

1 AN ACT in relation to community colleges.

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

4 Section 5. The Public Community College Act is amended
5 by changing Section 2-15 as follows:

6 (110 ILCS 805/2-15) (from Ch. 122, par. 102-15)

7 Sec. 2-15. Recognition.

8 (a) The State Board shall grant recognition to community
9 colleges which maintain equipment, courses of study,
10 standards of scholarship and other requirements set by the
11 State Board. Application for recognition shall be made to the
12 State Board. The State Board shall set the criteria by which
13 the community colleges shall be judged and through the
14 executive officer of the State Board shall arrange for an
15 official evaluation of the community colleges and shall grant
16 recognition of such community colleges as may meet the
17 required standards.

18 (b) Subject to the limitations of subsection (d) of this
19 Section, if a community college district fails to meet the
20 recognition standards set by the State Board, and if the
21 district, in accordance with: (i) ~~(a)~~ Government Auditing
22 Standards issued by the Comptroller General of the United
23 States, (ii) ~~(b)~~ auditing standards established by the
24 American Institute of Certified Public Accountants, or (iii)
25 ~~(c)~~ other applicable State and federal standards, is found by
26 the district's auditor or the State Board working in
27 cooperation with the district's auditor to have material
28 deficiencies in the design or operation of financial control
29 structures that could adversely affect the district's
30 financial integrity and stability, or is found to have
31 misused State or federal funds and jeopardized its

1 participation in State or federal programs, the State Board
2 may, subject to the limitations of subsection (d) of this
3 Section but notwithstanding any other laws to the contrary,
4 implement one or more of the following emergency powers:

5 (1) To direct the district to develop and implement
6 a plan that addresses the budgetary, programmatic, and
7 other relevant factors contributing to the need to
8 implement emergency measures. The State Board shall
9 assist in the development and shall have final approval
10 of the plan.

11 (2) To direct the district to contract for
12 educational services in accordance with Section 3-40.
13 The State Board shall assist in the development and shall
14 have final approval of any such contractual agreements.

15 (3) To approve and require revisions of the
16 district's budget.

17 (4) To appoint a Financial Administrator to
18 exercise oversight and control over the district's
19 budget. The Financial Administrator shall serve at the
20 pleasure of the State Board and may be an individual,
21 partnership, corporation, including an accounting firm,
22 or other entity determined by the State Board to be
23 qualified to serve, and shall be entitled to
24 compensation. Such compensation shall be provided
25 through specific appropriations made to the State Board
26 for that express purpose.

27 (5) To develop and implement a plan providing for
28 the dissolution or reorganization of the district if in
29 the judgement of the State Board the circumstances so
30 require and the requirements of subsection (c) of this
31 Section are met.

32 (c) Before the State Board may implement a plan for the
33 dissolution of a district, the question of whether or not the
34 district should be dissolved must be submitted to the voters

1 of that district at a regular scheduled election. The State
2 Board shall certify the proposition to the proper election
3 authorities for submission in accordance with the general
4 election law. The proposition shall be in substantially the
5 following form:

6 FOR the dissolution of (name of community college
7 district).

8 AGAINST the dissolution of (name of community
9 college district).

10 If a majority of the votes cast upon the proposition is
11 in favor of dissolving the district, the State Board may
12 implement its plan for the dissolution of the district.

13 (d) Notwithstanding any other provisions of this Section
14 or any other Section of this Act, the State Board shall have
15 no authority to exercise or implement, in or with respect to
16 Metropolitan Community College District No. 541 established
17 under Section 2-12.1, any of the powers described in
18 paragraphs (2), (3), and (5) of subsection (b) of this
19 Section 2-15, except as otherwise provided under this
20 amendatory Act of the 92nd General Assembly. Any order or
21 other action taken by the State Board before the effective
22 date of this amendatory Act of the 92nd General Assembly that
23 dissolves or purports to dissolve the community college
24 district established under Section 2-12.1 or that provides
25 for the development, approval, or implementation of a plan
26 under which community college operations, programs, and
27 services within the territory comprising that community
28 college district are to be provided pursuant to contractual
29 arrangements between the State Board and entities or
30 subcontractors of entities other than the board of trustees
31 of the community college district established under Section
32 2-12.1 shall be null and void and of no legal force or
33 effect. Notwithstanding any other law of this State, the
34 community college district established under Section 2-12.1

1 shall not be dissolved or annexed to another community
2 college district or otherwise reorganized except pursuant to
3 this amendatory Act of the 92nd General Assembly.

4 (e) There is hereby created the Metropolitan Community
5 College Task Force, which shall consist of 9 members, 2 each
6 appointed by the President and Minority Leader of the Senate
7 and the Speaker and Minority Leader of the House of
8 Representatives and one appointed by the Governor. The
9 person appointed by the Governor shall be a public member and
10 shall serve as chairperson of the Task Force. All other
11 appointees shall be members of the General Assembly. Members
12 of the Task Force shall serve without compensation but shall
13 be reimbursed for their reasonable and necessary expenses
14 from funds appropriated for that purpose. The Task Force
15 shall meet as often as necessary to study and define the
16 issues that must be effectively addressed to ensure the
17 continued existence of Metropolitan Community College
18 District No. 541 and the action that must be taken to enable
19 that district to provide a high level of community college
20 services to residents of the district. The Task Force shall
21 report its findings and recommendations to the General
22 Assembly by February 15, 2002, and is abolished on that date.

23 (Source: P.A. 89-147, eff. 7-14-95.)

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