

1 AN ACT concerning higher education student assistance.

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

4 Section 1. Short title. This Act may be cited as the
5 Optometric Education Scholarship Act.

6 Section 5. Legislative finding and declaration of
7 policy. The General Assembly finds and declares that the
8 provision of graduate education leading to a doctoral degree
9 in optometry for persons of this State who desire such an
10 education is important to the health and welfare of this
11 State and Nation and consequently is an important public
12 purpose. Many qualified potential optometrists are deterred
13 by financial considerations from pursuing their optometric
14 education with consequent irreparable loss to the State and
15 Nation of talents vital to health and welfare. A program of
16 scholarships, repayment of which may be excused if the
17 individual practices professional optometry in this State,
18 will enable such individuals to attend qualified public or
19 private institutions of their choice in the State.

20 Section 10. Definitions. In this Act, the following
21 terms have the following meanings, unless the context clearly
22 indicates otherwise:

23 "Academic year" means the period of time from September 1
24 of one year through August 31 of the next year.

25 "Approved institution" means a public or private college
26 of optometry located in this State and approved by the
27 Department of Professional Regulation.

28 "Department" means the Department of Public Health.

29 "Enrollment" means the establishment and maintenance of
30 an individual's status as a student in an approved

1 institution, regardless of the terms used at the institution
2 to describe such status.

3 Section 15. Functions of Department.

4 (a) The Department shall do all of the following:

5 (1) Prepare and supervise the issuance of public
6 information about the provisions of this Act.

7 (2) Prescribe the form and regulate the submission
8 of applications for scholarships under this Act.

9 (3) Determine the eligibility of applicants.

10 (4) Award the appropriate scholarships.

11 (5) Prescribe the contracts or other
12 acknowledgements of scholarship assistance that an
13 applicant is required to execute.

14 (6) Determine whether all or any part of an
15 applicant's scholarship needs to be monetarily repaid or
16 has been excused from repayment and the extent of any
17 repayment or excused repayment.

18 (b) The Department may require a scholarship recipient
19 to reimburse the State for expenses, including but not
20 limited to attorney's fees, incurred by the Department or
21 other agent of the State for a successful legal action
22 against the recipient for a breach of any provision of the
23 scholarship contract.

24 (c) The Department is authorized to make all necessary
25 and proper rules, not inconsistent with this Act, for the
26 efficient exercise of the Department's functions under this
27 Act.

28 Section 20. Optometric education scholarships.

29 (a) The Department shall establish and administer a
30 scholarship program under this Act. Beginning with the
31 2003-2004 academic year, 10 scholarships shall be provided
32 each year to qualified applicants who are enrolled in an

1 approved institution awarding a doctorate degree in
2 optometry. Two of these scholarships each shall be awarded to
3 first year, second year, third year, and fourth year
4 students. The remaining 2 scholarships shall be awarded to
5 any level of student. The Department, in accordance with
6 rules adopted by the Department for this program, shall
7 provide funding for the scholarships through appropriations
8 from the Optometric Licensing and Disciplinary Board Fund.
9 Unless otherwise indicated, these scholarships shall be good
10 for a period of one year.

11 (b) The Department shall designate each year's new
12 scholarship recipients from among those applicants who
13 qualify for consideration by showing all of the following:

14 (1) That he or she has been a resident of this
15 State for at least one year prior to application and is a
16 citizen or a lawful permanent resident alien of the
17 United States.

18 (2) Proof of enrollment or acceptance for admission
19 to an approved institution.

20 (3) That he or she agrees to serve as an
21 optometrist in this State in accordance with Section 25
22 of this Act.

23 If in any year the number of qualified applicants exceeds
24 the number of scholarships to be awarded, the Department
25 shall give priority in awarding scholarships to students in
26 financial need. In determining the financial need of the
27 applicant, the Department shall consider factors such as the
28 applicant's family income, the size of the applicant's family
29 and the number of other children in the applicant's family
30 attending college, and whether the applicant is the head of
31 the household.

32 Section 25. Optometric requirements for scholarship
33 recipients.

1 (a) Any person who received a scholarship under Section
2 20 of this Act must, during the 7-year period immediately
3 following his or her graduation from an approved institution,
4 be employed in this State as a licensed optometrist under the
5 Illinois Optometric Practice Act of 1987, for at least one
6 year for each year of full-time scholarship assistance
7 received. If the recipient spends up to 4 years in military
8 service after he or she graduates, the period of military
9 service shall be excluded from the computation of that 7-year
10 period. A recipient who is enrolled in a residency program
11 following graduation at an approved institution shall have
12 the period of residency study excluded from the computation
13 of the 7-year period. Calendar years of required employment
14 shall be proportionally increased if employment is less than
15 40 hours per week.

16 (b) Any person who fails to fulfill the optometric
17 employment requirement shall pay to the Department an amount
18 equal to the amount of scholarship funds received per year
19 for each unfulfilled year of the optometric employment
20 requirement, together with interest at 7% per year on the
21 unpaid balance. All repayments must be completed within 6
22 years from the date of the occurrence initiating the
23 repayment. This obligation to repay, however, does not apply
24 if the failure to fulfill the optometric employment
25 requirement results from involuntarily leaving the profession
26 due to the scholarship recipient's death, disability, or
27 incompetency, as adjudicated by a court. No claim for
28 repayment may be filed against the estate of such a decedent
29 or incompetent.

30 (c) Each person applying for a scholarship shall be
31 provided with a copy of this Section at the time he or she
32 applies for the scholarship assistance.

33 Section 30. Amount of scholarships. A scholarship shall

1 be for \$ 5,000 per year for tuition and fees. The applicant
2 may receive a scholarship for 4 academic years. The
3 Department may provide that scholarships shall be on a
4 quarterly or semi-annual basis and shall be contingent upon
5 the applicant's diligently pursuing studies and being a
6 student in good standing.

7 Section 35. Advisory board. The Illinois Optometric
8 Licensing and Disciplinary Board of the Department of
9 Professional Regulation shall assist and advise the
10 Department in the administration of this Act.

11 Section 40. Student enrollment and obligations of
12 institutions.

13 (a) An approved institution is free to accept a
14 scholarship applicant in compliance with the institution's
15 own admissions requirements, standards, and policies. The
16 Department shall disburse any scholarship amount for tuition
17 and fees to the approved institution directly for the payment
18 of tuition and other necessary fees or for credit against the
19 student's obligation for such tuition and fees. Upon
20 acceptance of the scholarship amount, the approved
21 institution shall be contractually obligated (i) to provide
22 facilities and instruction to the scholarship recipient on
23 the same terms as to other students generally and (ii) to
24 provide the notices and information described in this
25 Section.

26 (b) If, in the course of any academic period, a student
27 enrolled in an approved institution pursuant to a scholarship
28 received under this Act ceases for any reason to be a student
29 in good standing, the institution shall promptly give written
30 notice to the Department concerning the change of status and
31 the reason for the change of status.

32 (c) A student to whom a renewal scholarship has been

1 awarded may either re-enroll in the institution that he or
2 she attended during the preceding year or enroll in any other
3 approved institution. In either event, the institution
4 accepting the student for such enrollment or re-enrollment
5 shall notify the Department of the acceptance.