

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 1. Short title. This Act may be cited as the  
5 Retention of Illinois Students and Equity Act.

6 Section 5. Findings. The General Assembly makes all of the  
7 following findings:

8 (1) The State of Illinois is committed to ensuring that  
9 all students who are residents of this State have  
10 meaningful and equitable access to higher educational  
11 opportunities notwithstanding the student's race, color,  
12 gender or gender identity, age, ancestry, marital status,  
13 military status, religion, pregnancy, national origin,  
14 disability status, sexual orientation, order of protection  
15 status, as defined under Section 1-103 of the Illinois  
16 Human Rights Act, or immigration status.

17 (2) The State of Illinois is committed to ensuring that  
18 students who may not have had the same educational  
19 opportunities are not penalized as they seek to achieve  
20 higher education.

21 (3) The State of Illinois is committed to ensuring the  
22 success and retention of African American students by  
23 safeguarding equitable access to educational funding and

1 eliminating systemic barriers.

2 (4) Lifting any caps on the Monetary Award Program,  
3 other than those required by State law, will have a  
4 positive impact on the retention and equity of African  
5 American students and other students of color who are  
6 disproportionately impacted by the lack of access to  
7 resources in completing their postsecondary education.

8 (5) The State of Illinois is committed to retaining  
9 Illinois students who wish to attend institutions of higher  
10 learning in this State by addressing financial barriers for  
11 those students.

12 Section 10. Definition. In this Act, "Illinois resident"  
13 includes any person who is deemed an Illinois resident for  
14 tuition purposes under State law.

15 Section 15. Equitable eligibility for financial aid and  
16 benefits.

17 (a) A student who is an Illinois resident and who is not  
18 otherwise eligible for federal financial aid, including, but  
19 not limited to, a transgender student who is disqualified for  
20 failure to register for selective service or a noncitizen  
21 student who has not obtained lawful permanent residence, shall  
22 be eligible for State financial aid and benefits as described  
23 in subsection (b).

24 (b) Notwithstanding any other provision of law to the

1 contrary, a student who is an Illinois resident (i) is eligible  
2 to apply or receive consideration for any student aid or  
3 benefit funded or administered by the State, any State agency,  
4 or any public institution of higher learning, including, but  
5 not limited to, scholarships, grants, awards, stipends, room  
6 and board assistance, tuition waivers, or other financial or  
7 in-kind assistance and (ii) to ensure equity, success, and the  
8 retention of Illinois residents, may not be subject to any caps  
9 on grant assistance available under the Monetary Award Program  
10 other than those required by State law.

11 (c) The eligibility requirements under this Section for any  
12 student aid or benefit funded or administered by the State  
13 shall be interpreted to promote the broadest eligibility for  
14 students who are Illinois residents in accordance with State  
15 law or policy.

16 (d) Nothing in this Section shall be construed as modifying  
17 any eligibility requirements regarding academic standing or  
18 personal or household income for any State financial aid  
19 program.

20 (e) The General Assembly finds and declares that this  
21 Section is a State law within the meaning of subsection (d) of  
22 Section 1621 of Title 8 of the United States Code.

23 Section 97. Severability. The provisions of this Act are  
24 severable under Section 1.31 of the Statute on Statutes.