

HB1760



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1760

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

105 ILCS 5/1D-1

Amends the School Code. Makes a technical change in a Section concerning block grants for Chicago.

LRB101 05653 AXK 50669 b

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 School Code is amended by changing Section
5 1D-1 as follows:

6 (105 ILCS 5/1D-1)

7 (Text of Section from P.A. 100-55)

8 Sec. 1D-1. Block grant funding.

9 (a) For ~~For~~ fiscal year 1996 and each fiscal year
10 thereafter, the State Board of Education shall award to a
11 school district having a population exceeding 500,000
12 inhabitants a general education block grant and an educational
13 services block grant, determined as provided in this Section,
14 in lieu of distributing to the district separate State funding
15 for the programs described in subsections (b) and (c). The
16 provisions of this Section, however, do not apply to any
17 federal funds that the district is entitled to receive. In
18 accordance with Section 2-3.32, all block grants are subject to
19 an audit. Therefore, block grant receipts and block grant
20 expenditures shall be recorded to the appropriate fund code for
21 the designated block grant.

22 (b) The general education block grant shall include the
23 following programs: REI Initiative, Summer Bridges, Preschool

1 Education, K-6 Comprehensive Arts, School Improvement Support,
2 Urban Education, Scientific Literacy, Substance Abuse
3 Prevention, Second Language Planning, Staff Development,
4 Outcomes and Assessment, K-6 Reading Improvement, 7-12
5 Continued Reading Improvement, Truants' Optional Education,
6 Hispanic Programs, Agriculture Education, Parental Training,
7 Prevention Initiative, Report Cards, and Criminal Background
8 Investigations. Notwithstanding any other provision of law,
9 all amounts paid under the general education block grant from
10 State appropriations to a school district in a city having a
11 population exceeding 500,000 inhabitants shall be appropriated
12 and expended by the board of that district for any of the
13 programs included in the block grant or any of the board's
14 lawful purposes. Beginning in Fiscal Year 2018, at least 25% of
15 any additional Preschool Education, Parental Training, and
16 Prevention Initiative program funding over and above the
17 previous fiscal year's allocation shall be used to fund
18 programs for children ages 0-3. Beginning in Fiscal Year 2018,
19 funding for Preschool Education, Parental Training, and
20 Prevention Initiative programs above the allocation for these
21 programs in Fiscal Year 2017 must be used solely as a
22 supplement for these programs and may not supplant funds
23 received from other sources.

24 (c) The educational services block grant shall include the
25 following programs: Regular and Vocational Transportation,
26 State Lunch and Free Breakfast Program, Special Education

1 (Personnel, Transportation, Orphanage, Private Tuition),
2 funding for children requiring special education services,
3 Summer School, Educational Service Centers, and
4 Administrator's Academy. This subsection (c) does not relieve
5 the district of its obligation to provide the services required
6 under a program that is included within the educational
7 services block grant. It is the intention of the General
8 Assembly in enacting the provisions of this subsection (c) to
9 relieve the district of the administrative burdens that impede
10 efficiency and accompany single-program funding. The General
11 Assembly encourages the board to pursue mandate waivers
12 pursuant to Section 2-3.25g.

13 The funding program included in the educational services
14 block grant for funding for children requiring special
15 education services in each fiscal year shall be treated in that
16 fiscal year as a payment to the school district in respect of
17 services provided or costs incurred in the prior fiscal year,
18 calculated in each case as provided in this Section. Nothing in
19 this Section shall change the nature of payments for any
20 program that, apart from this Section, would be or, prior to
21 adoption or amendment of this Section, was on the basis of a
22 payment in a fiscal year in respect of services provided or
23 costs incurred in the prior fiscal year, calculated in each
24 case as provided in this Section.

25 (d) For fiscal year 1996 and each fiscal year thereafter,
26 the amount of the district's block grants shall be determined

1 as follows: (i) with respect to each program that is included
2 within each block grant, the district shall receive an amount
3 equal to the same percentage of the current fiscal year
4 appropriation made for that program as the percentage of the
5 appropriation received by the district from the 1995 fiscal
6 year appropriation made for that program, and (ii) the total
7 amount that is due the district under the block grant shall be
8 the aggregate of the amounts that the district is entitled to
9 receive for the fiscal year with respect to each program that
10 is included within the block grant that the State Board of
11 Education shall award the district under this Section for that
12 fiscal year. In the case of the Summer Bridges program, the
13 amount of the district's block grant shall be equal to 44% of
14 the amount of the current fiscal year appropriation made for
15 that program.

16 (e) The district is not required to file any application or
17 other claim in order to receive the block grants to which it is
18 entitled under this Section. The State Board of Education shall
19 make payments to the district of amounts due under the
20 district's block grants on a schedule determined by the State
21 Board of Education.

22 (f) A school district to which this Section applies shall
23 report to the State Board of Education on its use of the block
24 grants in such form and detail as the State Board of Education
25 may specify. In addition, the report must include the following
26 description for the district, which must also be reported to

1 the General Assembly: block grant allocation and expenditures
2 by program; population and service levels by program; and
3 administrative expenditures by program. The State Board of
4 Education shall ensure that the reporting requirements for the
5 district are the same as for all other school districts in this
6 State.

7 (g) This paragraph provides for the treatment of block
8 grants under Article 1C for purposes of calculating the amount
9 of block grants for a district under this Section. Those block
10 grants under Article 1C are, for this purpose, treated as
11 included in the amount of appropriation for the various
12 programs set forth in paragraph (b) above. The appropriation in
13 each current fiscal year for each block grant under Article 1C
14 shall be treated for these purposes as appropriations for the
15 individual program included in that block grant. The proportion
16 of each block grant so allocated to each such program included
17 in it shall be the proportion which the appropriation for that
18 program was of all appropriations for such purposes now in that
19 block grant, in fiscal 1995.

20 Payments to the school district under this Section with
21 respect to each program for which payments to school districts
22 generally, as of the date of this amendatory Act of the 92nd
23 General Assembly, are on a reimbursement basis shall continue
24 to be made to the district on a reimbursement basis, pursuant
25 to the provisions of this Code governing those programs.

26 (h) Notwithstanding any other provision of law, any school

1 district receiving a block grant under this Section may
2 classify all or a portion of the funds that it receives in a
3 particular fiscal year from any block grant authorized under
4 this Code or from general State aid pursuant to Section 18-8.05
5 of this Code (other than supplemental general State aid) as
6 funds received in connection with any funding program for which
7 it is entitled to receive funds from the State in that fiscal
8 year (including, without limitation, any funding program
9 referred to in subsection (c) of this Section), regardless of
10 the source or timing of the receipt. The district may not
11 classify more funds as funds received in connection with the
12 funding program than the district is entitled to receive in
13 that fiscal year for that program. Any classification by a
14 district must be made by a resolution of its board of
15 education. The resolution must identify the amount of any block
16 grant or general State aid to be classified under this
17 subsection (h) and must specify the funding program to which
18 the funds are to be treated as received in connection
19 therewith. This resolution is controlling as to the
20 classification of funds referenced therein. A certified copy of
21 the resolution must be sent to the State Superintendent of
22 Education. The resolution shall still take effect even though a
23 copy of the resolution has not been sent to the State
24 Superintendent of Education in a timely manner. No
25 classification under this subsection (h) by a district shall
26 affect the total amount or timing of money the district is

1 entitled to receive under this Code. No classification under
2 this subsection (h) by a district shall in any way relieve the
3 district from or affect any requirements that otherwise would
4 apply with respect to the block grant as provided in this
5 Section, including any accounting of funds by source, reporting
6 expenditures by original source and purpose, reporting
7 requirements, or requirements of provision of services.

8 (Source: P.A. 100-55, eff. 8-11-17.)

9 (Text of Section from P.A. 100-465)

10 Sec. 1D-1. Block grant funding.

11 (a) For ~~For~~ fiscal year 1996 through fiscal year 2017, the
12 State Board of Education shall award to a school district
13 having a population exceeding 500,000 inhabitants a general
14 education block grant and an educational services block grant,
15 determined as provided in this Section, in lieu of distributing
16 to the district separate State funding for the programs
17 described in subsections (b) and (c). The provisions of this
18 Section, however, do not apply to any federal funds that the
19 district is entitled to receive. In accordance with Section
20 2-3.32, all block grants are subject to an audit. Therefore,
21 block grant receipts and block grant expenditures shall be
22 recorded to the appropriate fund code for the designated block
23 grant.

24 (b) The general education block grant shall include the
25 following programs: REI Initiative, Summer Bridges, Preschool

1 At Risk, K-6 Comprehensive Arts, School Improvement Support,
2 Urban Education, Scientific Literacy, Substance Abuse
3 Prevention, Second Language Planning, Staff Development,
4 Outcomes and Assessment, K-6 Reading Improvement, 7-12
5 Continued Reading Improvement, Truants' Optional Education,
6 Hispanic Programs, Agriculture Education, Parental Education,
7 Prevention Initiative, Report Cards, and Criminal Background
8 Investigations. Notwithstanding any other provision of law,
9 all amounts paid under the general education block grant from
10 State appropriations to a school district in a city having a
11 population exceeding 500,000 inhabitants shall be appropriated
12 and expended by the board of that district for any of the
13 programs included in the block grant or any of the board's
14 lawful purposes.

15 (c) The educational services block grant shall include the
16 following programs: Regular and Vocational Transportation,
17 State Lunch and Free Breakfast Program, Special Education
18 (Personnel, Transportation, Orphanage, Private Tuition),
19 funding for children requiring special education services,
20 Summer School, Educational Service Centers, and
21 Administrator's Academy. This subsection (c) does not relieve
22 the district of its obligation to provide the services required
23 under a program that is included within the educational
24 services block grant. It is the intention of the General
25 Assembly in enacting the provisions of this subsection (c) to
26 relieve the district of the administrative burdens that impede

1 efficiency and accompany single-program funding. The General
2 Assembly encourages the board to pursue mandate waivers
3 pursuant to Section 2-3.25g.

4 The funding program included in the educational services
5 block grant for funding for children requiring special
6 education services in each fiscal year shall be treated in that
7 fiscal year as a payment to the school district in respect of
8 services provided or costs incurred in the prior fiscal year,
9 calculated in each case as provided in this Section. Nothing in
10 this Section shall change the nature of payments for any
11 program that, apart from this Section, would be or, prior to
12 adoption or amendment of this Section, was on the basis of a
13 payment in a fiscal year in respect of services provided or
14 costs incurred in the prior fiscal year, calculated in each
15 case as provided in this Section.

16 (d) For fiscal year 1996 through fiscal year 2017, the
17 amount of the district's block grants shall be determined as
18 follows: (i) with respect to each program that is included
19 within each block grant, the district shall receive an amount
20 equal to the same percentage of the current fiscal year
21 appropriation made for that program as the percentage of the
22 appropriation received by the district from the 1995 fiscal
23 year appropriation made for that program, and (ii) the total
24 amount that is due the district under the block grant shall be
25 the aggregate of the amounts that the district is entitled to
26 receive for the fiscal year with respect to each program that

1 is included within the block grant that the State Board of
2 Education shall award the district under this Section for that
3 fiscal year. In the case of the Summer Bridges program, the
4 amount of the district's block grant shall be equal to 44% of
5 the amount of the current fiscal year appropriation made for
6 that program.

7 (e) The district is not required to file any application or
8 other claim in order to receive the block grants to which it is
9 entitled under this Section. The State Board of Education shall
10 make payments to the district of amounts due under the
11 district's block grants on a schedule determined by the State
12 Board of Education.

13 (f) A school district to which this Section applies shall
14 report to the State Board of Education on its use of the block
15 grants in such form and detail as the State Board of Education
16 may specify. In addition, the report must include the following
17 description for the district, which must also be reported to
18 the General Assembly: block grant allocation and expenditures
19 by program; population and service levels by program; and
20 administrative expenditures by program. The State Board of
21 Education shall ensure that the reporting requirements for the
22 district are the same as for all other school districts in this
23 State.

24 (g) Through fiscal year 2017, this paragraph provides for
25 the treatment of block grants under Article 1C for purposes of
26 calculating the amount of block grants for a district under

1 this Section. Those block grants under Article 1C are, for this
2 purpose, treated as included in the amount of appropriation for
3 the various programs set forth in paragraph (b) above. The
4 appropriation in each current fiscal year for each block grant
5 under Article 1C shall be treated for these purposes as
6 appropriations for the individual program included in that
7 block grant. The proportion of each block grant so allocated to
8 each such program included in it shall be the proportion which
9 the appropriation for that program was of all appropriations
10 for such purposes now in that block grant, in fiscal 1995.

11 Payments to the school district under this Section with
12 respect to each program for which payments to school districts
13 generally, as of the date of this amendatory Act of the 92nd
14 General Assembly, are on a reimbursement basis shall continue
15 to be made to the district on a reimbursement basis, pursuant
16 to the provisions of this Code governing those programs.

17 (h) Notwithstanding any other provision of law, any school
18 district receiving a block grant under this Section may
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22 of this Code (other than supplemental general State aid) as
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25 year (including, without limitation, any funding program
26 referred to in subsection (c) of this Section), regardless of

1 the source or timing of the receipt. The district may not
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3 funding program than the district is entitled to receive in
4 that fiscal year for that program. Any classification by a
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17 affect the total amount or timing of money the district is
18 entitled to receive under this Code. No classification under
19 this subsection (h) by a district shall in any way relieve the
20 district from or affect any requirements that otherwise would
21 apply with respect to the block grant as provided in this
22 Section, including any accounting of funds by source, reporting
23 expenditures by original source and purpose, reporting
24 requirements, or requirements of provision of services.

25 (Source: P.A. 100-465, eff. 8-31-17.)