

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 Board of Higher Education Act is amended by
5 changing Section 7 and by adding Section 9.45 as follows:

6 (110 ILCS 205/7) (from Ch. 144, par. 187)

7 Sec. 7. The Board of Trustees of the University of
8 Illinois, the Board of Trustees of Southern Illinois
9 University, the Board of Trustees of Chicago State University,
10 the Board of Trustees of Eastern Illinois University, the
11 Board of Trustees of Governors State University, the Board of
12 Trustees of Illinois State University, the Board of Trustees
13 of Northeastern Illinois University, the Board of Trustees of
14 Northern Illinois University, the Board of Trustees of Western
15 Illinois University, the Illinois Community College Board and
16 the campuses under their governance or supervision shall not
17 hereafter undertake the establishment of any new unit of
18 instruction, research, or public service without the approval
19 of the Board. The term "new unit of instruction, research, or
20 public service" includes the establishment of a college,
21 school, division, institute, department, or other unit in any
22 field of instruction, research, or public service not
23 theretofore included in the program of the institution, and

1 includes the establishment of any new branch or campus. The
2 term does not include reasonable and moderate extensions of
3 existing curricula, research, or public service programs which
4 have a direct relationship to existing programs; and the Board
5 may, under its rulemaking power, define the character of such
6 reasonable and moderate extensions.

7 Such governing boards shall submit to the Board all
8 proposals for a new unit of instruction, research, or public
9 service. The Board may approve or disapprove the proposal in
10 whole or in part or approve modifications thereof whenever in
11 its judgment such action is consistent with the objectives of
12 an existing or proposed statewide strategic plan of higher
13 education.

14 The Board of Higher Education is authorized to review
15 periodically all academic master plans and all existing
16 programs of instruction, research, and public service at
17 public institutions of higher education, excluding public
18 community colleges in this State, ~~the State universities and~~
19 colleges and to advise the appropriate board of control if the
20 contribution of each program is not educationally and
21 economically justified. The Board shall annually identify and
22 provide to each public university certain programs of
23 instruction that exhibit indicators of low performance in
24 enrollment, degree completion, and relative high expense per
25 degree. Each public university shall review this information,
26 together with any other relevant information, and report

1 annually to the Board with its proposed performance
2 improvement plan for each identified program, using a rubric
3 provided by the Board, including programs to be closed or
4 consolidated. The Board shall report annually on the
5 instructional programs offered at public institutions of
6 higher education to show number, types, and locations of
7 instructional programs, new programs created, existing
8 programs that have been closed or consolidated as a result of
9 the review and report, and other information relevant to
10 assessing the State's portfolio of programs. ~~Each State~~
11 ~~university shall report annually to the Board on programs of~~
12 ~~instruction, research, or public service that have been~~
13 ~~terminated, dissolved, reduced, or consolidated by the~~
14 ~~university. Each State university shall also report to the~~
15 ~~Board all programs of instruction, research, and public~~
16 ~~service that exhibit a trend of low performance in~~
17 ~~enrollments, degree completions, and high expense per degree.~~
18 ~~The Board shall compile an annual report that shall contain~~
19 ~~information on new programs created, existing programs that~~
20 ~~have been closed or consolidated, and programs that exhibit~~
21 ~~low performance or productivity.~~ The report must be submitted
22 to the General Assembly and the Governor. The Board shall have
23 the authority to define relevant terms and timelines by rule
24 with respect to this reporting.

25 (Source: P.A. 101-81, eff. 7-12-19; 102-1046, eff. 6-7-22.)

1 (110 ILCS 205/9.45 new)

2 Sec. 9.45. Acceptance of gifts, grants, and legacies;
3 creation of corporations, joint ventures, partnerships, and
4 associations; distribution of grants.

5 (a) To accept gifts, grants, or legacies from any source
6 when made for higher education purposes.

7 (b) To create and participate in the conduct and operation
8 of any corporation, joint venture, partnership, association,
9 or other organizational entity that has the power (i) to
10 acquire land, buildings, and other capital equipment for the
11 use and benefit of higher education and students in this
12 State; (ii) to accept gifts and make grants for the use and
13 benefit of higher education and students in this State; (iii)
14 to aid in the instruction and education of students in this
15 State; and (iv) to promote activities to acquaint residents of
16 this State with the facilities of the various institutions of
17 higher education.

18 (c) To distribute such other grants as may be authorized
19 or appropriated by the General Assembly for which the Board
20 may adopt any rules necessary for the purposes of implementing
21 and distributing funds pursuant to an authorized or
22 appropriated grant.

23 Section 10. The Private College Act is amended by changing
24 Sections 3 and 4.5 as follows:

1 (110 ILCS 1005/3) (from Ch. 144, par. 123)

2 Sec. 3. (a) Applications submitted to the Board for a
3 certificate of approval to operate a post-secondary
4 educational institution shall contain a statement of the
5 following:

6 1. the proposed name of the institution and its
7 proposed location;

8 2. the nature, extent and purposes of the courses of
9 study to be given;

10 3. the fees to be charged, ~~and~~ the conditions under
11 which the fees are to be paid, and a tuition schedule that
12 includes, but is not limited to, tuition rates per course
13 or unit of work;

14 4. the education and experience of the members of the
15 teaching staff;

16 5. the degrees to be issued to students upon
17 completion of courses of instruction.

18 (b) The Board may not approve any application for a
19 certificate of approval that has been plagiarized, in part or
20 in whole. Additionally, the Board may not approve any
21 application that has not been completed in its entirety and
22 such application shall be returned to the post-secondary
23 educational institution.

24 (Source: P.A. 102-1046, eff. 6-7-22.)

25 (110 ILCS 1005/4.5)

1 Sec. 4.5. Disclosure of heightened monitoring of finances.
2 Any institution with a certificate of approval under this Act
3 is required to make the following disclosures:

4 (1) If the United States Department of Education
5 places the institution on either the Heightened Cash
6 Monitoring 2 payment method or the reimbursement payment
7 method, as authorized under 34 CFR 668.162, a clear and
8 conspicuous disclosure that the United States Department
9 of Education has heightened monitoring of the
10 institution's finances and the reason for such monitoring.
11 Such disclosure shall be made by the institution within 14
12 days of the action of the United States Department of
13 Education by (i) notice ~~both~~ on the institution's website,
14 (ii) notice ~~and~~ to all students and prospective students
15 on a form prescribed by the Board, and (iii) written
16 notice to the Board.

17 (2) Any other disclosure the Board requires by rule
18 adopted pursuant to this Act.

19 (Source: P.A. 102-1046, eff. 6-7-22.)

20 Section 15. The Academic Degree Act is amended by changing
21 Sections 5 and 6 as follows:

22 (110 ILCS 1010/5) (from Ch. 144, par. 235)

23 Sec. 5. Degrees by other than residence institutions. ~~-(a)~~
24 Any educational organization or entity which does not conduct

1 instruction in residence may award degrees and qualify as a
2 degree granting institution upon approval by the Board. Such
3 approval shall be given only if the Board finds that the
4 applicant, organization or entity:

5 (1) maintains ~~Maintains~~ physical facilities suitable
6 and sufficient to the giving of a program or programs of
7 instruction of degree caliber in the field or fields
8 wherein it proposes to grant degrees;

9 (2) maintains ~~Maintains~~ a suitable and sufficient
10 faculty for instruction in its degree granting program or
11 programs;

12 (3) maintains ~~Maintains~~ its student records in a safe
13 and suitable place so that there is reasonable assurance
14 that they are and will remain available for all normal
15 purposes for a reasonable period of time;

16 (4) maintains financial ~~Maintains~~ a stability
17 sufficient to carry out its obligations under the
18 enrollment contracts; ~~and~~

19 (4.5) maintains appropriate accreditation to provide
20 educational programming; and

21 (5) complies ~~Complies~~ with all provisions of this Act
22 other than the requirement for instruction in residence.

23 (Source: P.A. 80-1309.)

24 (110 ILCS 1010/6) (from Ch. 144, par. 236)

25 Sec. 6. Right of inspection; penalty for refusal or

1 obstruction. Any duly authorized employee or other
2 representative of the Board may, announced or unannounced,
3 enter upon the premises of any degree granting institution or
4 may have access through electronic means to inspect or
5 otherwise examine the same and any books, papers or other
6 records pertaining to the degree granting program of such
7 institution including, but not limited to, financial records
8 such as balance sheets, income statements, and cash flow
9 statements. For failure to permit such entry, inspection or
10 examination or for obstruction thereof, the Board may
11 invalidate any notice filed with it by the degree granting
12 institution and revoke any authorization made pursuant to
13 Section 4 of this Act and may refuse to accept another notice
14 from or on behalf of such institution or any person connected
15 with the administration thereof until such refusal or
16 obstruction has been withdrawn. Any action taken pursuant to
17 this Section shall be in addition to any other penalty which
18 may be imposed for violation of this Act.

19 (Source: P.A. 102-1046, eff. 6-7-22.)

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