS 660/5-185)

6 Sec. 5-185. Employment contract limitations. This Section
7 applies to the employment contracts of the president or all
8 chancellors of the University entered into, amended, renewed,
9 or extended after the effective date of this amendatory Act of
10 the 99th General Assembly. This Section does not apply to
11 collective bargaining agreements. With respect to employment
12 contracts entered into with the president or all chancellors of
13 the University:

14 (1) Severance under the contract may not exceed one
15 year salary and applicable benefits, except that severance
16 under a contract entered into, amended, renewed, or
17 extended on or after the effective date of this amendatory
18 Act of the 100th General Assembly may not exceed 6 months
19 of ~~one year~~ salary and applicable benefits.

20 (2) A contract with a determinate start and end date
21 may not exceed 4 years.

22 (3) The contract may not include any automatic rollover
23 clauses.

24 (4) Severance payments or contract buyouts may be

1 placed in an escrow account if there are pending criminal
2 charges against the president or all chancellors of the
3 University related to their employment.

4 (5) Final action on the formation, renewal, extension,
5 or termination of the employment contracts of the president
6 or all chancellors of the University must be made during an
7 open meeting of the Board.

8 (6) Public notice, compliant with the provisions of the
9 Open Meetings Act, must be given prior to final action on
10 the formation, renewal, extension, or termination of the
11 employment contracts of the president or all chancellors of
12 the University and must include a copy of the Board item or
13 other documentation providing, at a minimum, a description
14 of the proposed principal financial components of the
15 president's or all chancellors' appointments.

16 (7) Any performance-based bonus or incentive-based
17 compensation to the president or all chancellors of the
18 University must be approved by the Board in an open
19 meeting. The performance upon which the bonus is based must
20 be made available to the public no less than 48 hours
21 before Board approval of the performance-based bonus or
22 incentive-based compensation.

23 (8) Board minutes, board packets, and annual
24 performance reviews concerning the president or all
25 chancellors of the University must be made available to the
26 public on the University's Internet website.

1 (Source: P.A. 99-694, eff. 1-1-17.)

2 Section 20. The Eastern Illinois University Law is amended
3 by changing Section 10-185 as follows:

4 (110 ILCS 665/10-185)

5 Sec. 10-185. Employment contract limitations. This Section
6 applies to the employment contracts of the president or all
7 chancellors of the University entered into, amended, renewed,
8 or extended after the effective date of this amendatory Act of
9 the 99th General Assembly. This Section does not apply to
10 collective bargaining agreements. With respect to employment
11 contracts entered into with the president or all chancellors of
12 the University:

13 (1) Severance under the contract may not exceed one
14 year salary and applicable benefits, except that severance
15 under a contract entered into, amended, renewed, or
16 extended on or after the effective date of this amendatory
17 Act of the 100th General Assembly may not exceed 6 months
18 of ~~one year~~ salary and applicable benefits.

19 (2) A contract with a determinate start and end date
20 may not exceed 4 years.

21 (3) The contract may not include any automatic rollover
22 clauses.

23 (4) Severance payments or contract buyouts may be
24 placed in an escrow account if there are pending criminal

1 charges against the president or all chancellors of the
2 University related to their employment.

3 (5) Final action on the formation, renewal, extension,
4 or termination of the employment contracts of the president
5 or all chancellors of the University must be made during an
6 open meeting of the Board.

7 (6) Public notice, compliant with the provisions of the
8 Open Meetings Act, must be given prior to final action on
9 the formation, renewal, extension, or termination of the
10 employment contracts of the president or all chancellors of
11 the University and must include a copy of the Board item or
12 other documentation providing, at a minimum, a description
13 of the proposed principal financial components of the
14 president's or all chancellors' appointments.

15 (7) Any performance-based bonus or incentive-based
16 compensation to the president or all chancellors of the
17 University must be approved by the Board in an open
18 meeting. The performance upon which the bonus is based must
19 be made available to the public no less than 48 hours
20 before Board approval of the performance-based bonus or
21 incentive-based compensation.

22 (8) Board minutes, board packets, and annual
23 performance reviews concerning the president or all
24 chancellors of the University must be made available to the
25 public on the University's Internet website.

26 (Source: P.A. 99-694, eff. 1-1-17.)

1 Section 25. The Governors State University Law is amended
2 by changing Section 15-185 as follows:

3 (110 ILCS 670/15-185)

4 Sec. 15-185. Employment contract limitations. This Section
5 applies to the employment contracts of the president or all
6 chancellors of the University entered into, amended, renewed,
7 or extended after the effective date of this amendatory Act of
8 the 99th General Assembly. This Section does not apply to
9 collective bargaining agreements. With respect to employment
10 contracts entered into with the president or all chancellors of
11 the University:

12 (1) Severance under the contract may not exceed one
13 year salary and applicable benefits, except that severance
14 under a contract entered into, amended, renewed, or
15 extended on or after the effective date of this amendatory
16 Act of the 100th General Assembly may not exceed 6 months
17 of ~~one year~~ salary and applicable benefits.

18 (2) A contract with a determinate start and end date
19 may not exceed 4 years.

20 (3) The contract may not include any automatic rollover
21 clauses.

22 (4) Severance payments or contract buyouts may be
23 placed in an escrow account if there are pending criminal
24 charges against the president or all chancellors of the

1 University related to their employment.

2 (5) Final action on the formation, renewal, extension,
3 or termination of the employment contracts of the president
4 or all chancellors of the University must be made during an
5 open meeting of the Board.

6 (6) Public notice, compliant with the provisions of the
7 Open Meetings Act, must be given prior to final action on
8 the formation, renewal, extension, or termination of the
9 employment contracts of the president or all chancellors of
10 the University and must include a copy of the Board item or
11 other documentation providing, at a minimum, a description
12 of the proposed principal financial components of the
13 president's or all chancellors' appointments.

14 (7) Any performance-based bonus or incentive-based
15 compensation to the president or all chancellors of the
16 University must be approved by the Board in an open
17 meeting. The performance upon which the bonus is based must
18 be made available to the public no less than 48 hours
19 before Board approval of the performance-based bonus or
20 incentive-based compensation.

21 (8) Board minutes, board packets, and annual
22 performance reviews concerning the president or all
23 chancellors of the University must be made available to the
24 public on the University's Internet website.

25 (Source: P.A. 99-694, eff. 1-1-17.)

1 Section 30. The Illinois State University Law is amended by
2 changing Section 20-190 as follows:

3 (110 ILCS 675/20-190)

4 Sec. 20-190. Employment contract limitations. This Section
5 applies to the employment contracts of the president or all
6 chancellors of the University entered into, amended, renewed,
7 or extended after the effective date of this amendatory Act of
8 the 99th General Assembly. This Section does not apply to
9 collective bargaining agreements. With respect to employment
10 contracts entered into with the president or all chancellors of
11 the University:

12 (1) Severance under the contract may not exceed one
13 year salary and applicable benefits, except that severance
14 under a contract entered into, amended, renewed, or
15 extended on or after the effective date of this amendatory
16 Act of the 100th General Assembly may not exceed 6 months
17 of ~~one year~~ salary and applicable benefits.

18 (2) A contract with a determinate start and end date
19 may not exceed 4 years.

20 (3) The contract may not include any automatic rollover
21 clauses.

22 (4) Severance payments or contract buyouts may be
23 placed in an escrow account if there are pending criminal
24 charges against the president or all chancellors of the
25 University related to their employment.

1 (5) Final action on the formation, renewal, extension,
2 or termination of the employment contracts of the president
3 or all chancellors of the University must be made during an
4 open meeting of the Board.

5 (6) Public notice, compliant with the provisions of the
6 Open Meetings Act, must be given prior to final action on
7 the formation, renewal, extension, or termination of the
8 employment contracts of the president or all chancellors of
9 the University and must include a copy of the Board item or
10 other documentation providing, at a minimum, a description
11 of the proposed principal financial components of the
12 president's or all chancellors' appointments.

13 (7) Any performance-based bonus or incentive-based
14 compensation to the president or all chancellors of the
15 University must be approved by the Board in an open
16 meeting. The performance upon which the bonus is based must
17 be made available to the public no less than 48 hours
18 before Board approval of the performance-based bonus or
19 incentive-based compensation.

20 (8) Board minutes, board packets, and annual
21 performance reviews concerning the president or all
22 chancellors of the University must be made available to the
23 public on the University's Internet website.

24 (Source: P.A. 99-694, eff. 1-1-17.)

25 Section 35. The Northeastern Illinois University Law is

1 amended by changing Section 25-185 as follows:

2 (110 ILCS 680/25-185)

3 Sec. 25-185. Employment contract limitations. This Section
4 applies to the employment contracts of the president or all
5 chancellors of the University entered into, amended, renewed,
6 or extended after the effective date of this amendatory Act of
7 the 99th General Assembly. This Section does not apply to
8 collective bargaining agreements. With respect to employment
9 contracts entered into with the president or all chancellors of
10 the University:

11 (1) Severance under the contract may not exceed one
12 year salary and applicable benefits, except that severance
13 under a contract entered into, amended, renewed, or
14 extended on or after the effective date of this amendatory
15 Act of the 100th General Assembly may not exceed 6 months
16 of ~~one year~~ salary and applicable benefits.

17 (2) A contract with a determinate start and end date
18 may not exceed 4 years.

19 (3) The contract may not include any automatic rollover
20 clauses.

21 (4) Severance payments or contract buyouts may be
22 placed in an escrow account if there are pending criminal
23 charges against the president or all chancellors of the
24 University related to their employment.

25 (5) Final action on the formation, renewal, extension,

1 or termination of the employment contracts of the president
2 or all chancellors of the University must be made during an
3 open meeting of the Board.

4 (6) Public notice, compliant with the provisions of the
5 Open Meetings Act, must be given prior to final action on
6 the formation, renewal, extension, or termination of the
7 employment contracts of the president or all chancellors of
8 the University and must include a copy of the Board item or
9 other documentation providing, at a minimum, a description
10 of the proposed principal financial components of the
11 president's or all chancellors' appointments.

12 (7) Any performance-based bonus or incentive-based
13 compensation to the president or all chancellors of the
14 University must be approved by the Board in an open
15 meeting. The performance upon which the bonus is based must
16 be made available to the public no less than 48 hours
17 before Board approval of the performance-based bonus or
18 incentive-based compensation.

19 (8) Board minutes, board packets, and annual
20 performance reviews concerning the president or all
21 chancellors of the University must be made available to the
22 public on the University's Internet website.

23 (Source: P.A. 99-694, eff. 1-1-17.)

24 Section 40. The Northern Illinois University Law is amended
25 by changing Section 30-195 as follows:

1 (110 ILCS 685/30-195)

2 Sec. 30-195. Employment contract limitations. This Section
3 applies to the employment contracts of the president or all
4 chancellors of the University entered into, amended, renewed,
5 or extended after the effective date of this amendatory Act of
6 the 99th General Assembly. This Section does not apply to
7 collective bargaining agreements. With respect to employment
8 contracts entered into with the president or all chancellors of
9 the University:

10 (1) Severance under the contract may not exceed one
11 year salary and applicable benefits, except that severance
12 under a contract entered into, amended, renewed, or
13 extended on or after the effective date of this amendatory
14 Act of the 100th General Assembly may not exceed 6 months
15 of ~~one year~~ salary and applicable benefits.

16 (2) A contract with a determinate start and end date
17 may not exceed 4 years.

18 (3) The contract may not include any automatic rollover
19 clauses.

20 (4) Severance payments or contract buyouts may be
21 placed in an escrow account if there are pending criminal
22 charges against the president or all chancellors of the
23 University related to their employment.

24 (5) Final action on the formation, renewal, extension,
25 or termination of the employment contracts of the president

1 or all chancellors of the University must be made during an
2 open meeting of the Board.

3 (6) Public notice, compliant with the provisions of the
4 Open Meetings Act, must be given prior to final action on
5 the formation, renewal, extension, or termination of the
6 employment contracts of the president or all chancellors of
7 the University and must include a copy of the Board item or
8 other documentation providing, at a minimum, a description
9 of the proposed principal financial components of the
10 president's or all chancellors' appointments.

11 (7) Any performance-based bonus or incentive-based
12 compensation to the president or all chancellors of the
13 University must be approved by the Board in an open
14 meeting. The performance upon which the bonus is based must
15 be made available to the public no less than 48 hours
16 before Board approval of the performance-based bonus or
17 incentive-based compensation.

18 (8) Board minutes, board packets, and annual
19 performance reviews concerning the president or all
20 chancellors of the University must be made available to the
21 public on the University's Internet website.

22 (Source: P.A. 99-694, eff. 1-1-17.)

23 Section 45. The Western Illinois University Law is amended
24 by changing Section 35-190 as follows:

1 (110 ILCS 690/35-190)

2 Sec. 35-190. Employment contract limitations. This Section
3 applies to the employment contracts of the president or all
4 chancellors of the University entered into, amended, renewed,
5 or extended after the effective date of this amendatory Act of
6 the 99th General Assembly. This Section does not apply to
7 collective bargaining agreements. With respect to employment
8 contracts entered into with the president or all chancellors of
9 the University:

10 (1) Severance under the contract may not exceed one
11 year salary and applicable benefits, except that severance
12 under a contract entered into, amended, renewed, or
13 extended on or after the effective date of this amendatory
14 Act of the 100th General Assembly may not exceed 6 months
15 of ~~one year~~ salary and applicable benefits.

16 (2) A contract with a determinate start and end date
17 may not exceed 4 years.

18 (3) The contract may not include any automatic rollover
19 clauses.

20 (4) Severance payments or contract buyouts may be
21 placed in an escrow account if there are pending criminal
22 charges against the president or all chancellors of the
23 University related to their employment.

24 (5) Final action on the formation, renewal, extension,
25 or termination of the employment contracts of the president
26 or all chancellors of the University must be made during an

1 open meeting of the Board.

2 (6) Public notice, compliant with the provisions of the
3 Open Meetings Act, must be given prior to final action on
4 the formation, renewal, extension, or termination of the
5 employment contracts of the president or all chancellors of
6 the University and must include a copy of the Board item or
7 other documentation providing, at a minimum, a description
8 of the proposed principal financial components of the
9 president's or all chancellors' appointments.

10 (7) Any performance-based bonus or incentive-based
11 compensation to the president or all chancellors of the
12 University must be approved by the Board in an open
13 meeting. The performance upon which the bonus is based must
14 be made available to the public no less than 48 hours
15 before Board approval of the performance-based bonus or
16 incentive-based compensation.

17 (8) Board minutes, board packets, and annual
18 performance reviews concerning the president or all
19 chancellors of the University must be made available to the
20 public on the University's Internet website.

21 (Source: P.A. 99-694, eff. 1-1-17.)

22 Section 50. The Public Community College Act is amended by
23 changing Section 3-65 as follows:

24 (110 ILCS 805/3-65)

1 Sec. 3-65. Employment contract limitations.

2 (a) This Section applies to employment contracts entered
3 into, amended, renewed, or extended after the effective date of
4 this amendatory Act of the 99th General Assembly. This Section
5 does not apply to collective bargaining agreements.

6 (b) The following apply to any employment contract entered
7 into with an employee of the community college district:

8 (1) Severance under the contract may not exceed one
9 year salary and applicable benefits, except that severance
10 under a contract entered into, amended, renewed, or
11 extended on or after the effective date of this amendatory
12 Act of the 100th General Assembly may not exceed 6 months
13 of ~~one year~~ salary and applicable benefits.

14 (2) A contract with a determinate start and end date
15 may not exceed 4 years.

16 (3) The contract may not include any automatic rollover
17 clauses, and all renewals or extensions of contracts must
18 be made during an open meeting of the board.

19 (4) Public notice, in a form as determined by the State
20 Board, must be given of an employment contract entered
21 into, amended, renewed, or extended and must include a
22 complete description of the action to be taken, as well the
23 contract itself, including all addendums or any other
24 documents that change an initial contract.

25 (Source: P.A. 99-482, eff. 9-22-15.)