



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2051

Introduced 2/15/2019, by Sen. Bill Cunningham

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.891 new  
30 ILCS 105/6z-107 new  
110 ILCS 73/90  
110 ILCS 305/105 new  
110 ILCS 305/110 new  
110 ILCS 685/30-210 new  
110 ILCS 685/30-215 new

Amends the State University Certificates of Participation Act. Provides that the Act applies until December 31, 2023 (rather than December 31, 2014). Amends the University of Illinois Act and the Northern Illinois University Law. Under an Investment, Performance, and Accountability Commitment at each University, requires each University to comply with certain tuition and mandatory fee, financial aid, and performance goal provisions if the University is appropriated a certain amount of money each fiscal year. Provides for an annual report, and repeals the Commitment on June 30, 2024. Subject to appropriation (greater than or equal to 1% of the faculty salary pool for Northern Illinois University), provides for an Excellence Program at each University to recruit and retain promising faculty throughout the University through capital investments; amends the State Finance Act to create a special fund. Effective immediately.

LRB101 11062 AXK 56266 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 State Finance Act is amended by adding  
5 Sections 5.891 and 6z-107 as follows:

6 (30 ILCS 105/5.891 new)

7 Sec. 5.891. The Illinois Higher Education Excellence Fund.

8 (30 ILCS 105/6z-107 new)

9 Sec. 6z-107. The Illinois Higher Education Excellence  
10 Fund. The Illinois Higher Education Excellence Fund is created  
11 as a special fund in the State treasury. All money in the Fund  
12 may be used, subject to appropriation, by the Board of Trustees  
13 of the University of Illinois to implement the University of  
14 Illinois Excellence Program under Section 105 of the University  
15 of Illinois Act or the Board of Trustees of Northern Illinois  
16 University to implement the Northern Illinois University  
17 Excellence Program under Section 30-210 of the Northern  
18 Illinois University Law. The Board of Trustees of each of these  
19 universities may use the money in the Fund for only the  
20 following purposes:

21 (1) Capital investments in both new and distressed  
22 facilities designed to attract faculty who have the

1 potential to attract additional public or private grant  
2 funds or other investments for the university.

3 (2) Grants for technical improvements, equipment  
4 improvements, or support personnel necessary to attract  
5 faculty who have the potential to attract additional public  
6 or private grant funds or other investments for the  
7 university.

8 Section 10. The State University Certificates of  
9 Participation Act is amended by changing Section 90 as follows:

10 (110 ILCS 73/90)

11 Sec. 90. Expiration of Act. This Act applies until December  
12 31, 2023 ~~2014~~. However, the refunding of certificates of  
13 participation issued prior to December 31, 2023 ~~2014~~ in  
14 accordance with the Act is permitted.

15 (Source: P.A. 96-15, eff. 6-22-09.)

16 Section 15. The University of Illinois Act is amended by  
17 adding Sections 105 and 110 as follows:

18 (110 ILCS 305/105 new)

19 Sec. 105. University of Illinois Excellence Program.  
20 Subject to appropriation, the Board of Trustees shall establish  
21 and administer a program, to be called the University of  
22 Illinois Excellence Program, to recruit and retain promising

1 faculty throughout the University of Illinois system through  
2 various capital investments.

3 (110 ILCS 305/110 new)

4 Sec. 110. University of Illinois Investment, Performance,  
5 and Accountability Commitment.

6 (a) This Section may be referred to as the University of  
7 Illinois Investment, Performance, and Accountability  
8 Commitment.

9 (b) For Fiscal Year 2020, if the General Assembly  
10 appropriates and the State Comptroller makes available to the  
11 University an amount for operations that is not less than  
12 \$692,500,000, then subsections (c), (d), and (e) shall apply to  
13 the University for Fiscal Year 2020. For Fiscal Year 2021 and  
14 every fiscal year thereafter, if the General Assembly  
15 appropriates before the beginning of that fiscal year, and the  
16 State Comptroller makes available to the University no later  
17 than 12 months from the effective date of that appropriation,  
18 an amount for operations that is not less than \$692,500,000,  
19 increased by a percentage equal to the percentage increase, if  
20 any, in the Consumer Price Index for All Urban Consumers  
21 (CPI-U) published by the Bureau of Labor Statistics of the  
22 United States Department of Labor for the 12 months ending on  
23 the previous December 31, then subsections (c), (d), and (e)  
24 shall apply to the University for that fiscal year.

25 (c) In this subsection, "mandatory fees" excludes

1 mandatory fees approved by students by referendum. Beginning  
2 with the 2020-2021 academic year, the Board of Trustees may not  
3 increase the base rate of in-State, undergraduate tuition and  
4 mandatory fees above the base rate of in-State, undergraduate  
5 tuition and mandatory fees set by the Board of Trustees for an  
6 undergraduate academic program in the previous academic year.  
7 This subsection does not apply to health insurance fees, fees  
8 approved prior to the effective date of this amendatory Act of  
9 the 101st General Assembly, or fees approved by a student  
10 referendum.

11 (d) For Fiscal Year 2020 and every fiscal year thereafter,  
12 the University shall implement an Invest in Illinois Residents  
13 Program to provide residents of this State no less than  
14 \$170,000,000 in annual financial aid. A percentage of this  
15 financial aid shall be provided annually to Illinois students  
16 of historically underrepresented populations. Such students  
17 shall include the following:

18 (1) students who are Black or African American,  
19 Hispanic or Latino, American Indian or Alaska Native, or  
20 Native Hawaiian or Other Pacific Islander;

21 (2) students from counties in this State from which the  
22 University of Illinois at Urbana-Champaign campus, the  
23 University of Illinois at Chicago campus, and the  
24 University of Illinois at Springfield campus combined have  
25 enrolled on average 2 or fewer students from the county  
26 over the last 3 years; and

1           (3) students from families who are classified as in  
2           poverty with an expected family contribution equal to zero.

3           (e) For the 2020-2021 academic year and every academic year  
4           thereafter, the University shall achieve performance goals  
5           defined by all of the following key performance indicators:

6           (1) The Board of Trustees shall admit as new and  
7           transfer students no fewer than 14,000 residents of this  
8           State in undergraduate programs at the University of  
9           Illinois at Urbana-Champaign campus, 11,800 residents of  
10           this State in undergraduate programs at the University of  
11           Illinois at Chicago campus, and 1,600 residents of this  
12           State in undergraduate programs at the University of  
13           Illinois at Springfield campus, provided the requisite  
14           number of residents of this State seeking admission to  
15           undergraduate programs at the University meet the  
16           requirements of Section 8 of this Act.

17           (2) The University shall maintain a first-to-second  
18           year retention rate in undergraduate programs that is  
19           greater than or equal to a combined 87% at the University  
20           of Illinois at Urbana-Champaign campus, the University of  
21           Illinois at Chicago campus, and the University of Illinois  
22           at Springfield campus.

23           (3) The University shall maintain a 6-year graduation  
24           rate for first-time freshmen in undergraduate programs  
25           that is greater than or equal to a combined 73% at the  
26           University of Illinois at Urbana-Champaign campus, the

1 University of Illinois at Chicago campus, and the  
2 University of Illinois at Springfield campus.

3 (f) On or before September 1, 2020 and every September 1  
4 thereafter, the University shall publish on its website and  
5 make publicly available an annual report related to the  
6 previous academic and fiscal year at the University of Illinois  
7 at Urbana-Champaign campus, at the University of Illinois at  
8 Chicago campus, and at the University of Illinois at  
9 Springfield campus. The annual report shall include all of the  
10 following information:

11 (1) The number of first-time freshmen enrolled.

12 (2) The number of new transfer students enrolled.

13 (3) The number of undergraduates enrolled who are  
14 residents of this State.

15 (4) The number of underrepresented minority,  
16 undergraduate students enrolled.

17 (5) The total undergraduate enrollment.

18 (6) The number of undergraduate degrees issued.

19 (7) The number of graduate degrees issued.

20 (8) The number of professional degrees issued.

21 (9) The total number of degrees issued.

22 (10) The number of science, technology, engineering,  
23 and mathematics degrees issued.

24 (11) The direct appropriation per undergraduate  
25 degree.

26 (12) The direct appropriation per undergraduate degree

1 issued to a resident of this State.

2 (13) The direct appropriation as a percentage of total  
3 expenditures.

4 (14) The number of undergraduate students enrolled in  
5 each college of each campus.

6 (15) The number of undergraduate students who are  
7 residents of this State enrolled in each college of each  
8 campus.

9 (g) The requirements of subsections (c), (d), and (e) are  
10 not applicable to the University in any fiscal year in which  
11 the General Assembly fails to appropriate and the State  
12 Comptroller fails to make available the amounts required under  
13 subsection (b). Nothing in this Section is intended to grant  
14 the University a vested, contractual right to a particular  
15 level of funding for any fiscal year.

16 (h) This Section is repealed on June 30, 2024.

17 Section 20. The Northern Illinois University Law is amended  
18 by adding Sections 30-210 and 30-215 as follows:

19 (110 ILCS 685/30-210 new)

20 Sec. 30-210. Northern Illinois University Excellence  
21 Program. Subject to appropriation greater than or equal to 1%  
22 of the faculty salary pool, the Board of Trustees shall  
23 establish and administer a program, to be called the Northern  
24 Illinois University Excellence Program, to recruit and retain



1 promising faculty throughout the Northern Illinois University  
2 system through various capital investments.

3 (110 ILCS 685/30-215 new)

4 Sec. 30-215. Northern Illinois University Investment,  
5 Performance, and Accountability Commitment.

6 (a) This Section may be referred to as the Northern  
7 Illinois Investment, Performance, and Accountability  
8 Commitment.

9 (b) In this subsection, "plant replacement value" means the  
10 product of applying current construction pricing data to the  
11 total inventory of the current physical plant.

12 For Fiscal Year 2020, if the General Assembly appropriates  
13 and the State Comptroller makes available to the University an  
14 amount for operations that is not less than \$93,567,800, then  
15 subsections (c), (d), and (e) shall apply to the University for  
16 Fiscal Year 2020. For Fiscal Year 2021 and every fiscal year  
17 thereafter, if the General Assembly appropriates before the  
18 beginning of that fiscal year, and the State Comptroller makes  
19 available to the University no later than 12 months from the  
20 effective date of that appropriation, an amount for operations  
21 that is not less than \$93,567,800, increased by a percentage  
22 equal to the percentage increase, if any, in the Consumer Price  
23 Index for All Urban Consumers (CPI-U) published by the Bureau  
24 of Labor Statistics of the United States Department of Labor  
25 for the 12 months ending on the previous December 31, then

1 subsections (c), (d), and (e) shall apply to the University for  
2 that fiscal year.

3 For Fiscal Year 2020, if the General Assembly appropriates  
4 and the State Comptroller makes available to the University an  
5 amount for deferred maintenance that is not less than 2% of the  
6 University's plant replacement value, then subsections (c),  
7 (d), and (e) shall apply to the University for Fiscal Year  
8 2020. For Fiscal Year 2021 and every fiscal year thereafter, if  
9 the General Assembly appropriates before the beginning of that  
10 fiscal year, and the State Comptroller makes available to the  
11 University no later than 12 months from the effective date of  
12 that appropriation, an amount for deferred maintenance that is  
13 not less than 2% of the University's plant replacement value,  
14 then subsections (c), (d), and (e) shall apply to the  
15 University for that fiscal year.

16 (c) In this subsection, "mandatory fees" excludes  
17 mandatory fees approved by students by referendum. Beginning  
18 with the 2020-2021 academic year, the Board of Trustees may not  
19 increase the base rate of in-State, undergraduate tuition and  
20 mandatory fees above the base rate of in-State, undergraduate  
21 tuition and mandatory fees set by the Board of Trustees for an  
22 undergraduate academic program in the previous academic year.  
23 This subsection does not apply to health insurance fees, fees  
24 approved prior to the effective date of this amendatory Act of  
25 the 101st General Assembly, or fees approved by a student  
26 referendum.

1       (d) In this subsection, "first generation college student"  
2 means a student who is the first person in his or her immediate  
3 family to attend a university inside or outside of this State.  
4 In this subsection, "immediate family member" means a parent,  
5 sibling, child, grandparent, step-parent, step-sibling, or  
6 step-child or any adoptive relationship. For Fiscal Year 2020  
7 and every fiscal year thereafter, the University shall  
8 implement an Invest in Illinois Residents Program to provide to  
9 residents of this State the equivalent of 20% of the  
10 University's State appropriation in financial aid for the  
11 fiscal year. A percentage of this financial aid shall be  
12 provided annually to Illinois students of historically  
13 underserved populations. Such students shall include the  
14 following:

15           (1) students who are eligible for a federal Pell Grant;

16           (2) students who are first generation college  
17 students; and

18           (3) students who have graduated from a high school in a  
19 school district organized under Article 34 of the School  
20 Code.

21       (e) For the 2020-2021 academic year and every academic year  
22 thereafter, the University shall achieve performance goals  
23 defined by all of the following key performance indicators:

24           (1) The University shall maintain an overall retention  
25 rate in undergraduate programs that is greater than or  
26 equal to 75% for entering, full-time degree-seeking

1 students based on a full-year cohort.

2 (2) The University shall maintain a 6-year graduation  
3 rate for first-time students in undergraduate programs, as  
4 defined by the Student Achievement Measure (SAM), that is  
5 greater than or equal to 50%.

6 (3) The University shall maintain a 6-year graduation  
7 rate for full-time, degree-seeking transfer students in  
8 undergraduate programs, as defined in the Student  
9 Achievement Measure, that is greater than or equal to 70%.

10 (4) Fifty percent of the incoming freshmen shall be  
11 Illinois students of historically underserved populations,  
12 as described under subsection (d).

13 (f) On or before September 1, 2020 and every September 1  
14 thereafter, the University shall publish on its website and  
15 make publicly available an annual report related to the  
16 previous academic and fiscal year. The annual report shall  
17 include all of the following information:

18 (1) The number of first-time freshmen enrolled.

19 (2) The number of new transfer students enrolled.

20 (3) The number of undergraduate students enrolled who  
21 are residents of this State.

22 (4) The number of underrepresented minority,  
23 undergraduate students enrolled.

24 (5) The total undergraduate enrollment.

25 (6) The number of undergraduate degrees issued.

26 (7) The number of graduate degrees issued.

1           (8) The number of law degrees issued.

2           (9) The total number of degrees issued.

3           (10) The number of science, technology, engineering,  
4           and mathematics degrees issued.

5           (11) The direct appropriation per undergraduate  
6           degree.

7           (12) The direct appropriation as a percentage of total  
8           expenditures.

9           (g) The requirements of subsections (c), (d), and (e) are  
10          not applicable to the University in any fiscal year in which  
11          the General Assembly fails to appropriate and the State  
12          Comptroller fails to make available the amounts required under  
13          subsection (b). Nothing in this Section is intended to grant  
14          the University a vested, contractual right to a particular  
15          level of funding for any fiscal year.

16          (h) This Section is repealed on June 30, 2024.

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