

1 AN ACT concerning government.

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

4 Section 1. The State Treasurer Act is amended by changing  
5 Section 16.5 as follows:

6 (15 ILCS 505/16.5)

7 Sec. 16.5. College Savings Pool. The State Treasurer may  
8 establish and administer a College Savings Pool to supplement  
9 and enhance the investment opportunities otherwise available  
10 to persons seeking to finance the costs of higher education.  
11 The State Treasurer, in administering the College Savings Pool,  
12 may receive moneys paid into the pool by a participant and may  
13 serve as the fiscal agent of that participant for the purpose  
14 of holding and investing those moneys.

15 "Participant", as used in this Section, means any person  
16 who has authority to withdraw funds, change the designated  
17 beneficiary, or otherwise exercise control over an account.

18 "Donor", as used in this Section, means any person who makes  
19 investments in the pool. "Designated beneficiary", as used in  
20 this Section, means any person on whose behalf an account is  
21 established in the College Savings Pool by a participant. Both  
22 in-state and out-of-state persons may be participants, donors,  
23 and designated beneficiaries in the College Savings Pool. The

1 College Savings Pool must be available to any individual with a  
2 valid social security number or taxpayer identification number  
3 for the benefit of any individual with a valid social security  
4 number or taxpayer identification number, unless a contract in  
5 effect on the effective date of this amendatory Act of the 97th  
6 General Assembly does not allow for taxpayer identification  
7 numbers, in which case taxpayer identification numbers must be  
8 allowed upon the expiration of the contract.

9       New accounts in the College Savings Pool may be processed  
10 through participating financial institutions. "Participating  
11 financial institution", as used in this Section, means any  
12 financial institution insured by the Federal Deposit Insurance  
13 Corporation and lawfully doing business in the State of  
14 Illinois and any credit union approved by the State Treasurer  
15 and lawfully doing business in the State of Illinois that  
16 agrees to process new accounts in the College Savings Pool.  
17 Participating financial institutions may charge a processing  
18 fee to participants to open an account in the pool that shall  
19 not exceed \$30 until the year 2001. Beginning in 2001 and every  
20 year thereafter, the maximum fee limit shall be adjusted by the  
21 Treasurer based on the Consumer Price Index for the North  
22 Central Region as published by the United States Department of  
23 Labor, Bureau of Labor Statistics for the immediately preceding  
24 calendar year. Every contribution received by a financial  
25 institution for investment in the College Savings Pool shall be  
26 transferred from the financial institution to a location

1 selected by the State Treasurer within one business day  
2 following the day that the funds must be made available in  
3 accordance with federal law. All communications from the State  
4 Treasurer to participants and donors shall reference the  
5 participating financial institution at which the account was  
6 processed.

7       The Treasurer may invest the moneys in the College Savings  
8 Pool in the same manner and in the same types of investments  
9 provided for the investment of moneys by the Illinois State  
10 Board of Investment. To enhance the safety and liquidity of the  
11 College Savings Pool, to ensure the diversification of the  
12 investment portfolio of the pool, and in an effort to keep  
13 investment dollars in the State of Illinois, the State  
14 Treasurer may make a percentage of each account available for  
15 investment in participating financial institutions doing  
16 business in the State. The State Treasurer may deposit with the  
17 participating financial institution at which the account was  
18 processed the following percentage of each account at a  
19 prevailing rate offered by the institution, provided that the  
20 deposit is federally insured or fully collateralized and the  
21 institution accepts the deposit: 10% of the total amount of  
22 each account for which the current age of the beneficiary is  
23 less than 7 years of age, 20% of the total amount of each  
24 account for which the beneficiary is at least 7 years of age  
25 and less than 12 years of age, and 50% of the total amount of  
26 each account for which the current age of the beneficiary is at

1 least 12 years of age. The Treasurer shall develop, publish,  
2 and implement an investment policy covering the investment of  
3 the moneys in the College Savings Pool. The policy shall be  
4 published (i) at least once each year in at least one newspaper  
5 of general circulation in both Springfield and Chicago and (ii)  
6 each year as part of the audit of the College Savings Pool by  
7 the Auditor General, which shall be distributed to all  
8 participants. The Treasurer shall notify all participants in  
9 writing, and the Treasurer shall publish in a newspaper of  
10 general circulation in both Chicago and Springfield, any  
11 changes to the previously published investment policy at least  
12 30 calendar days before implementing the policy. Any investment  
13 policy adopted by the Treasurer shall be reviewed and updated  
14 if necessary within 90 days following the date that the State  
15 Treasurer takes office.

16 Participants shall be required to use moneys distributed  
17 from the College Savings Pool for qualified expenses at  
18 eligible educational institutions. "Qualified expenses", as  
19 used in this Section, means the following: (i) tuition, fees,  
20 and the costs of books, supplies, and equipment required for  
21 enrollment or attendance at an eligible educational  
22 institution and (ii) certain room and board expenses incurred  
23 while attending an eligible educational institution at least  
24 half-time. "Eligible educational institutions", as used in  
25 this Section, means public and private colleges, junior  
26 colleges, graduate schools, and certain vocational

1 institutions that are described in Section 481 of the Higher  
2 Education Act of 1965 (20 U.S.C. 1088) and that are eligible to  
3 participate in Department of Education student aid programs. A  
4 student shall be considered to be enrolled at least half-time  
5 if the student is enrolled for at least half the full-time  
6 academic work load for the course of study the student is  
7 pursuing as determined under the standards of the institution  
8 at which the student is enrolled. Distributions made from the  
9 pool for qualified expenses shall be made directly to the  
10 eligible educational institution, directly to a vendor, or in  
11 the form of a check payable to both the beneficiary and the  
12 institution or vendor. Any moneys that are distributed in any  
13 other manner or that are used for expenses other than qualified  
14 expenses at an eligible educational institution shall be  
15 subject to a penalty of 10% of the earnings unless the  
16 beneficiary dies, becomes disabled, or receives a scholarship  
17 that equals or exceeds the distribution. Penalties shall be  
18 withheld at the time the distribution is made.

19 The Treasurer shall limit the contributions that may be  
20 made on behalf of a designated beneficiary based on the  
21 limitations established by the Internal Revenue Service. The  
22 contributions made on behalf of a beneficiary who is also a  
23 beneficiary under the Illinois Prepaid Tuition Program shall be  
24 further restricted to ensure that the contributions in both  
25 programs combined do not exceed the limit established for the  
26 College Savings Pool. The Treasurer shall provide the Illinois

1 Student Assistance Commission each year at a time designated by  
2 the Commission, an electronic report of all participant  
3 accounts in the Treasurer's College Savings Pool, listing total  
4 contributions and disbursements from each individual account  
5 during the previous calendar year. As soon thereafter as is  
6 possible following receipt of the Treasurer's report, the  
7 Illinois Student Assistance Commission shall, in turn, provide  
8 the Treasurer with an electronic report listing those College  
9 Savings Pool participants who also participate in the State's  
10 prepaid tuition program, administered by the Commission. The  
11 Commission shall be responsible for filing any combined tax  
12 reports regarding State qualified savings programs required by  
13 the United States Internal Revenue Service. The Treasurer shall  
14 work with the Illinois Student Assistance Commission to  
15 coordinate the marketing of the College Savings Pool and the  
16 Illinois Prepaid Tuition Program when considered beneficial by  
17 the Treasurer and the Director of the Illinois Student  
18 Assistance Commission. The Treasurer's office shall not  
19 publicize or otherwise market the College Savings Pool or  
20 accept any moneys into the College Savings Pool prior to March  
21 1, 2000. The Treasurer shall provide a separate accounting for  
22 each designated beneficiary to each participant, the Illinois  
23 Student Assistance Commission, and the participating financial  
24 institution at which the account was processed. No interest in  
25 the program may be pledged as security for a loan. Moneys held  
26 in an account invested in the Illinois College Savings Pool

1 shall be exempt from all claims of the creditors of the  
2 participant, donor, or designated beneficiary of that account,  
3 except for the non-exempt College Savings Pool transfers to or  
4 from the account as defined under subsection (j) of Section  
5 12-1001 of the Code of Civil Procedure (735 ILCS 5/12-1001(j)).

6 The assets of the College Savings Pool and its income and  
7 operation shall be exempt from all taxation by the State of  
8 Illinois and any of its subdivisions. The accrued earnings on  
9 investments in the Pool once disbursed on behalf of a  
10 designated beneficiary shall be similarly exempt from all  
11 taxation by the State of Illinois and its subdivisions, so long  
12 as they are used for qualified expenses. Contributions to a  
13 College Savings Pool account during the taxable year may be  
14 deducted from adjusted gross income as provided in Section 203  
15 of the Illinois Income Tax Act. The provisions of this  
16 paragraph are exempt from Section 250 of the Illinois Income  
17 Tax Act.

18 The Treasurer shall adopt rules he or she considers  
19 necessary for the efficient administration of the College  
20 Savings Pool. The rules shall provide whatever additional  
21 parameters and restrictions are necessary to ensure that the  
22 College Savings Pool meets all of the requirements for a  
23 qualified state tuition program under Section 529 of the  
24 Internal Revenue Code (26 U.S.C. 529). The rules shall provide  
25 for the administration expenses of the pool to be paid from its  
26 earnings and for the investment earnings in excess of the

1 expenses and all moneys collected as penalties to be credited  
2 or paid monthly to the several participants in the pool in a  
3 manner which equitably reflects the differing amounts of their  
4 respective investments in the pool and the differing periods of  
5 time for which those amounts were in the custody of the pool.  
6 Also, the rules shall require the maintenance of records that  
7 enable the Treasurer's office to produce a report for each  
8 account in the pool at least annually that documents the  
9 account balance and investment earnings. Notice of any proposed  
10 amendments to the rules and regulations shall be provided to  
11 all participants prior to adoption. Amendments to rules and  
12 regulations shall apply only to contributions made after the  
13 adoption of the amendment.

14       Upon creating the College Savings Pool, the State Treasurer  
15 shall give bond with 2 or more sufficient sureties, payable to  
16 and for the benefit of the participants in the College Savings  
17 Pool, in the penal sum of \$1,000,000, conditioned upon the  
18 faithful discharge of his or her duties in relation to the  
19 College Savings Pool.

20       (Source: P.A. 95-23, eff. 8-3-07; 95-306, eff. 1-1-08; 95-521,  
21 eff. 8-28-07; 95-876, eff. 8-21-08.)

22       Section 3. The School Code is amended by changing Section  
23 21-25 as follows:

24       (105 ILCS 5/21-25) (from Ch. 122, par. 21-25)



1           Sec. 21-25. School service personnel certificate.

2           (a) For purposes of this Section, "school service  
3 personnel" means persons employed and performing appropriate  
4 services in an Illinois public or State-operated elementary  
5 school, secondary school, or cooperative or joint agreement  
6 with a governing body or board of control or a charter school  
7 operating in compliance with the Charter Schools Law in a  
8 position requiring a school service personnel certificate.

9           Subject to the provisions of Section 21-1a, a school  
10 service personnel certificate shall be issued to those  
11 applicants of good character, good health, a citizen of the  
12 United States and at least 19 years of age who have a  
13 Bachelor's degree with not fewer than 120 semester hours from a  
14 regionally accredited institution of higher learning and who  
15 meets the requirements established by the State Superintendent  
16 of Education in consultation with the State Teacher  
17 Certification Board. A school service personnel certificate  
18 with a school nurse endorsement may be issued to a person who  
19 holds a bachelor of science degree from an institution of  
20 higher learning accredited by the North Central Association or  
21 other comparable regional accrediting association. Persons  
22 seeking any other endorsement on the school service personnel  
23 certificate shall be recommended for the endorsement by a  
24 recognized teacher education institution as having completed a  
25 program of preparation approved by the State Superintendent of  
26 Education in consultation with the State Teacher Certification

1 Board.

2 (b) Until August 30, 2002, a school service personnel  
3 certificate endorsed for school social work may be issued to a  
4 student who has completed a school social work program that has  
5 not been approved by the State Superintendent of Education,  
6 provided that each of the following conditions is met:

7 (1) The program was offered by a recognized, public  
8 teacher education institution that first enrolled students  
9 in its master's degree program in social work in 1998;

10 (2) The student applying for the school service  
11 personnel certificate was enrolled in the institution's  
12 master's degree program in social work on or after May 11,  
13 1998;

14 (3) The State Superintendent verifies that the student  
15 has completed coursework that is substantially similar to  
16 that required in approved school social work programs,  
17 including (i) not fewer than 600 clock hours of a  
18 supervised internship in a school setting or (ii) if the  
19 student has completed part of a supervised internship in a  
20 school setting prior to the effective date of this  
21 amendatory Act of the 92nd General Assembly and receives  
22 the prior approval of the State Superintendent, not fewer  
23 than 300 additional clock hours of supervised work in a  
24 public school setting under the supervision of a certified  
25 school social worker who certifies that the supervised work  
26 was completed in a satisfactory manner; and

1           (4) The student has passed a test of basic skills and  
2           the test of subject matter knowledge required by Section  
3           21-1a.

4           This subsection (b) does not apply after August 29, 2002.

5           (c) A school service personnel certificate shall be  
6           endorsed with the area of Service as determined by the State  
7           Superintendent of Education in consultation with the State  
8           Teacher Certification Board.

9           The holder of such certificate shall be entitled to all of  
10          the rights and privileges granted holders of a valid teaching  
11          certificate, including teacher benefits, compensation and  
12          working conditions.

13          When the holder of such certificate has earned a master's  
14          degree, including 8 semester hours of graduate professional  
15          education from a recognized institution of higher learning, and  
16          has at least 2 years of successful school experience while  
17          holding such certificate, the certificate may be endorsed for  
18          supervision.

19          (d) Persons who have successfully achieved National Board  
20          certification through the National Board for Professional  
21          Teaching Standards shall be issued a Master School Service  
22          Personnel Certificate, valid for 10 years and renewable  
23          thereafter every 10 years through compliance with requirements  
24          set forth by the State Board of Education, in consultation with  
25          the State Teacher Certification Board. However, each holder of  
26          a Master School Service Personnel Certificate shall be eligible

1 for a corresponding position in this State in the areas for  
2 which he or she holds a Master Certificate without satisfying  
3 any other requirements of this Code, except for those  
4 requirements pertaining to criminal background checks.

5 (e) School service personnel certificates are renewable  
6 every 5 years and may be renewed as provided in this Section.  
7 Requests for renewals must be submitted, in a format prescribed  
8 by the State Board of Education, to the regional office of  
9 education responsible for the school where the holder is  
10 employed.

11 Upon completion of at least 80 hours of continuing  
12 professional development as provided in this subsection (e), a  
13 person who holds a valid school service personnel certificate  
14 shall have his or her certificate renewed for a period of 5  
15 years. A person who (i) holds an active license issued by the  
16 State as a clinical professional counselor, a professional  
17 counselor, a clinical social worker, a social worker, or a  
18 speech-language pathologist; (ii) holds national certification  
19 as a Nationally Certified School Psychologist from the National  
20 School Psychology Certification Board; (iii) is nationally  
21 certified as a National Certified School Nurse from the  
22 National Board for Certification of School Nurses; (iv) is  
23 nationally certified as a National Certified Counselor or  
24 National Certified School Counselor from the National Board for  
25 Certified Counselors; or (v) holds a Certificate of Clinical  
26 Competence from the American Speech-Language-Hearing

1 Association shall be deemed to have satisfied the continuing  
2 professional development requirements established by the State  
3 Board of Education and the State Teacher Certification Board to  
4 renew a school service personnel certificate.

5 School service personnel certificates may be renewed by the  
6 State Teacher Certification Board based upon proof of  
7 continuing professional development. The State Board of  
8 Education shall (i) establish a procedure for renewing school  
9 service personnel certificates, which shall include without  
10 limitation annual timelines for the renewal process and the  
11 components set forth in this Section; (ii) approve or  
12 disapprove the providers of continuing professional  
13 development activities; and (iii) provide, on a timely basis to  
14 all school service personnel certificate holders, regional  
15 superintendents of schools, school districts, and others with  
16 an interest in continuing professional development,  
17 information about the standards and requirements established  
18 pursuant to this subsection (e).

19 Any school service personnel certificate held by an  
20 individual employed and performing services in an Illinois  
21 public or State-operated elementary school, secondary school,  
22 or cooperative or joint agreement with a governing body or  
23 board of control in a certificated school service personnel  
24 position or in a charter school in compliance with the Charter  
25 Schools Law must be maintained Valid and Active through  
26 certificate renewal activities specified in the certificate

1 renewal procedure established pursuant to this Section,  
2 provided that a holder of a Valid and Active certificate who is  
3 only employed on either a part-time basis or day-to-day basis  
4 as a substitute shall pay only the required registration fee to  
5 renew his or her certificate and maintain it as Valid and  
6 Active. All other school service personnel certificates held  
7 may be maintained as Valid and Exempt through the registration  
8 process provided for in the certificate renewal procedure  
9 established pursuant to Section 21-14 of this Code. A Valid and  
10 Exempt certificate must be immediately activated, through  
11 procedures developed by the State Board of Education upon the  
12 certificate holder becoming employed and performing services  
13 in an Illinois public or State-operated elementary school,  
14 secondary school, or cooperative or joint agreement with a  
15 governing body or board of control in a certificated school  
16 service personnel position or in a charter school operating in  
17 compliance with the Charter Schools Law. A holder of a Valid  
18 and Exempt certificate may activate his or her certificate  
19 through procedures provided for in the certificate renewal  
20 procedure established pursuant to this Section.

21 A school service personnel certificate that has been  
22 maintained as Valid and Active for the 5 years of the  
23 certificate's validity shall be renewed as Valid and Active  
24 upon the certificate holder (i) completing the National Board  
25 for Professional Teaching Standards process in an area of  
26 concentration comparable to the holder's school service

1 personnel certificate of endorsement or (ii) earning 80  
2 continuing professional development units as described in this  
3 Section. If, however, the certificate holder has maintained the  
4 certificate as Valid and Exempt for a portion of the 5-year  
5 period of validity, the number of continuing professional  
6 development units needed to renew the certificate as Valid and  
7 Active must be proportionately reduced by the amount of time  
8 the certificate was Valid and Exempt. If a certificate holder  
9 is employed and performs services requiring the holder's school  
10 service personnel certificate on a part-time basis for all or a  
11 portion of the certificate's 5-year period of validity, the  
12 number of continuing professional development units needed to  
13 renew the certificate as Valid and Active shall be reduced by  
14 50% for the amount of time the certificate holder has been  
15 employed and performing such services on a part-time basis.  
16 "Part-time" means less than 50% of the school day or school  
17 term.

18 Beginning July 1, 2008, in order to satisfy the  
19 requirements for continuing professional development provided  
20 for in this Section, each Valid and Active school service  
21 personnel certificate holder shall complete professional  
22 development activities that address the certificate or those  
23 certificates that are required of his or her certificated  
24 position, if the certificate holder is employed and performing  
25 services in an Illinois public or State operated elementary  
26 school, secondary school, or cooperative or joint agreement

1 with a governing body or board of control, or that certificate  
2 or those certificates most closely related to his or her  
3 teaching position, if the certificate holder is employed in a  
4 charter school. Except as otherwise provided in this subsection  
5 (e), the certificate holder's activities must address and must  
6 reflect the following continuing professional development  
7 purposes:

8 (1) Advance both the certificate holder's knowledge  
9 and skills consistent with the Illinois Standards for the  
10 service area in which the certificate is endorsed in order  
11 to keep the certificate holder current in that area.

12 (2) Develop the certificate holder's knowledge and  
13 skills in areas determined by the State Board of Education  
14 to be critical for all school service personnel.

15 (3) Address the knowledge, skills, and goals of the  
16 certificate holder's local school improvement plan, if the  
17 certificate holder is employed in an Illinois public or  
18 State-operated elementary school, secondary school, or  
19 cooperative or joint agreement with a governing body or  
20 board of control.

21 (4) Address the needs of serving students with  
22 disabilities, including adapting and modifying clinical or  
23 professional practices to meet the needs of students with  
24 disabilities and serving such students in the least  
25 restrictive environment.

26 (5) Address the needs of serving students who are the



1       children of immigrants, including, if the certificate  
2       holder is employed as a counselor in an Illinois public or  
3       State-operated secondary school, opportunities for higher  
4       education for students who are undocumented immigrants.

5       The coursework or continuing professional development  
6       units ("CPDU") required under this subsection (e) must total 80  
7       CPDUs or the equivalent and must address 4 ~~3~~ of the 5 ~~4~~  
8       purposes described in items (1) through (5) ~~(4)~~ of this  
9       subsection (e). Holders of school service personnel  
10      certificates may fulfill this obligation with any combination  
11      of semester hours or CPDUs as follows:

12           (A) Collaboration and partnership activities related  
13      to improving the school service personnel certificate  
14      holder's knowledge and skills, including (i) participating  
15      on collaborative planning and professional improvement  
16      teams and committees; (ii) peer review and coaching; (iii)  
17      mentoring in a formal mentoring program, including service  
18      as a consulting teacher participating in a remediation  
19      process formulated under Section 24A-5 of this Code; (iv)  
20      participating in site-based management or decision-making  
21      teams, relevant committees, boards, or task forces  
22      directly related to school improvement plans; (v)  
23      coordinating community resources in schools, if the  
24      project is a specific goal of the school improvement plan;  
25      (vi) facilitating parent education programs for a school,  
26      school district, or regional office of education directly

1 related to student achievement or school improvement  
2 plans; (vii) participating in business, school, or  
3 community partnerships directly related to student  
4 achievement or school improvement plans; or (viii)  
5 supervising a student teacher (student services personnel)  
6 or teacher education candidate in clinical supervision,  
7 provided that the supervision may be counted only once  
8 during the course of 5 years.

9 (B) Coursework from a regionally accredited  
10 institution of higher learning related to one of the  
11 purposes listed in items (1) through (4) of this subsection  
12 (e), which shall apply at the rate of 15 continuing  
13 professional development units per semester hour of credit  
14 earned during the previous 5-year period when the status of  
15 the holder's school service personnel certificate was  
16 Valid and Active. Proportionate reductions shall apply  
17 when the holder's status was Valid and Active for less than  
18 the 5-year period preceding the renewal.

19 (C) Teaching college or university courses in areas  
20 relevant to the certificate area being renewed, provided  
21 that the teaching may be counted only once during the  
22 course of 5 years.

23 (D) Conferences, workshops, institutes, seminars, or  
24 symposiums designed to improve the certificate holder's  
25 knowledge and skills in the service area and applicable to  
26 the purposes listed in items (1) through (5) ~~(4)~~ of this

1 subsection (e). One CPDU shall be awarded for each hour of  
2 attendance. No one shall receive credit for conferences,  
3 workshops, institutes, seminars, or symposiums that are  
4 designed for entertainment, promotional, or commercial  
5 purposes or that are solely inspirational or motivational.  
6 The State Superintendent of Education and regional  
7 superintendents of schools are authorized to review the  
8 activities and events provided or to be provided under this  
9 subdivision (D) and to investigate complaints regarding  
10 those activities and events. Either the State  
11 Superintendent of Education or a regional superintendent  
12 of schools may recommend that the State Board of Education  
13 disapprove those activities and events considered to be  
14 inconsistent with this subdivision (D).

15 (E) Completing non-university credit directly related  
16 to student achievement, school improvement plans, or State  
17 priorities.

18 (F) Participating in or presenting at workshops,  
19 seminars, conferences, institutes, or symposiums.

20 (G) Training as external reviewers for quality  
21 assurance.

22 (H) Training as reviewers of university teacher  
23 preparation programs.

24 (I) Other educational experiences related to improving  
25 the school service personnel's knowledge and skills as a  
26 teacher, including (i) participating in action research

1 and inquiry projects; (ii) traveling related to one's  
2 assignment and directly related to school service  
3 personnel achievement or school improvement plans and  
4 approved by the regional superintendent of schools or his  
5 or her designee at least 30 days prior to the travel  
6 experience, provided that the traveling shall not include  
7 time spent commuting to destinations where the learning  
8 experience will occur; (iii) participating in study groups  
9 related to student achievement or school improvement  
10 plans; (iv) serving on a statewide education-related  
11 committee, including without limitation the State Teacher  
12 Certification Board, State Board of Education strategic  
13 agenda teams, or the State Advisory Council on Education of  
14 Children with Disabilities; (v) participating in  
15 work/learn programs or internships; or (vi) developing a  
16 portfolio of student and teacher work.

17 (J) Professional leadership experiences related to  
18 improving the teacher's knowledge and skills as a teacher,  
19 including (i) participating in curriculum development or  
20 assessment activities at the school, school district,  
21 regional office of education, State, or national level;  
22 (ii) participating in team or department leadership in a  
23 school or school district; (iii) participating on external  
24 or internal school or school district review teams; (iv)  
25 publishing educational articles, columns, or books  
26 relevant to the certificate area being renewed; or (v)

1 participating in non-strike-related professional  
2 association or labor organization service or activities  
3 related to professional development.

4 (Source: P.A. 94-105, eff. 7-1-05; 95-592, eff. 7-1-08.)

5 Section 5. The Higher Education Student Assistance Act is  
6 amended by adding Section 67 and by changing Section 75 as  
7 follows:

8 (110 ILCS 947/67 new)

9 Sec. 67. Illinois DREAM Fund Commission.

10 (a) The Illinois Student Assistance Commission shall  
11 establish an Illinois DREAM Fund Commission. The Governor shall  
12 appoint, with the advice and consent of the Senate, members to  
13 the Illinois DREAM Fund Commission, which shall be comprised of  
14 9 members representing the geographic and ethnic diversity of  
15 this State, including students, college and university  
16 administrators and faculty, and other individuals committed to  
17 advancing the educational opportunities of the children of  
18 immigrants.

19 (b) The Illinois DREAM Fund Commission is charged with all  
20 of the following responsibilities:

21 (1) Administering this Section and raising funds for  
22 the Illinois DREAM Fund.

23 (2) Establishing a not-for-profit entity charged with  
24 raising funds for the administration of this Section, any

1 educational or training programs the Commission is tasked  
2 with administering, and funding scholarships to students  
3 who are the children of immigrants to the United States.

4 (3) Publicizing the availability of scholarships from  
5 the Illinois DREAM Fund.

6 (4) Selecting the recipients of scholarships funded  
7 through the Illinois DREAM Fund.

8 (5) Researching issues pertaining to the availability  
9 of assistance with the costs of higher education for the  
10 children of immigrants and other issues regarding access  
11 for and the performance of the children of immigrants  
12 within higher education.

13 (6) Overseeing implementation of the other provisions  
14 of this amendatory Act of the 97th General Assembly.

15 (7) Establishing and administering training programs  
16 for high school counselors and counselors, admissions  
17 officers, and financial aid officers of public  
18 institutions of higher education. The training programs  
19 shall instruct participants on the educational  
20 opportunities available to college-bound students who are  
21 the children of immigrants, including, but not limited to,  
22 in-state tuition and scholarship programs. The Illinois  
23 DREAM Fund Commission may also establish a public awareness  
24 campaign regarding educational opportunities available to  
25 college bound students who are the children of immigrants.  
26 The Illinois DREAM Fund Commission shall establish, by

1 rule, procedures for accepting and evaluating applications for  
2 scholarships from the children of immigrants and issuing  
3 scholarships to selected student applicants.

4 (c) To receive a scholarship under this Section, a student  
5 must meet all of the following qualifications:

6 (1) Have resided with his or her parents or guardian  
7 while attending a public or private high school in this  
8 State.

9 (2) Have graduated from a public or private high school  
10 or received the equivalent of a high school diploma in this  
11 State.

12 (3) Have attended school in this State for at least 3  
13 years as of the date he or she graduated from high school  
14 or received the equivalent of a high school diploma.

15 (4) Have at least one parent who immigrated to the  
16 United States.

17 (d) The Illinois Student Assistance Commission shall  
18 establish an Illinois DREAM Fund to provide scholarships under  
19 this Section. The Illinois DREAM Fund shall be funded entirely  
20 from private contributions.

21 (110 ILCS 947/75)

22 Sec. 75. College savings programs.

23 (a) Purpose. The General Assembly finds and hereby declares  
24 that for the benefit of the people of the State of Illinois,  
25 the conduct and increase of their commerce, the protection and

1 enhancement of their welfare, the development of continued  
2 prosperity and the improvement of their health and living  
3 conditions, it is essential that all citizens with the  
4 intellectual ability and motivation be able to obtain a higher  
5 education. The General Assembly further finds that rising  
6 tuition costs, increasingly restrictive eligibility criteria  
7 for existing federal and State student aid programs and other  
8 trends in higher education finance have impeded access to a  
9 higher education for many middle-income families; and that to  
10 remedy these concerns, it is of utmost importance that families  
11 be provided with investment alternatives to enhance their  
12 financial access to institutions of higher education. It is the  
13 intent of this Section to establish College Savings Programs  
14 appropriate for families from various income groups, to  
15 encourage Illinois families to save and invest in anticipation  
16 of their children's education, and to encourage enrollment in  
17 institutions of higher education, all in execution of the  
18 public policy set forth above and elsewhere in this Act.  
19 College Savings Programs established under this Section must be  
20 available to any individual with a valid social security number  
21 or taxpayer identification number for the benefit of any  
22 individual with a valid social security number or taxpayer  
23 identification number.

24 (b) The Commission is authorized to develop and provide a  
25 program of college savings instruments to qualifying Illinois  
26 residents ~~citizens~~. The program shall be structured to



1 encourage parents to plan ahead for the college education of  
2 their children and to permit the long-term accumulation of  
3 savings which can be used to finance the family's share of the  
4 cost of a higher education. Income, up to \$2,000 annually per  
5 account, which is derived by individuals from investments made  
6 in accordance with College Savings Programs established under  
7 this Section shall be free from all taxation by the State and  
8 its political subdivisions, except for estate, transfer, and  
9 inheritance taxes.

10 (c) The Commission is authorized to contract with private  
11 financial institutions and other businesses, individuals, and  
12 other appropriate parties to establish and operate the College  
13 Savings Programs. The Commission may negotiate contracts with  
14 private financial and investment companies, establish College  
15 Savings Programs, and monitor the vendors administering the  
16 programs in whichever manner the Commission determines is best  
17 suited to accomplish the purposes of this Section. The Auditor  
18 General shall periodically review the operation of the College  
19 Savings Programs and shall advise the Commission and the  
20 General Assembly of his findings.

21 (d) In determining the type of instruments to be offered,  
22 the Commission shall consult with, and receive the assistance  
23 of, the Illinois Board of Higher Education, the Governor's  
24 Office of Management and Budget, the State Board of  
25 Investments, the Governor, and other appropriate State  
26 agencies and private parties.

1           (e) The Commission shall market and promote the College  
2 Savings Programs to the citizens of Illinois.

3           (f) The Commission shall assist the State Comptroller and  
4 State Treasurer in establishing a payroll deduction plan  
5 through which State employees may participate in the College  
6 Savings Programs. The Department of Labor, Department of  
7 Employment Security, Department of Revenue, and other  
8 appropriate agencies shall assist the Commission in educating  
9 Illinois employers about the College Savings Programs, and  
10 shall assist the Commission in securing employers'  
11 participation in a payroll deduction plan and other initiatives  
12 which maximize participation in the College Savings Programs.

13           (g) The Commission shall examine means by which the State,  
14 through a series of matching contributions or other incentives,  
15 may most effectively encourage Illinois families to  
16 participate in the College Savings Programs. The Commission  
17 shall report its conclusions and recommendations to the  
18 Governor and General Assembly no later than February 15, 1990.

19           (h) The College Savings Programs established pursuant to  
20 this Section shall not be subject to the provisions of the  
21 Illinois Administrative Procedure Act. The Commission shall  
22 provide that appropriate disclosures are provided to all  
23 citizens who participate in the College Savings Programs.

24           (Source: P.A. 94-793, eff. 5-19-06.)

25           Section 10. The Illinois Prepaid Tuition Act is amended by

1 changing Section 45 as follows:

2 (110 ILCS 979/45)

3 Sec. 45. Illinois prepaid tuition contracts.

4 (a) The Commission may enter into an Illinois prepaid  
5 tuition contract with a purchaser under which the Commission  
6 contracts on behalf of the State to pay full tuition and  
7 mandatory fees at an Illinois public university or Illinois  
8 community college for a qualified beneficiary to attend the  
9 eligible institution to which the qualified beneficiary is  
10 admitted. Each contract shall contain terms, conditions, and  
11 provisions that the Commission determines to be necessary for  
12 ensuring the educational objectives and sustainable financial  
13 viability of the Illinois prepaid tuition program.

14 (b) Each contract shall have one designated purchaser and  
15 one designated qualified beneficiary. Unless otherwise  
16 specified in the contract, the purchaser owns the contract and  
17 retains any tax liability for its assets only until the first  
18 distribution of benefits. Contracts shall be purchased in units  
19 of 15 credit hours.

20 (c) Without exception, benefits may be received by a  
21 qualified beneficiary of an Illinois prepaid tuition contract  
22 no earlier than 3 years from the date the contract is  
23 purchased.

24 (d) A prepaid tuition contract shall contain, but is not  
25 limited to, provisions for (i) refunds or withdrawals in

1 certain circumstances, with or without interest or penalties;  
2 (ii) conversion of the contract at the time of distribution  
3 from accrued prepayment value at one type of eligible  
4 institution to the accrued prepayment value at a different type  
5 of eligible institution; (iii) portability of the accrued value  
6 of the prepayment value for use at an eligible institution  
7 located outside this State; (iv) transferability of the  
8 contract benefits within the qualified beneficiary's immediate  
9 family; and (v) a specified benefit period during which the  
10 contract may be redeemed.

11 (e) Each Illinois prepaid tuition contract also shall  
12 contain, at minimum, all of the following:

13 (1) The amount of payment or payments and the number of  
14 payments required from a purchaser on behalf of a qualified  
15 beneficiary.

16 (2) The terms and conditions under which purchasers  
17 shall remit payments, including, but not limited to, the  
18 date or dates upon which each payment shall be due.

19 (3) Provisions for late payment charges and for  
20 default.

21 (4) Provisions for penalty fees payable incident to an  
22 authorized withdrawal.

23 (5) The name, date of birth, and social security number  
24 or taxpayer identification number of the qualified  
25 beneficiary on whose behalf the contract is drawn and the  
26 terms and conditions under which the contract may be

1 transferred to another qualified beneficiary.

2 (6) The name and social security number or taxpayer  
3 identification number of any person who may terminate the  
4 contract, together with terms that specify whether the  
5 contract may be terminated by the purchaser, the qualified  
6 beneficiary, a specific designated person, or any  
7 combination of these persons.

8 (7) The terms and conditions under which a contract may  
9 be terminated, the name and social security number or  
10 taxpayer identification number of the person entitled to  
11 any refund due as a result of the termination of the  
12 contract pursuant to those terms and conditions, and the  
13 method for determining the amount of a refund.

14 (8) The time limitations, if any, within which the  
15 qualified beneficiary must claim his or her benefits  
16 through the program.

17 (9) Other terms and conditions determined by the  
18 Commission to be appropriate.

19 (f) In addition to the contract provisions set forth in  
20 subsection (e), each Illinois prepaid tuition contract shall  
21 include:

22 (1) The number of credit hours contracted by the  
23 purchaser.

24 (2) The type of eligible institution and the prepaid  
25 tuition plan toward which the credit hours shall be  
26 applied.

1           (3) The explicit contractual obligation of the  
2 Commission to the qualified beneficiary to provide a  
3 specific number of credit hours of undergraduate  
4 instruction at an eligible institution, not to exceed the  
5 maximum number of credit hours required for the conference  
6 of a degree that corresponds to the plan purchased on  
7 behalf of the qualified beneficiary.

8           (g) The Commission shall indicate by rule the conditions  
9 under which refunds are payable to a contract purchaser.  
10 Generally, no refund shall exceed the amount paid into the  
11 Illinois Prepaid Tuition Trust Fund by the purchaser. In the  
12 event that a contract is converted from a Public University  
13 Plan described in subsection (j) of this Section to a Community  
14 College Plan described in subsection (k) of this Section, the  
15 refund amount shall be reduced by the amount transferred to the  
16 Illinois community college on behalf of the qualified  
17 beneficiary. Except where the Commission may otherwise rule,  
18 refunds may exceed the amount paid into the Illinois Prepaid  
19 Tuition Trust Fund only under the following circumstances:

20           (1) If the qualified beneficiary is awarded a grant or  
21 scholarship at a public institution of higher education,  
22 the terms of which duplicate the benefits included in the  
23 Illinois prepaid tuition contract, then moneys paid for the  
24 purchase of the contract shall be returned to the  
25 purchaser, upon request, in semester installments that  
26 coincide with the matriculation by the qualified

1 beneficiary, in an amount equal to the current cost of  
2 tuition and mandatory fees at the public institution of  
3 higher education where the qualified beneficiary is  
4 enrolled.

5 (1.5) If the qualified beneficiary is awarded a grant  
6 or scholarship while enrolled at either an eligible  
7 nonpublic institution of higher education or an eligible  
8 public or private out-of-state higher education  
9 institution, the terms of which duplicate the benefits  
10 included in the Illinois prepaid tuition contract, then  
11 money paid for the purchase of the contract shall be  
12 returned to the purchaser, upon request, in semester  
13 installments that coincide with the matriculation by the  
14 qualified beneficiary. The amount paid shall not exceed the  
15 current average mean-weighted credit hour value of the  
16 registration fees purchased under the contract.

17 (2) In the event of the death or total disability of  
18 the qualified beneficiary, moneys paid for the purchase of  
19 the Illinois prepaid tuition contract shall be returned to  
20 the purchaser together with all accrued earnings.

21 (3) If an Illinois prepaid tuition contract is  
22 converted from a Public University Plan to a Community  
23 College Plan, then the amount refunded shall be the value  
24 of the original Illinois prepaid tuition contract minus the  
25 value of the contract after conversion.

26 No refund shall be authorized under an Illinois prepaid

1 tuition contract for any semester partially attended but not  
2 completed.

3 The Commission, by rule, shall set forth specific  
4 procedures for making contract payments in conjunction with  
5 grants and scholarships awarded to contract beneficiaries.

6 Moneys paid into or out of the Illinois Prepaid Tuition  
7 Trust Fund by or on behalf of the purchaser or the qualified  
8 beneficiary of an Illinois prepaid tuition contract are exempt  
9 from all claims of creditors of the purchaser or beneficiary,  
10 so long as the contract has not been terminated.

11 The State or any State agency, county, municipality, or  
12 other political subdivision, by contract or collective  
13 bargaining agreement, may agree with any employee to remit  
14 payments toward the purchase of Illinois prepaid tuition  
15 contracts through payroll deductions made by the appropriate  
16 officer or officers of the entity making the payments. Such  
17 payments shall be held and administered in accordance with this  
18 Act.

19 (h) Nothing in this Act shall be construed as a promise or  
20 guarantee that a qualified beneficiary will be admitted to an  
21 eligible institution or to a particular eligible institution,  
22 will be allowed to continue enrollment at an eligible  
23 institution after admission, or will be graduated from an  
24 eligible institution.

25 (i) The Commission shall develop and make prepaid tuition  
26 contracts available under a minimum of at least 2 independent



1 plans to be known as the Public University Plan and the  
2 Community College Plan.

3 Contracts shall be purchased in units of 15 credit hours at  
4 either an Illinois public university or an Illinois community  
5 college. The minimum purchase amount per qualified beneficiary  
6 shall be one unit or 15 credit hours. The maximum purchase  
7 amount shall be 9 units (or 135 credit hours) for the Public  
8 University Plan and 4 units (or 60 credit hours) for the  
9 Community College Plan.

10 (j) Public University Plan. Through the Public University  
11 Plan, the Illinois prepaid tuition contract shall provide  
12 prepaid registration fees, which include full tuition costs as  
13 well as mandatory fees, for a specified number of undergraduate  
14 credit hours, not to exceed the maximum number of credit hours  
15 required for the conference of a baccalaureate degree. In  
16 determining the cost of participation in the Public University  
17 Plan, the Commission shall reference the combined  
18 mean-weighted current registration fees from Illinois public  
19 universities.

20 In the event that a qualified beneficiary for whatever  
21 reason chooses to attend an Illinois community college, the  
22 qualified beneficiary may convert the average number of credit  
23 hours required for the conference of an associate degree from  
24 the Public University Plan to the Community College Plan and  
25 may retain the remaining Public University Plan credit hours or  
26 may request a refund for prepaid credit hours in excess of

1 those required for conference of an associate degree. In  
2 determining the amount of any refund, the Commission also shall  
3 recognize the current relative credit hour cost of the 2 plans  
4 when making any conversion.

5 Qualified beneficiaries shall bear the cost of any  
6 laboratory or other non-mandatory fees associated with  
7 enrollment in specific courses. Qualified beneficiaries who  
8 are not Illinois residents shall bear the difference in cost  
9 between in-state registration fees guaranteed by the prepaid  
10 tuition contract and tuition and other charges assessed upon  
11 out-of-state students by the eligible institution.

12 (k) Community College Plan. Through the Community College  
13 Plan, the Illinois prepaid tuition contract shall provide  
14 prepaid registration fees, which include full tuition costs as  
15 well as mandatory fees, for a specified number of undergraduate  
16 credit hours, not to exceed the maximum number of credit hours  
17 required for the conference of an associate degree. In  
18 determining the cost of participation in the Community College  
19 Plan, the Commission shall reference the combined  
20 mean-weighted current registration fees from all Illinois  
21 community colleges.

22 In the event that a qualified beneficiary for whatever  
23 reason chooses to attend an Illinois public university, the  
24 qualified beneficiary's prepaid tuition contract shall be  
25 converted for use at that Illinois public university by  
26 referencing the current average mean-weighted credit hour

1 value of registration fees at Illinois community colleges  
2 relative to the corresponding value of registration fees at  
3 Illinois public universities.

4 Qualified beneficiaries shall bear the cost of any  
5 laboratory or other non-mandatory fees associated with  
6 enrollment in specific courses. Qualified beneficiaries who  
7 are not Illinois residents shall bear the difference in cost  
8 between in-state registration fees guaranteed by the prepaid  
9 tuition contract and tuition and other charges assessed upon  
10 out-of-state students by the eligible institution.

11 (1) A qualified beneficiary may apply the benefits of any  
12 Illinois prepaid tuition contract toward a nonpublic  
13 institution of higher education. In the event that a qualified  
14 beneficiary for whatever reason chooses to attend a nonpublic  
15 institution of higher education, the qualified beneficiary's  
16 prepaid tuition contract shall be converted for use at that  
17 nonpublic institution of higher education by referencing the  
18 current average mean-weighted credit hour value of  
19 registration fees purchased under the contract. The Commission  
20 shall transfer, or cause to have transferred, this amount, less  
21 a transfer fee, to the nonpublic institution on behalf of the  
22 beneficiary. In the event that the cost of registration charged  
23 to the beneficiary at the nonpublic institution of higher  
24 education is less than the aggregate value of the Illinois  
25 prepaid tuition contract, any remaining amount shall be  
26 transferred in subsequent semesters until the transfer value is

1 fully depleted.

2 (m) A qualified beneficiary may apply the benefits of any  
3 Illinois prepaid tuition contract toward an eligible  
4 out-of-state college or university. Institutional eligibility  
5 for out-of-state colleges and universities shall be determined  
6 by the Commission according to standards substantially  
7 equivalent to those for an eligible institution located in this  
8 State, as described in the definition of "institution of higher  
9 learning" in Section 10 of the Higher Education Student  
10 Assistance Act. In the event that a qualified beneficiary for  
11 whatever reason chooses to attend an eligible out-of-state  
12 college or university, the qualified beneficiary's prepaid  
13 tuition contract shall be converted for use at that college or  
14 university by referencing the current average mean-weighted  
15 credit hour value of registration fees purchased under the  
16 contract. The Commission shall transfer, or cause to have  
17 transferred, this amount, less a transfer fee, to the college  
18 or university on behalf of the beneficiary. In the event that  
19 the cost of registration charged to the beneficiary at the  
20 eligible out-of-state college or university is less than the  
21 aggregate value of the Illinois prepaid tuition contract, any  
22 remaining amount shall be transferred in subsequent semesters  
23 until the transfer value is fully depleted.

24 (n) Illinois prepaid tuition contracts may be purchased  
25 either by lump sum or by installments. No penalty shall be  
26 assessed for early payment of installment contracts.

1           (o) The Commission shall annually adjust the price of new  
2 contracts, in accordance with the annual changes in  
3 registration fees at Illinois public universities and  
4 community colleges.

5           (Source: P.A. 95-217, eff. 8-16-07; 96-1282, eff. 7-26-10.)

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