

# HB4313



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4313

Introduced 1/28/2020, by Rep. Avery Bourne

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-8.15

Amends the evidence-based funding provisions of the School Code. Makes changes concerning the calculation of an organizational unit's real receipts, the base funding minimum of organizational units designated as Tier 4, and the minimum funding level. Effective immediately.

LRB101 15929 NHT 65289 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 School Code is amended by changing Section  
5 18-8.15 as follows:

6 (105 ILCS 5/18-8.15)

7 Sec. 18-8.15. Evidence-Based Funding ~~Evidence-based~~  
8 ~~funding~~ for student success for the 2017-2018 and subsequent  
9 school years.

10 (a) General provisions.

11 (1) The purpose of this Section is to ensure that, by  
12 June 30, 2027 and beyond, this State has a kindergarten  
13 through grade 12 public education system with the capacity  
14 to ensure the educational development of all persons to the  
15 limits of their capacities in accordance with Section 1 of  
16 Article X of the Constitution of the State of Illinois. To  
17 accomplish that objective, this Section creates a method of  
18 funding public education that is evidence-based; is  
19 sufficient to ensure every student receives a meaningful  
20 opportunity to learn irrespective of race, ethnicity,  
21 sexual orientation, gender, or community-income level; and  
22 is sustainable and predictable. When fully funded under  
23 this Section, every school shall have the resources, based

1 on what the evidence indicates is needed, to:

2 (A) provide all students with a high quality  
3 education that offers the academic, enrichment, social  
4 and emotional support, technical, and career-focused  
5 programs that will allow them to become competitive  
6 workers, responsible parents, productive citizens of  
7 this State, and active members of our national  
8 democracy;

9 (B) ensure all students receive the education they  
10 need to graduate from high school with the skills  
11 required to pursue post-secondary education and  
12 training for a rewarding career;

13 (C) reduce, with a goal of eliminating, the  
14 achievement gap between at-risk and non-at-risk  
15 students by raising the performance of at-risk  
16 students and not by reducing standards; and

17 (D) ensure this State satisfies its obligation to  
18 assume the primary responsibility to fund public  
19 education and simultaneously relieve the  
20 disproportionate burden placed on local property taxes  
21 to fund schools.

22 (2) The Evidence-Based Funding ~~evidence-based funding~~  
23 formula under this Section shall be applied to all  
24 Organizational Units in this State. The Evidence-Based  
25 Funding ~~evidence-based funding~~ formula outlined in this  
26 Act is based on the formula outlined in Senate Bill 1 of

1 the 100th General Assembly, as passed by both legislative  
2 chambers. As further defined and described in this Section,  
3 there are 4 major components of the Evidence-Based Funding  
4 ~~evidence-based funding~~ model:

5 (A) First, the model calculates a unique Adequacy  
6 Target ~~adequacy target~~ for each Organizational Unit in  
7 this State that considers the costs to implement  
8 research-based activities, the unit's student  
9 demographics, and regional wage differences  
10 ~~difference~~.

11 (B) Second, the model calculates each  
12 Organizational Unit's Local Capacity ~~local capacity~~,  
13 or the amount each Organizational Unit is assumed to  
14 contribute toward ~~towards~~ its Adequacy Target ~~adequacy~~  
15 ~~target~~ from local resources.

16 (C) Third, the model calculates how much funding  
17 the State currently contributes to the Organizational  
18 Unit, and adds that to the unit's Local Capacity ~~local~~  
19 ~~capacity~~ to determine the unit's overall current  
20 adequacy of funding.

21 (D) Finally, the model's distribution method  
22 allocates new State funding to those Organizational  
23 Units that are least well-funded, considering both  
24 Local Capacity ~~local capacity~~ and State funding, in  
25 relation to their Adequacy Target ~~adequacy target~~.

26 (3) An Organizational Unit receiving any funding under

1           this Section may apply those funds to any fund so received  
2           for which that Organizational Unit is authorized to make  
3           expenditures by law.

4           (4) As used in this Section, the following terms shall  
5           have the meanings ascribed in this paragraph (4):

6           "Adequacy Target" is defined in paragraph (1) of  
7           subsection (b) of this Section.

8           "Adjusted EAV" is defined in paragraph (4) of  
9           subsection (d) of this Section.

10          "Adjusted Local Capacity Target" is defined in  
11          paragraph (3) of subsection (c) of this Section.

12          "Adjusted Operating Tax Rate" means a tax rate for all  
13          Organizational Units, for which the State Superintendent  
14          shall calculate and subtract for the Operating Tax Rate a  
15          transportation rate based on total expenses for  
16          transportation services under this Code, as reported on the  
17          most recent Annual Financial Report in Pupil  
18          Transportation Services, function 2550 in both the  
19          Education and Transportation funds and functions 4110 and  
20          4120 in the Transportation fund, less any corresponding  
21          fiscal year State of Illinois scheduled payments excluding  
22          net adjustments for prior years for regular, vocational, or  
23          special education transportation reimbursement pursuant to  
24          Section 29-5 or subsection (b) of Section 14-13.01 of this  
25          Code divided by the Adjusted EAV. If an Organizational  
26          Unit's corresponding fiscal year State of Illinois

1 scheduled payments excluding net adjustments for prior  
2 years for regular, vocational, or special education  
3 transportation reimbursement pursuant to Section 29-5 or  
4 subsection (b) of Section 14-13.01 of this Code exceed the  
5 total transportation expenses, as defined in this  
6 paragraph, no transportation rate shall be subtracted from  
7 the Operating Tax Rate.

8 "Allocation Rate" is defined in paragraph (3) of  
9 subsection (g) of this Section.

10 "Alternative School" means a public school that is  
11 created and operated by a regional superintendent of  
12 schools and approved by the State Board.

13 "Applicable Tax Rate" is defined in paragraph (1) of  
14 subsection (d) of this Section.

15 "Assessment" means any of those benchmark, progress  
16 monitoring, formative, diagnostic, and other assessments,  
17 in addition to the State accountability assessment, that  
18 assist teachers' needs in understanding the skills and  
19 meeting the needs of the students they serve.

20 "Assistant principal" means a school administrator  
21 duly endorsed to be employed as an assistant principal in  
22 this State.

23 "At-risk student" means a student who is at risk of not  
24 meeting the Illinois Learning Standards or not graduating  
25 from elementary or high school and who demonstrates a need  
26 for vocational support or social services beyond that

1 provided by the regular school program. All students  
2 included in an Organizational Unit's Low-Income Count, as  
3 well as all English learner and disabled students attending  
4 the Organizational Unit, shall be considered at-risk  
5 students under this Section.

6 "Average Student Enrollment" or "ASE" for fiscal year  
7 2018 means, for an Organizational Unit, the greater of the  
8 average number of students (grades K through 12) reported  
9 to the State Board as enrolled in the Organizational Unit  
10 on October 1 in the immediately preceding school year, plus  
11 the pre-kindergarten students who receive special  
12 education services of 2 or more hours a day as reported to  
13 the State Board on December 1 in the immediately preceding  
14 school year, or the average number of students (grades K  
15 through 12) reported to the State Board as enrolled in the  
16 Organizational Unit on October 1, plus the  
17 pre-kindergarten students who receive special education  
18 services of 2 or more hours a day as reported to the State  
19 Board on December 1, for each of the immediately preceding  
20 3 school years. For fiscal year 2019 and each subsequent  
21 fiscal year, "Average Student Enrollment" or "ASE" means,  
22 for an Organizational Unit, the greater of the average  
23 number of students (grades K through 12) reported to the  
24 State Board as enrolled in the Organizational Unit on  
25 October 1 and March 1 in the immediately preceding school  
26 year, plus the pre-kindergarten students who receive

1 special education services as reported to the State Board  
2 on October 1 and March 1 in the immediately preceding  
3 school year, or the average number of students (grades K  
4 through 12) reported to the State Board as enrolled in the  
5 Organizational Unit on October 1 and March 1, plus the  
6 pre-kindergarten students who receive special education  
7 services as reported to the State Board on October 1 and  
8 March 1, for each of the immediately preceding 3 school  
9 years. For the purposes of this definition, "enrolled in  
10 the Organizational Unit" means the number of students  
11 reported to the State Board who are enrolled in schools  
12 within the Organizational Unit that the student attends or  
13 would attend if not placed or transferred to another school  
14 or program to receive needed services. For the purposes of  
15 calculating "ASE", all students, grades K through 12,  
16 excluding those attending kindergarten for a half day and  
17 students attending an alternative education program  
18 operated by a regional office of education or intermediate  
19 service center, shall be counted as 1.0. All students  
20 attending kindergarten for a half day shall be counted as  
21 0.5, unless in 2017 by June 15 or by March 1 in subsequent  
22 years, the school district reports to the State Board of  
23 Education the intent to implement full-day kindergarten  
24 district-wide for all students, then all students  
25 attending kindergarten shall be counted as 1.0. Special  
26 education pre-kindergarten students shall be counted as



1 0.5 each. If the State Board does not collect or has not  
2 collected both an October 1 and March 1 enrollment count by  
3 grade or a December 1 collection of special education  
4 pre-kindergarten students as of August 31, 2017 (the  
5 effective date of Public Act 100-465) ~~this amendatory Act~~  
6 ~~of the 100th General Assembly~~, it shall establish such  
7 collection for all future years. For any year in which  
8 ~~where~~ a count by grade level was collected only once, that  
9 count shall be used as the single count available for  
10 computing a 3-year average ASE. Funding for programs  
11 operated by a regional office of education or an  
12 intermediate service center must be calculated using the  
13 Evidence-Based Funding ~~evidence-based funding~~ formula  
14 under this Section for the 2019-2020 school year and each  
15 subsequent school year until separate adequacy formulas  
16 are developed and adopted for each type of program. ASE for  
17 a program operated by a regional office of education or an  
18 intermediate service center must be determined by the March  
19 1 enrollment for the program. For the 2019-2020 school  
20 year, the ASE used in the calculation must be the  
21 first-year ASE and, in that year only, the assignment of  
22 students served by a regional office of education or  
23 intermediate service center shall not result in a reduction  
24 of the March enrollment for any school district. For the  
25 2020-2021 school year, the ASE must be the greater of the  
26 current-year ASE or the 2-year average ASE. Beginning with

1 the 2021-2022 school year, the ASE must be the greater of  
2 the current-year ASE or the 3-year average ASE. School  
3 districts shall submit the data for the ASE calculation to  
4 the State Board within 45 days of the dates required in  
5 this Section for submission of enrollment data in order for  
6 it to be included in the ASE calculation. For fiscal year  
7 2018 only, the ASE calculation shall include only  
8 enrollment taken on October 1.

9 "Base Funding Guarantee" is defined in paragraph (10)  
10 of subsection (g) of this Section.

11 "Base Funding Minimum" is defined in subsection (e) of  
12 this Section.

13 "Base Tax Year" means the property tax levy year used  
14 to calculate the Budget Year allocation of primary State  
15 aid.

16 "Base Tax Year's Extension" means the product of the  
17 equalized assessed valuation utilized by the county clerk  
18 in the Base Tax Year multiplied by the limiting rate as  
19 calculated by the county clerk and defined in PTELL.

20 "Bilingual Education Allocation" means the amount of  
21 an Organizational Unit's final Adequacy Target  
22 attributable to bilingual education divided by the  
23 Organizational Unit's final Adequacy Target, the product  
24 of which shall be multiplied by the amount of new funding  
25 received pursuant to this Section. An Organizational  
26 Unit's final Adequacy Target attributable to bilingual

1 education shall include all additional investments in  
2 English learner students' adequacy elements.

3 "Budget Year" means the school year for which primary  
4 State aid is calculated and awarded under this Section.

5 "Central office" means individual administrators and  
6 support service personnel charged with managing the  
7 instructional programs, business and operations, and  
8 security of the Organizational Unit.

9 "Comparable Wage Index" or "CWI" means a regional cost  
10 differentiation metric that measures systemic, regional  
11 variations in the salaries of college graduates who are not  
12 educators. The CWI utilized for this Section shall, for the  
13 first 3 years of Evidence-Based Funding implementation, be  
14 the CWI initially developed by the National Center for  
15 Education Statistics, as most recently updated by Texas A &  
16 M University. In the fourth and subsequent years of  
17 Evidence-Based Funding implementation, the State  
18 Superintendent shall re-determine the CWI using a similar  
19 methodology to that identified in the Texas A & M  
20 University study, with adjustments made no less frequently  
21 than once every 5 years.

22 "Computer technology and equipment" means computers  
23 servers, notebooks, network equipment, copiers, printers,  
24 instructional software, security software, curriculum  
25 management courseware, and other similar materials and  
26 equipment.

1           "Computer technology and equipment investment  
2 allocation" means the final Adequacy Target amount of an  
3 Organizational Unit assigned to Tier 1 or Tier 2 in the  
4 prior school year attributable to the additional \$285.50  
5 per student computer technology and equipment investment  
6 grant divided by the Organizational Unit's final Adequacy  
7 Target, the result of which shall be multiplied by the  
8 amount of new funding received pursuant to this Section. An  
9 Organizational Unit assigned to a Tier 1 or Tier 2 final  
10 Adequacy Target attributable to the received computer  
11 technology and equipment investment grant shall include  
12 all additional investments in computer technology and  
13 equipment adequacy elements.

14           "Core subject" means mathematics; science; reading,  
15 English, writing, and language arts; history and social  
16 studies; world languages; and subjects taught as Advanced  
17 Placement in high schools.

18           "Core teacher" means a regular classroom teacher in  
19 elementary schools and teachers of a core subject in middle  
20 and high schools.

21           "Core Intervention teacher (tutor)" means a licensed  
22 teacher providing one-on-one or small group tutoring to  
23 students struggling to meet proficiency in core subjects.

24           "CPPRT" means corporate personal property replacement  
25 tax funds paid to an Organizational Unit during the  
26 calendar year one year before the calendar year in which a

1 school year begins, pursuant to "An Act in relation to the  
2 abolition of ad valorem personal property tax and the  
3 replacement of revenues lost thereby, and amending and  
4 repealing certain Acts and parts of Acts in connection  
5 therewith", certified August 14, 1979, as amended (Public  
6 Act 81-1st S.S.-1).

7 "EAV" means equalized assessed valuation as defined in  
8 paragraph (2) of subsection (d) of this Section and  
9 calculated in accordance with paragraph (3) of subsection  
10 (d) of this Section.

11 "ECI" means the Bureau of Labor Statistics' national  
12 employment cost index for civilian workers in educational  
13 services in elementary and secondary schools on a  
14 cumulative basis for the 12-month calendar year preceding  
15 the fiscal year of the Evidence-Based Funding calculation.

16 "EIS Data" means the employment information system  
17 data maintained by the State Board on educators within  
18 Organizational Units.

19 "Employee benefits" means health, dental, and vision  
20 insurance offered to employees of an Organizational Unit,  
21 the costs associated with the statutorily required payment  
22 of the normal cost of the Organizational Unit's teacher  
23 pensions, Social Security employer contributions, and  
24 Illinois Municipal Retirement Fund employer contributions.

25 "English learner" or "EL" means a child included in the  
26 definition of "English learners" under Section 14C-2 of

1 this Code participating in a program of transitional  
2 bilingual education or a transitional program of  
3 instruction meeting the requirements and program  
4 application procedures of Article 14C of this Code. For the  
5 purposes of collecting the number of EL students enrolled,  
6 the same collection and calculation methodology as defined  
7 above for "ASE" shall apply to English learners, with the  
8 exception that EL student enrollment shall include  
9 students in grades pre-kindergarten through 12.

10 "Essential Elements" means those elements, resources,  
11 and educational programs that have been identified through  
12 academic research as necessary to improve student success,  
13 improve academic performance, close achievement gaps, and  
14 provide for other per student costs related to the delivery  
15 and leadership of the Organizational Unit, as well as the  
16 maintenance and operations of the unit, and which are  
17 specified in paragraph (2) of subsection (b) of this  
18 Section.

19 "Evidence-Based Funding" means State funding provided  
20 to an Organizational Unit pursuant to this Section.

21 "Extended day" means academic and enrichment programs  
22 provided to students outside the regular school day before  
23 and after school or during non-instructional times during  
24 the school day.

25 "Extension Limitation Ratio" means a numerical ratio  
26 in which the numerator is the Base Tax Year's Extension and

1 the denominator is the Preceding Tax Year's Extension.

2 "Final Percent of Adequacy" is defined in paragraph (4)  
3 of subsection (f) of this Section.

4 "Final Resources" is defined in paragraph (3) of  
5 subsection (f) of this Section.

6 "Full-time equivalent" or "FTE" means the full-time  
7 equivalency compensation for staffing the relevant  
8 position at an Organizational Unit.

9 "Funding Gap" is defined in paragraph (1) of subsection  
10 (g).

11 "Guidance counselor" means a licensed guidance  
12 counselor who provides guidance and counseling support for  
13 students within an Organizational Unit.

14 "Hybrid District" means a partial elementary unit  
15 district created pursuant to Article 11E of this Code.

16 "Instructional assistant" means a core or special  
17 education, non-licensed employee who assists a teacher in  
18 the classroom and provides academic support to students.

19 "Instructional facilitator" means a qualified teacher  
20 or licensed teacher leader who facilitates and coaches  
21 continuous improvement in classroom instruction; provides  
22 instructional support to teachers in the elements of  
23 research-based instruction or demonstrates the alignment  
24 of instruction with curriculum standards and assessment  
25 tools; develops or coordinates instructional programs or  
26 strategies; develops and implements training; chooses

1 standards-based instructional materials; provides teachers  
2 with an understanding of current research; serves as a  
3 mentor, site coach, curriculum specialist, or lead  
4 teacher; or otherwise works with fellow teachers, in  
5 collaboration, to use data to improve instructional  
6 practice or develop model lessons.

7 "Instructional materials" means relevant instructional  
8 materials for student instruction, including, but not  
9 limited to, textbooks, consumable workbooks, laboratory  
10 equipment, library books, and other similar materials.

11 "Laboratory School" means a public school that is  
12 created and operated by a public university and approved by  
13 the State Board.

14 "Librarian" means a teacher with an endorsement as a  
15 library information specialist or another individual whose  
16 primary responsibility is overseeing library resources  
17 within an Organizational Unit.

18 "Limiting rate for Hybrid Districts" means the  
19 combined elementary school and high school limiting  
20 ~~limited~~ rates.

21 "Local Capacity" is defined in paragraph (1) of  
22 subsection (c) of this Section.

23 "Local Capacity Percentage" is defined in subparagraph  
24 (A) of paragraph (2) of subsection (c) of this Section.

25 "Local Capacity Ratio" is defined in subparagraph (B)  
26 of paragraph (2) of subsection (c) of this Section.



1           "Local Capacity Target" is defined in paragraph (2) of  
2 subsection (c) of this Section.

3           "Low-Income Count" means, for an Organizational Unit  
4 in a fiscal year, the higher of the average number of  
5 students for the prior school year or the immediately  
6 preceding 3 school years who, as of July 1 of the  
7 immediately preceding fiscal year (as determined by the  
8 Department of Human Services), are eligible for at least  
9 one of the following low-income ~~low-income~~ programs:  
10 Medicaid, the Children's Health Insurance Program,  
11 Temporary Assistance for Needy Families (TANF), or the  
12 Supplemental Nutrition Assistance Program, excluding  
13 pupils who are eligible for services provided by the  
14 Department of Children and Family Services. Until such time  
15 that grade level low-income populations become available,  
16 grade level low-income populations shall be determined by  
17 applying the low-income percentage to total student  
18 enrollments by grade level. The low-income percentage is  
19 determined by dividing the Low-Income Count by the Average  
20 Student Enrollment. The low-income percentage for programs  
21 operated by a regional office of education or an  
22 intermediate service center must be set to the weighted  
23 average of the low-income percentages of all of the school  
24 districts in the service region. The weighted low-income  
25 percentage is the result of multiplying the low-income  
26 percentage of each school district served by the regional

1 office of education or intermediate service center by each  
2 school district's Average Student Enrollment, summarizing  
3 those products and dividing the total by the total Average  
4 Student Enrollment for the service region.

5 "Maintenance and operations" means custodial services,  
6 facility and ground maintenance, facility operations,  
7 facility security, routine facility repairs, and other  
8 similar services and functions.

9 "Minimum Funding Level" is defined in paragraph (9) of  
10 subsection (g) of this Section.

11 "New Property Tax Relief Pool Funds" means, for any  
12 given fiscal year, all State funds appropriated under  
13 Section 2-3.170 of the School Code.

14 "New State Funds" means, for a given school year, all  
15 State funds appropriated for Evidence-Based Funding in  
16 excess of the amount needed to fund the Base Funding  
17 Minimum for all Organizational Units in that school year.

18 "Net State Contribution Target" means, for a given  
19 school year, the amount of State funds that would be  
20 necessary to fully meet the Adequacy Target of an  
21 Operational Unit minus the Preliminary Resources available  
22 to each unit.

23 "Nurse" means an individual licensed as a certified  
24 school nurse, in accordance with the rules established for  
25 nursing services by the State Board, who is an employee of  
26 and is available to provide health care-related services

1 for students of an Organizational Unit.

2 "Operating Tax Rate" means the rate utilized in the  
3 previous year to extend property taxes for all purposes,  
4 except, Bond and Interest, Summer School, Rent, Capital  
5 Improvement, and Vocational Education Building purposes.  
6 For Hybrid Districts, the Operating Tax Rate shall be the  
7 combined elementary and high school rates utilized in the  
8 previous year to extend property taxes for all purposes,  
9 except, Bond and Interest, Summer School, Rent, Capital  
10 Improvement, and Vocational Education Building purposes.

11 "Organizational Unit" means a Laboratory School or any  
12 public school district that is recognized as such by the  
13 State Board and that contains elementary schools typically  
14 serving kindergarten through 5th grades, middle schools  
15 typically serving 6th through 8th grades, high schools  
16 typically serving 9th through 12th grades, a program  
17 established under Section 2-3.66 or 2-3.41, or a program  
18 operated by a regional office of education or an  
19 intermediate service center under Article 13A or 13B. The  
20 General Assembly acknowledges that the actual grade levels  
21 served by a particular Organizational Unit may vary  
22 slightly from what is typical.

23 "Organizational Unit CWI" is determined by calculating  
24 the CWI in the region and original county in which an  
25 Organizational Unit's primary administrative office is  
26 located as set forth in this paragraph, provided that if

1 the Organizational Unit CWI as calculated in accordance  
2 with this paragraph is less than 0.9, the Organizational  
3 Unit CWI shall be increased to 0.9. Each county's current  
4 CWI value shall be adjusted based on the CWI value of that  
5 county's neighboring Illinois counties, to create a  
6 "weighted adjusted index value". This shall be calculated  
7 by summing the CWI values of all of a county's adjacent  
8 Illinois counties and dividing by the number of adjacent  
9 Illinois counties, then taking the weighted value of the  
10 original county's CWI value and the adjacent Illinois  
11 county average. To calculate this weighted value, if the  
12 number of adjacent Illinois counties is greater than 2, the  
13 original county's CWI value will be weighted at 0.25 and  
14 the adjacent Illinois county average will be weighted at  
15 0.75. If the number of adjacent Illinois counties is 2, the  
16 original county's CWI value will be weighted at 0.33 and  
17 the adjacent Illinois county average will be weighted at  
18 0.66. The greater of the county's current CWI value and its  
19 weighted adjusted index value shall be used as the  
20 Organizational Unit CWI.

21 "Preceding Tax Year" means the property tax levy year  
22 immediately preceding the Base Tax Year.

23 "Preceding Tax Year's Extension" means the product of  
24 the equalized assessed valuation utilized by the county  
25 clerk in the Preceding Tax Year multiplied by the Operating  
26 Tax Rate.

1           "Preliminary Percent of Adequacy" is defined in  
2 paragraph (2) of subsection (f) of this Section.

3           "Preliminary Resources" is defined in paragraph (2) of  
4 subsection (f) of this Section.

5           "Principal" means a school administrator duly endorsed  
6 to be employed as a principal in this State.

7           "Professional development" means training programs for  
8 licensed staff in schools, including, but not limited to,  
9 programs that assist in implementing new curriculum  
10 programs, provide data focused or academic assessment data  
11 training to help staff identify a student's weaknesses and  
12 strengths, target interventions, improve instruction,  
13 encompass instructional strategies for English learner,  
14 gifted, or at-risk students, address inclusivity, cultural  
15 sensitivity, or implicit bias, or otherwise provide  
16 professional support for licensed staff.

17           "Prototypical" means 450 special education  
18 pre-kindergarten and kindergarten through grade 5 students  
19 for an elementary school, 450 grade 6 through 8 students  
20 for a middle school, and 600 grade 9 through 12 students  
21 for a high school.

22           "PTELL" means the Property Tax Extension Limitation  
23 Law.

24           "PTELL EAV" is defined in paragraph (4) of subsection  
25 (d) of this Section.

26           "Pupil support staff" means a nurse, psychologist,

1 social worker, family liaison personnel, or other staff  
2 member who provides support to at-risk or struggling  
3 students.

4 "Real Receipts" is defined in paragraph (1) of  
5 subsection (d) of this Section.

6 "Regionalization Factor" means, for a particular  
7 Organizational Unit, the figure derived by dividing the  
8 Organizational Unit CWI by the Statewide Weighted CWI.

9 "School site staff" means the primary school secretary  
10 and any additional clerical personnel assigned to a school.

11 "Special education" means special educational  
12 facilities and services, as defined in Section 14-1.08 of  
13 this Code.

14 "Special Education Allocation" means the amount of an  
15 Organizational Unit's final Adequacy Target attributable  
16 to special education divided by the Organizational Unit's  
17 final Adequacy Target, the product of which shall be  
18 multiplied by the amount of new funding received pursuant  
19 to this Section. An Organizational Unit's final Adequacy  
20 Target attributable to special education shall include all  
21 special education investment adequacy elements.

22 "Specialist teacher" means a teacher who provides  
23 instruction in subject areas not included in core subjects,  
24 including, but not limited to, art, music, physical  
25 education, health, driver education, career-technical  
26 education, and such other subject areas as may be mandated

1 by State law or provided by an Organizational Unit.

2 "Specially Funded Unit" means an Alternative School,  
3 safe school, Department of Juvenile Justice school,  
4 special education cooperative or entity recognized by the  
5 State Board as a special education cooperative,  
6 State-approved charter school, or alternative learning  
7 opportunities program that received direct funding from  
8 the State Board during the 2016-2017 school year through  
9 any of the funding sources included within the calculation  
10 of the Base Funding Minimum or Glenwood Academy.

11 "Supplemental Grant Funding" means supplemental  
12 general State aid funding received by an Organizational  
13 ~~Organization~~ Unit during the 2016-2017 school year  
14 pursuant to subsection (H) of Section 18-8.05 of this Code  
15 (now repealed).

16 "State Adequacy Level" means ~~is~~ the sum of the Adequacy  
17 Targets of all Organizational Units.

18 "State Board" means the State Board of Education.

19 "State Superintendent" means the State Superintendent  
20 of Education.

21 "Statewide Funding Gap" means the total sum of the  
22 Funding Gap for all Organizational Units as calculated by  
23 the State Board.

24 "Statewide Weighted CWI" means a figure determined by  
25 multiplying each Organizational Unit CWI times the ASE for  
26 that Organizational Unit creating a weighted value,

1 summing all Organizational Units' ~~Unit's~~ weighted values,  
2 and dividing by the total ASE of all Organizational Units,  
3 thereby creating an average weighted index.

4 "Student activities" means non-credit producing  
5 after-school programs, including, but not limited to,  
6 clubs, bands, sports, and other activities authorized by  
7 the school board of the Organizational Unit.

8 "Substitute teacher" means an individual teacher or  
9 teaching assistant who is employed by an Organizational  
10 Unit and is temporarily serving the Organizational Unit on  
11 a per diem or per period-assignment basis to replace  
12 ~~replacing~~ another staff member.

13 "Summer school" means academic and enrichment programs  
14 provided to students during the summer months outside of  
15 the regular school year.

16 "Supervisory aide" means a non-licensed staff member  
17 who helps in supervising students of an Organizational  
18 Unit, but does so outside of the classroom, in situations  
19 such as, but not limited to, monitoring hallways and  
20 playgrounds, supervising lunchrooms, or supervising  
21 students when being transported in buses serving the  
22 Organizational Unit.

23 "Target Ratio" is defined in paragraph (4) of  
24 subsection (g).

25 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined  
26 in paragraph (3) of subsection (g).



1 "Tier 1 Aggregate Funding", "Tier 2 Aggregate  
2 Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate  
3 Funding" are defined in paragraph (1) of subsection (g).

4 (b) Adequacy Target calculation.

5 (1) Each Organizational Unit's Adequacy Target is the  
6 sum of the Organizational Unit's cost of providing  
7 Essential Elements, as calculated in accordance with this  
8 subsection (b), with the salary amounts in the Essential  
9 Elements multiplied by a Regionalization Factor calculated  
10 pursuant to paragraph (3) of this subsection (b).

11 (2) The Essential Elements are attributable on a pro  
12 rata basis related to defined subgroups of the ASE of each  
13 Organizational Unit as specified in this paragraph (2),  
14 with investments and FTE positions pro rata funded based on  
15 ASE counts in excess or less than the thresholds set forth  
16 in this paragraph (2). The method for calculating  
17 attributable pro rata costs and the defined subgroups  
18 thereto are as follows:

19 (A) Core class size investments. Each  
20 Organizational Unit shall receive the funding required  
21 to support that number of FTE core teacher positions as  
22 is needed to keep the respective class sizes of the  
23 Organizational Unit to the following maximum numbers:

24 (i) For grades kindergarten through 3, the  
25 Organizational Unit shall receive funding required  
26 to support one FTE core teacher position for every

1           15 Low-Income Count students in those grades and  
2           one FTE core teacher position for every 20  
3           non-Low-Income Count students in those grades.

4           (ii) For grades 4 through 12, the  
5           Organizational Unit shall receive funding required  
6           to support one FTE core teacher position for every  
7           20 Low-Income Count students in those grades and  
8           one FTE core teacher position for every 25  
9           non-Low-Income Count students in those grades.

10          The number of non-Low-Income Count students in a  
11          grade shall be determined by subtracting the  
12          Low-Income students in that grade from the ASE of the  
13          Organizational Unit for that grade.

14          (B) Specialist teacher investments. Each  
15          Organizational Unit shall receive the funding needed  
16          to cover that number of FTE specialist teacher  
17          positions that correspond to the following  
18          percentages:

19               (i) if the Organizational Unit operates an  
20               elementary or middle school, then 20.00% of the  
21               number of the Organizational Unit's core teachers,  
22               as determined under subparagraph (A) of this  
23               paragraph (2); and

24               (ii) if such Organizational Unit operates a  
25               high school, then 33.33% of the number of the  
26               Organizational Unit's core teachers.

1           (C) Instructional facilitator investments. Each  
2           Organizational Unit shall receive the funding needed  
3           to cover one FTE instructional facilitator position  
4           for every 200 combined ASE of pre-kindergarten  
5           children with disabilities and all kindergarten  
6           through grade 12 students of the Organizational Unit.

7           (D) Core intervention teacher (tutor) investments.  
8           Each Organizational Unit shall receive the funding  
9           needed to cover one FTE teacher position for each  
10          prototypical elementary, middle, and high school.

11          (E) Substitute teacher investments. Each  
12          Organizational Unit shall receive the funding needed  
13          to cover substitute teacher costs that is equal to  
14          5.70% of the minimum pupil attendance days required  
15          under Section 10-19 of this Code for all full-time  
16          equivalent core, specialist, and intervention  
17          teachers, school nurses, special education teachers  
18          and instructional assistants, instructional  
19          facilitators, and summer school and extended day  
20          ~~extended-day~~ teacher positions, as determined under  
21          this paragraph (2), at a salary rate of 33.33% of the  
22          average salary for grade K through 12 teachers and  
23          33.33% of the average salary of each instructional  
24          assistant position.

25          (F) Core guidance counselor investments. Each  
26          Organizational Unit shall receive the funding needed

1 to cover one FTE guidance counselor for each 450  
2 combined ASE of pre-kindergarten children with  
3 disabilities and all kindergarten through grade 5  
4 students, plus one FTE guidance counselor for each 250  
5 grades 6 through 8 ASE middle school students, plus one  
6 FTE guidance counselor for each 250 grades 9 through 12  
7 ASE high school students.

8 (G) Nurse investments. Each Organizational Unit  
9 shall receive the funding needed to cover one FTE nurse  
10 for each 750 combined ASE of pre-kindergarten children  
11 with disabilities and all kindergarten through grade  
12 12 students across all grade levels it serves.

13 (H) Supervisory aide investments. Each  
14 Organizational Unit shall receive the funding needed  
15 to cover one FTE for each 225 combined ASE of  
16 pre-kindergarten children with disabilities and all  
17 kindergarten through grade 5 students, plus one FTE for  
18 each 225 ASE middle school students, plus one FTE for  
19 each 200 ASE high school students.

20 (I) Librarian investments. Each Organizational  
21 Unit shall receive the funding needed to cover one FTE  
22 librarian for each prototypical elementary school,  
23 middle school, and high school and one FTE aide or  
24 media technician for every 300 combined ASE of  
25 pre-kindergarten children with disabilities and all  
26 kindergarten through grade 12 students.

1           (J) Principal investments. Each Organizational  
2 Unit shall receive the funding needed to cover one FTE  
3 principal position for each prototypical elementary  
4 school, plus one FTE principal position for each  
5 prototypical middle school, plus one FTE principal  
6 position for each prototypical high school.

7           (K) Assistant principal investments. Each  
8 Organizational Unit shall receive the funding needed  
9 to cover one FTE assistant principal position for each  
10 prototypical elementary school, plus one FTE assistant  
11 principal position for each prototypical middle  
12 school, plus one FTE assistant principal position for  
13 each prototypical high school.

14           (L) School site staff investments. Each  
15 Organizational Unit shall receive the funding needed  
16 for one FTE position for each 225 ASE of  
17 pre-kindergarten children with disabilities and all  
18 kindergarten through grade 5 students, plus one FTE  
19 position for each 225 ASE middle school students, plus  
20 one FTE position for each 200 ASE high school students.

21           (M) Gifted investments. Each Organizational Unit  
22 shall receive \$40 per kindergarten through grade 12  
23 ASE.

24           (N) Professional development investments. Each  
25 Organizational Unit shall receive \$125 per student of  
26 the combined ASE of pre-kindergarten children with

1 disabilities and all kindergarten through grade 12  
2 students for trainers and other professional  
3 development-related expenses for supplies and  
4 materials.

5 (O) Instructional material investments. Each  
6 Organizational Unit shall receive \$190 per student of  
7 the combined ASE of pre-kindergarten children with  
8 disabilities and all kindergarten through grade 12  
9 students to cover instructional material costs.

10 (P) Assessment investments. Each Organizational  
11 Unit shall receive \$25 per student of the combined ASE  
12 of pre-kindergarten children with disabilities and all  
13 kindergarten through grade 12 students ~~student~~ to  
14 cover assessment costs.

15 (Q) Computer technology and equipment investments.  
16 Each Organizational Unit shall receive \$285.50 per  
17 student of the combined ASE of pre-kindergarten  
18 children with disabilities and all kindergarten  
19 through grade 12 students to cover computer technology  
20 and equipment costs. For the 2018-2019 school year and  
21 subsequent school years, Organizational Units assigned  
22 to Tier 1 and Tier 2 in the prior school year shall  
23 receive an additional \$285.50 per student of the  
24 combined ASE of pre-kindergarten children with  
25 disabilities and all kindergarten through grade 12  
26 students to cover computer technology and equipment

1 costs in the Organizational ~~Organization~~ Unit's  
2 Adequacy Target. The State Board may establish  
3 additional requirements for Organizational Unit  
4 expenditures of funds received pursuant to this  
5 subparagraph (Q), including a requirement that funds  
6 received pursuant to this subparagraph (Q) may be used  
7 only for serving the technology needs of the district.  
8 It is the intent of Public Act 100-465 ~~this amendatory~~  
9 ~~Act of the 100th General Assembly~~ that all Tier 1 and  
10 Tier 2 districts receive the addition to their Adequacy  
11 Target in the following year, subject to compliance  
12 with the requirements of the State Board.

13 (R) Student activities investments. Each  
14 Organizational Unit shall receive the following  
15 funding amounts to cover student activities: \$100 per  
16 kindergarten through grade 5 ASE student in elementary  
17 school, plus \$200 per ASE student in middle school,  
18 plus \$675 per ASE student in high school.

19 (S) Maintenance and operations investments. Each  
20 Organizational Unit shall receive \$1,038 per student  
21 of the combined ASE of pre-kindergarten children with  
22 disabilities and all kindergarten through grade 12  
23 students for day-to-day maintenance and operations  
24 expenditures, including salary, supplies, and  
25 materials, as well as purchased services, but  
26 excluding employee benefits. The proportion of salary

1 for the application of a Regionalization Factor and the  
2 calculation of benefits is equal to \$352.92.

3 (T) Central office investments. Each  
4 Organizational Unit shall receive \$742 per student of  
5 the combined ASE of pre-kindergarten children with  
6 disabilities and all kindergarten through grade 12  
7 students to cover central office operations, including  
8 administrators and classified personnel charged with  
9 managing the instructional programs, business and  
10 operations of the school district, and security  
11 personnel. The proportion of salary for the  
12 application of a Regionalization Factor and the  
13 calculation of benefits is equal to \$368.48.

14 (U) Employee benefit investments. Each  
15 Organizational Unit shall receive 30% of the total of  
16 all salary-calculated elements of the Adequacy Target,  
17 excluding substitute teachers and student activities  
18 investments, to cover benefit costs. For central  
19 office and maintenance and operations investments, the  
20 benefit calculation shall be based upon the salary  
21 proportion of each investment. If at any time the  
22 responsibility for funding the employer normal cost of  
23 teacher pensions is assigned to school districts, then  
24 that amount certified by the Teachers' Retirement  
25 System of the State of Illinois to be paid by the  
26 Organizational Unit for the preceding school year



1 shall be added to the benefit investment. For any  
2 fiscal year in which a school district organized under  
3 Article 34 of this Code is responsible for paying the  
4 employer normal cost of teacher pensions, then that  
5 amount of its employer normal cost plus the amount for  
6 retiree health insurance as certified by the Public  
7 School Teachers' Pension and Retirement Fund of  
8 Chicago to be paid by the school district for the  
9 preceding school year that is statutorily required to  
10 cover employer normal costs and the amount for retiree  
11 health insurance shall be added to the 30% specified in  
12 this subparagraph (U). The Teachers' Retirement System  
13 of the State of Illinois and the Public School  
14 Teachers' Pension and Retirement Fund of Chicago shall  
15 submit such information as the State Superintendent  
16 may require for the calculations set forth in this  
17 subparagraph (U).

18 (V) Additional investments in low-income students.  
19 In addition to and not in lieu of all other funding  
20 under this paragraph (2), each Organizational Unit  
21 shall receive funding based on the average teacher  
22 salary for grades K through 12 to cover the costs of:

23 (i) one FTE intervention teacher (tutor)  
24 position for every 125 Low-Income Count students;

25 (ii) one FTE pupil support staff position for  
26 every 125 Low-Income Count students;

1 (iii) one FTE extended day teacher position  
2 for every 120 Low-Income Count students; and

3 (iv) one FTE summer school teacher position  
4 for every 120 Low-Income Count students.

5 (W) Additional investments in English learner  
6 students. In addition to and not in lieu of all other  
7 funding under this paragraph (2), each Organizational  
8 Unit shall receive funding based on the average teacher  
9 salary for grades K through 12 to cover the costs of:

10 (i) one FTE intervention teacher (tutor)  
11 position for every 125 English learner students;

12 (ii) one FTE pupil support staff position for  
13 every 125 English learner students;

14 (iii) one FTE extended day teacher position  
15 for every 120 English learner students;

16 (iv) one FTE summer school teacher position  
17 for every 120 English learner students; and

18 (v) one FTE core teacher position for every 100  
19 English learner students.

20 (X) Special education investments. Each  
21 Organizational Unit shall receive funding based on the  
22 average teacher salary for grades K through 12 to cover  
23 special education as follows:

24 (i) one FTE teacher position for every 141  
25 combined ASE of pre-kindergarten children with  
26 disabilities and all kindergarten through grade 12

1 students;

2 (ii) one FTE instructional assistant for every  
3 141 combined ASE of pre-kindergarten children with  
4 disabilities and all kindergarten through grade 12  
5 students; and

6 (iii) one FTE psychologist position for every  
7 1,000 combined ASE of pre-kindergarten children  
8 with disabilities and all kindergarten through  
9 grade 12 students.

10 (3) For calculating the salaries included within the  
11 Essential Elements, the State Superintendent shall  
12 annually calculate average salaries to the nearest dollar  
13 using the employment information system data maintained by  
14 the State Board, limited to public schools only and  
15 excluding special education and vocational cooperatives,  
16 schools operated by the Department of Juvenile Justice, and  
17 charter schools, for the following positions:

18 (A) Teacher for grades K through 8.

19 (B) Teacher for grades 9 through 12.

20 (C) Teacher for grades K through 12.

21 (D) Guidance counselor for grades K through 8.

22 (E) Guidance counselor for grades 9 through 12.

23 (F) Guidance counselor for grades K through 12.

24 (G) Social worker.

25 (H) Psychologist.

26 (I) Librarian.

1 (J) Nurse.

2 (K) Principal.

3 (L) Assistant principal.

4 For the purposes of this paragraph (3), "teacher"  
5 includes core teachers, specialist and elective teachers,  
6 instructional facilitators, tutors, special education  
7 teachers, pupil support staff teachers, English learner  
8 teachers, extended day ~~extended day~~ teachers, and summer  
9 school teachers. Where specific grade data is not required  
10 for the Essential Elements, the average salary for  
11 corresponding positions shall apply. For substitute  
12 teachers, the average teacher salary for grades K through  
13 12 shall apply.

14 For calculating the salaries included within the  
15 Essential Elements for positions not included within EIS  
16 Data, the following salaries shall be used in the first  
17 year of implementation of Evidence-Based Funding:

18 (i) school site staff, \$30,000; and

19 (ii) non-instructional assistant, instructional  
20 assistant, library aide, library media tech, or  
21 supervisory aide: \$25,000.

22 In the second and subsequent years of implementation of  
23 Evidence-Based Funding, the amounts in items (i) and (ii)  
24 of this paragraph (3) shall annually increase by the ECI.

25 The salary amounts for the Essential Elements  
26 determined pursuant to subparagraphs (A) through (L), (S)

1 and (T), and (V) through (X) of paragraph (2) of subsection  
2 (b) of this Section shall be multiplied by a  
3 Regionalization Factor.

4 (c) Local Capacity ~~capacity~~ calculation.

5 (1) Each Organizational Unit's Local Capacity  
6 represents an amount of funding it is assumed to contribute  
7 toward its Adequacy Target for purposes of the  
8 Evidence-Based Funding formula calculation. "Local  
9 Capacity" means either (i) the Organizational Unit's Local  
10 Capacity Target as calculated in accordance with paragraph  
11 (2) of this subsection (c) if its Real Receipts are equal  
12 to or less than its Local Capacity Target or (ii) the  
13 Organizational Unit's Adjusted Local Capacity, as  
14 calculated in accordance with paragraph (3) of this  
15 subsection (c) if Real Receipts are more than its Local  
16 Capacity Target.

17 (2) "Local Capacity Target" means, for an  
18 Organizational Unit, that dollar amount that is obtained by  
19 multiplying its Adequacy Target by its Local Capacity  
20 Ratio.

21 (A) An Organizational Unit's Local Capacity  
22 Percentage is the conversion of the Organizational  
23 Unit's Local Capacity Ratio, as such ratio is  
24 determined in accordance with subparagraph (B) of this  
25 paragraph (2), into a cumulative distribution  
26 resulting in a percentile ranking to determine each

1 Organizational Unit's relative position to all other  
2 Organizational Units in this State. The calculation of  
3 Local Capacity Percentage is described in subparagraph  
4 (C) of this paragraph (2).

5 (B) An Organizational Unit's Local Capacity Ratio  
6 in a given year is the percentage obtained by dividing  
7 its Adjusted EAV or PTELL EAV, whichever is less, by  
8 its Adequacy Target, with the resulting ratio further  
9 adjusted as follows:

10 (i) for Organizational Units serving grades  
11 kindergarten through 12 and Hybrid Districts, no  
12 further adjustments shall be made;

13 (ii) for Organizational Units serving grades  
14 kindergarten through 8, the ratio shall be  
15 multiplied by 9/13;

16 (iii) for Organizational Units serving grades  
17 9 through 12, the Local Capacity Ratio shall be  
18 multiplied by 4/13; and

19 (iv) for an Organizational Unit with a  
20 different grade configuration than those specified  
21 in items (i) through (iii) of this subparagraph  
22 (B), the State Superintendent shall determine a  
23 comparable adjustment based on the grades served.

24 (C) The Local Capacity Percentage is equal to the  
25 percentile ranking of the district. Local Capacity  
26 Percentage converts each Organizational Unit's Local

1 Capacity Ratio to a cumulative distribution resulting  
2 in a percentile ranking to determine each  
3 Organizational Unit's relative position to all other  
4 Organizational Units in this State. The Local Capacity  
5 Percentage cumulative distribution resulting in a  
6 percentile ranking for each Organizational Unit shall  
7 be calculated using the standard normal distribution  
8 of the score in relation to the weighted mean and  
9 weighted standard deviation and Local Capacity Ratios  
10 of all Organizational Units. If the value assigned to  
11 any Organizational Unit is in excess of 90%, the value  
12 shall be adjusted to 90%. For Laboratory Schools, the  
13 Local Capacity Percentage shall be set at 10% in  
14 recognition of the absence of EAV and resources from  
15 the public university that are allocated to the  
16 Laboratory School. For programs operated by a regional  
17 office of education or an intermediate service center,  
18 the Local Capacity Percentage must be set at 10% in  
19 recognition of the absence of EAV and resources from  
20 school districts that are allocated to the regional  
21 office of education or intermediate service center.  
22 The weighted mean for the Local Capacity Percentage  
23 shall be determined by multiplying each Organizational  
24 Unit's Local Capacity Ratio times the ASE for the unit  
25 creating a weighted value, summing the weighted values  
26 of all Organizational Units, and dividing by the total

1 ASE of all Organizational Units. The weighted standard  
2 deviation shall be determined by taking the square root  
3 of the weighted variance of all Organizational Units'  
4 Local Capacity Ratio, where the variance is calculated  
5 by squaring the difference between each unit's Local  
6 Capacity Ratio and the weighted mean, then multiplying  
7 the variance for each unit times the ASE for the unit  
8 to create a weighted variance for each unit, then  
9 summing all units' weighted variance and dividing by  
10 the total ASE of all units.

11 (D) For any Organizational Unit, the  
12 Organizational Unit's Adjusted Local Capacity Target  
13 shall be reduced by either (i) the school board's  
14 remaining contribution pursuant to paragraph (ii) of  
15 subsection (b-4) of Section 16-158 of the Illinois  
16 Pension Code in a given year, or (ii) the board of  
17 education's remaining contribution pursuant to  
18 paragraph (iv) of subsection (b) of Section 17-129 of  
19 the Illinois Pension Code absent the employer normal  
20 cost portion of the required contribution and amount  
21 allowed pursuant to subdivision (3) of Section  
22 17-142.1 of the Illinois Pension Code in a given year.  
23 In the preceding sentence, item (i) shall be certified  
24 to the State Board of Education by the Teachers'  
25 Retirement System of the State of Illinois and item  
26 (ii) shall be certified to the State Board of Education



1 by the Public School Teachers' Pension and Retirement  
2 Fund of the City of Chicago.

3 (3) If an Organizational Unit's Real Receipts are more  
4 than its Local Capacity Target, then its Local Capacity  
5 shall equal an Adjusted Local Capacity Target as calculated  
6 in accordance with this paragraph (3). The Adjusted Local  
7 Capacity Target is calculated as the sum of the  
8 Organizational Unit's Local Capacity Target and its Real  
9 Receipts Adjustment. The Real Receipts Adjustment equals  
10 the Organizational Unit's Real Receipts less its Local  
11 Capacity Target, with the resulting figure multiplied by  
12 the Local Capacity Percentage.

13 As used in this paragraph (3), "Real Percent of  
14 Adequacy" means the sum of an Organizational Unit's Real  
15 Receipts, CPPRT, and Base Funding Minimum, with the  
16 resulting figure divided by the Organizational Unit's  
17 Adequacy Target.

18 (d) Calculation of Real Receipts, EAV, and Adjusted EAV for  
19 purposes of the Local Capacity calculation.

20 (1) An Organizational Unit's Real Receipts are the  
21 product of its Applicable Tax Rate and its Adjusted EAV,  
22 plus, beginning with the Evidence-Based Funding  
23 calculation for the 2020-2021 school year, the total amount  
24 of revenue an Organizational Unit has received in a given  
25 year from a unit of local government under an  
26 intergovernmental agreement whereby the unit of local

1 government has agreed to reimburse the Organizational Unit  
2 for revenue lost through the use of a tax increment  
3 financing district or any surplus funds the Organizational  
4 Unit has received in a given year from a tax increment  
5 financing district under the Tax Increment Allocation  
6 Redevelopment Act (Article 11, Division 74.4 of the  
7 Illinois Municipal Code). An Organizational Unit's  
8 Applicable Tax Rate is its Adjusted Operating Tax Rate for  
9 property within the Organizational Unit.

10 (2) The State Superintendent shall calculate the  
11 equalized assessed valuation ~~Equalized Assessed Valuation,~~  
12 or EAV, of all taxable property of each Organizational Unit  
13 as of September 30 of the previous year in accordance with  
14 paragraph (3) of this subsection (d). The State  
15 Superintendent shall then determine the Adjusted EAV of  
16 each Organizational Unit in accordance with paragraph (4)  
17 of this subsection (d), which Adjusted EAV figure shall be  
18 used for the purposes of calculating Local Capacity.

19 (3) To calculate Real Receipts and EAV, the Department  
20 of Revenue shall supply to the State Superintendent the  
21 value as equalized or assessed by the Department of Revenue  
22 of all taxable property of every Organizational Unit,  
23 together with (i) the applicable tax rate used in extending  
24 taxes for the funds of the Organizational Unit as of  
25 September 30 of the previous year and (ii) the limiting  
26 rate for all Organizational Units subject to property tax

1 extension limitations as imposed under PTELL.

2 (A) The Department of Revenue shall add to the  
3 equalized assessed value of all taxable property of  
4 each Organizational Unit situated entirely or  
5 partially within a county that is or was subject to the  
6 provisions of Section 15-176 or 15-177 of the Property  
7 Tax Code (i) an amount equal to the total amount by  
8 which the homestead exemption allowed under Section  
9 15-176 or 15-177 of the Property Tax Code for real  
10 property situated in that Organizational Unit exceeds  
11 the total amount that would have been allowed in that  
12 Organizational Unit if the maximum reduction under  
13 Section 15-176 was (I) \$4,500 in Cook County or \$3,500  
14 in all other counties in tax year 2003 or (II) \$5,000  
15 in all counties in tax year 2004 and thereafter and  
16 (ii) an amount equal to the aggregate amount for the  
17 taxable year of all additional exemptions under  
18 Section 15-175 of the Property Tax Code for owners with  
19 a household income of \$30,000 or less. The county clerk  
20 of any county that is or was subject to the provisions  
21 of Section 15-176 or 15-177 of the Property Tax Code  
22 shall annually calculate and certify to the Department  
23 of Revenue for each Organizational Unit all homestead  
24 exemption amounts under Section 15-176 or 15-177 of the  
25 Property Tax Code and all amounts of additional  
26 exemptions under Section 15-175 of the Property Tax

1 Code for owners with a household income of \$30,000 or  
2 less. It is the intent of this subparagraph (A) that if  
3 the general homestead exemption for a parcel of  
4 property is determined under Section 15-176 or 15-177  
5 of the Property Tax Code rather than Section 15-175,  
6 then the calculation of EAV shall not be affected by  
7 the difference, if any, between the amount of the  
8 general homestead exemption allowed for that parcel of  
9 property under Section 15-176 or 15-177 of the Property  
10 Tax Code and the amount that would have been allowed  
11 had the general homestead exemption for that parcel of  
12 property been determined under Section 15-175 of the  
13 Property Tax Code. It is further the intent of this  
14 subparagraph (A) that if additional exemptions are  
15 allowed under Section 15-175 of the Property Tax Code  
16 for owners with a household income of less than  
17 \$30,000, then the calculation of EAV shall not be  
18 affected by the difference, if any, because of those  
19 additional exemptions.

20 (B) With respect to any part of an Organizational  
21 Unit within a redevelopment project area in respect to  
22 which a municipality has adopted tax increment  
23 allocation financing pursuant to the Tax Increment  
24 Allocation Redevelopment Act, Division 74.4 of Article  
25 11 of the Illinois Municipal Code, or the Industrial  
26 Jobs Recovery Law, Division 74.6 of Article 11 of the

1 Illinois Municipal Code, no part of the current EAV of  
2 real property located in any such project area that  
3 ~~which~~ is attributable to an increase above the total  
4 initial EAV of such property shall be used as part of  
5 the EAV of the Organizational Unit, until such time as  
6 all redevelopment project costs have been paid, as  
7 provided in Section 11-74.4-8 of the Tax Increment  
8 Allocation Redevelopment Act or in Section 11-74.6-35  
9 of the Industrial Jobs Recovery Law. For the purpose of  
10 the EAV of the Organizational Unit, the total initial  
11 EAV or the current EAV, whichever is lower, shall be  
12 used until such time as all redevelopment project costs  
13 have been paid.

14 (B-5) The real property equalized assessed  
15 valuation for a school district shall be adjusted by  
16 subtracting from the real property value, as equalized  
17 or assessed by the Department of Revenue, for the  
18 district an amount computed by dividing the amount of  
19 any abatement of taxes under Section 18-170 of the  
20 Property Tax Code by 3.00% for a district maintaining  
21 grades kindergarten through 12, by 2.30% for a district  
22 maintaining grades kindergarten through 8, or by 1.05%  
23 for a district maintaining grades 9 through 12 and  
24 adjusted by an amount computed by dividing the amount  
25 of any abatement of taxes under subsection (a) of  
26 Section 18-165 of the Property Tax Code by the same

1 percentage rates for district type as specified in this  
2 subparagraph (B-5).

3 (C) For Organizational Units that are Hybrid  
4 Districts, the State Superintendent shall use the  
5 lesser of the adjusted equalized assessed valuation  
6 for property within the partial elementary unit  
7 district for elementary purposes, as defined in  
8 Article 11E of this Code, or the adjusted equalized  
9 assessed valuation for property within the partial  
10 elementary unit district for high school purposes, as  
11 defined in Article 11E of this Code.

12 (4) An Organizational Unit's Adjusted EAV shall be the  
13 average of its EAV over the immediately preceding 3 years  
14 or its EAV in the immediately preceding year if the EAV in  
15 the immediately preceding year has declined by 10% or more  
16 compared to the 3-year average. In the event of  
17 Organizational Unit reorganization, consolidation, or  
18 annexation, the Organizational Unit's Adjusted EAV for the  
19 first 3 years after such change shall be as follows: the  
20 most current EAV shall be used in the first year, the  
21 average of a 2-year EAV or its EAV in the immediately  
22 preceding year if the EAV declines by 10% or more compared  
23 to the 2-year average for the second year, and a 3-year  
24 average EAV or its EAV in the immediately preceding year if  
25 the Adjusted ~~adjusted~~ EAV declines by 10% or more compared  
26 to the 3-year average for the third year. For any school

1 district whose EAV in the immediately preceding year is  
2 used in calculations, in the following year, the Adjusted  
3 EAV shall be the average of its EAV over the immediately  
4 preceding 2 years or the immediately preceding year if that  
5 year represents a decline of 10% or more compared to the  
6 2-year average.

7 "PTELL EAV" means a figure calculated by the State  
8 Board for Organizational Units subject to PTELL as  
9 described in this paragraph (4) for the purposes of  
10 calculating an Organizational Unit's Local Capacity Ratio.  
11 Except as otherwise provided in this paragraph (4), the  
12 PTELL EAV of an Organizational Unit shall be equal to the  
13 product of the equalized assessed valuation last used in  
14 the calculation of general State aid under Section 18-8.05  
15 of this Code (now repealed) or Evidence-Based Funding under  
16 this Section and the Organizational Unit's Extension  
17 Limitation Ratio. If an Organizational Unit has approved or  
18 does approve an increase in its limiting rate, pursuant to  
19 Section 18-190 of the Property Tax Code, affecting the Base  
20 Tax Year, the PTELL EAV shall be equal to the product of  
21 the equalized assessed valuation last used in the  
22 calculation of general State aid under Section 18-8.05 of  
23 this Code (now repealed) or Evidence-Based Funding under  
24 this Section multiplied by an amount equal to one plus the  
25 percentage increase, if any, in the Consumer Price Index  
26 for All Urban Consumers for all items published by the

1 United States Department of Labor for the 12-month calendar  
2 year preceding the Base Tax Year, plus the equalized  
3 assessed valuation of new property, annexed property, and  
4 recovered tax increment value and minus the equalized  
5 assessed valuation of disconnected property.

6 As used in this paragraph (4), "new property" and  
7 "recovered tax increment value" shall have the meanings set  
8 forth in the Property Tax Extension Limitation Law.

9 (e) Base Funding Minimum calculation.

10 (1) (Blank). ~~For the 2017 2018 school year, the Base~~  
11 ~~Funding Minimum of an Organizational Unit or a Specially~~  
12 ~~Funded Unit shall be the amount of State funds distributed~~  
13 ~~to the Organizational Unit or Specially Funded Unit during~~  
14 ~~the 2016 2017 school year prior to any adjustments and~~  
15 ~~specified appropriation amounts described in this~~  
16 ~~paragraph (1) from the following Sections, as calculated by~~  
17 ~~the State Superintendent: Section 18 8.05 of this Code (now~~  
18 ~~repealed); Section 5 of Article 224 of Public Act 99 524~~  
19 ~~(equity grants); Section 14 7.02b of this Code (funding for~~  
20 ~~children requiring special education services); Section~~  
21 ~~14 13.01 of this Code (special education facilities and~~  
22 ~~staffing), except for reimbursement of the cost of~~  
23 ~~transportation pursuant to Section 14 13.01; Section~~  
24 ~~14C 12 of this Code (English learners); and Section 18 4.3~~  
25 ~~of this Code (summer school), based on an appropriation~~  
26 ~~level of \$13,121,600. For a school district organized under~~



1 ~~Article 34 of this Code, the Base Funding Minimum also~~  
2 ~~includes (i) the funds allocated to the school district~~  
3 ~~pursuant to Section 1D-1 of this Code attributable to~~  
4 ~~funding programs authorized by the Sections of this Code~~  
5 ~~listed in the preceding sentence; and (ii) the difference~~  
6 ~~between (I) the funds allocated to the school district~~  
7 ~~pursuant to Section 1D-1 of this Code attributable to the~~  
8 ~~funding programs authorized by Section 14-7.02 (non public~~  
9 ~~special education reimbursement), subsection (b) of~~  
10 ~~Section 14-13.01 (special education transportation),~~  
11 ~~Section 29-5 (transportation), Section 2-3.80~~  
12 ~~(agricultural education), Section 2-3.66 (truants'~~  
13 ~~alternative education), Section 2-3.62 (educational~~  
14 ~~service centers), and Section 14-7.03 (special education~~  
15 ~~orphanage) of this Code and Section 15 of the Childhood~~  
16 ~~Hunger Relief Act (free breakfast program) and (II) the~~  
17 ~~school district's actual expenditures for its non public~~  
18 ~~special education, special education transportation,~~  
19 ~~transportation programs, agricultural education, truants'~~  
20 ~~alternative education, services that would otherwise be~~  
21 ~~performed by a regional office of education, special~~  
22 ~~education orphanage expenditures, and free breakfast, as~~  
23 ~~most recently calculated and reported pursuant to~~  
24 ~~subsection (f) of Section 1D-1 of this Code. The Base~~  
25 ~~Funding Minimum for Glenwood Academy shall be \$625,500. For~~  
26 ~~programs operated by a regional office of education or an~~

1 ~~intermediate service center, the Base Funding Minimum must~~  
2 ~~be the total amount of State funds allocated to those~~  
3 ~~programs in the 2018-2019 school year and amounts provided~~  
4 ~~pursuant to Article 34 of Public Act 100-586 and Section~~  
5 ~~3-16 of this Code. All programs established after the~~  
6 ~~effective date of this amendatory Act of the 101st General~~  
7 ~~Assembly and administered by a regional office of education~~  
8 ~~or an intermediate service center must have an initial Base~~  
9 ~~Funding Minimum set to an amount equal to the first year~~  
10 ~~ASE multiplied by the amount of per pupil funding received~~  
11 ~~in the previous school year by the lowest funded similar~~  
12 ~~existing program type. If the enrollment for a program~~  
13 ~~operated by a regional office of education or an~~  
14 ~~intermediate service center is zero, then it may not~~  
15 ~~receive Base Funding Minimum funds for that program in the~~  
16 ~~next fiscal year, and those funds must be distributed to~~  
17 ~~Organizational Units under subsection (g).~~

18 (2) For the 2018-2019 school year through the 2019-2020  
19 school year and subsequent school years, the Base Funding  
20 Minimum of Organizational Units and Specially Funded Units  
21 shall be the sum of (i) the amount of Evidence-Based  
22 Funding for the prior school year, (ii) the Base Funding  
23 Minimum for the prior school year, and (iii) any amount  
24 received by a school district pursuant to Section 7 of  
25 Article 97 of Public Act 100-21.

26 (3) For the 2020-2021 and subsequent school years, the

1 Base Funding Minimum of Organizational Units designated as  
2 Tier 1, Tier 2, or Tier 3 and Specially Funded Units shall  
3 be the sum of (i) the amount of Evidence-Based Funding for  
4 the prior school year, (ii) the Base Funding Minimum for  
5 the prior school year, and (iii) any amount received by a  
6 school district pursuant to Section 7 of Article 97 of  
7 Public Act 100-21.

8 (4) For the 2020-2021 and subsequent school years, the  
9 Base Funding Minimum of Organizational Units designated as  
10 Tier 4 shall be the sum of (i) the amount of Evidence-Based  
11 Funding for the prior school year and (ii) the Base Funding  
12 Minimum for the prior school year divided by the  
13 Organizational Unit's ASE for the prior school year and  
14 multiplied by the Organizational Unit's ASE for the current  
15 school year.

16 (f) Percent of Adequacy and Final Resources calculation.

17 (1) The Evidence-Based Funding formula establishes a  
18 Percent of Adequacy for each Organizational Unit in order  
19 to place such units into tiers for the purposes of the  
20 funding distribution system described in subsection (g) of  
21 this Section. Initially, an Organizational Unit's  
22 Preliminary Resources and Preliminary Percent of Adequacy  
23 are calculated pursuant to paragraph (2) of this subsection  
24 (f). Then, an Organizational Unit's Final Resources and  
25 Final Percent of Adequacy are calculated to account for the  
26 Organizational Unit's poverty concentration levels

1           pursuant to paragraphs (3) and (4) of this subsection (f).

2           (2) An Organizational Unit's Preliminary Resources are  
3           equal to the sum of its Local Capacity Target, CPPRT, and  
4           Base Funding Minimum. An Organizational Unit's Preliminary  
5           Percent of Adequacy is the lesser of (i) its Preliminary  
6           Resources divided by its Adequacy Target or (ii) 100%.

7           (3) Except for Specially Funded Units, an  
8           Organizational Unit's Final Resources are equal the sum of  
9           its Local Capacity, CPPRT, and Adjusted Base Funding  
10          Minimum. The Base Funding Minimum of each Specially Funded  
11          Unit shall serve as its Final Resources, except that the  
12          Base Funding Minimum for State-approved charter schools  
13          shall not include any portion of general State aid  
14          allocated in the prior year based on the per capita tuition  
15          charge times the charter school enrollment.

16          (4) An Organizational Unit's Final Percent of Adequacy  
17          is its Final Resources divided by its Adequacy Target. An  
18          Organizational Unit's Adjusted Base Funding Minimum is  
19          equal to its Base Funding Minimum less its Supplemental  
20          Grant Funding, with the resulting figure added to the  
21          product of its Supplemental Grant Funding and Preliminary  
22          Percent of Adequacy.

23          (g) Evidence-Based Funding formula distribution system.

24          (1) In each school year under the Evidence-Based  
25          Funding formula, each Organizational Unit receives funding  
26          equal to the sum of its Base Funding Minimum and the unit's

1 allocation of New State Funds determined pursuant to this  
2 subsection (g). To allocate New State Funds, the  
3 Evidence-Based Funding formula distribution system first  
4 places all Organizational Units into one of 4 tiers in  
5 accordance with paragraph (3) of this subsection (g), based  
6 on the Organizational Unit's Final Percent of Adequacy. New  
7 State Funds are allocated to each of the 4 tiers as  
8 follows: Tier 1 Aggregate Funding equals 50% of all New  
9 State Funds, Tier 2 Aggregate Funding equals 49% of all New  
10 State Funds, Tier 3 Aggregate Funding equals 0.9% of all  
11 New State Funds, and Tier 4 Aggregate Funding equals 0.1%  
12 of all New State Funds. Each Organizational Unit within  
13 Tier 1 or Tier 2 receives an allocation of New State Funds  
14 equal to its tier Funding Gap, as defined in the following  
15 sentence, multiplied by the tier's Allocation Rate  
16 determined pursuant to paragraph (4) of this subsection  
17 (g). For Tier 1, an Organizational Unit's Funding Gap  
18 equals the tier's Target Ratio, as specified in paragraph  
19 (5) of this subsection (g), multiplied by the  
20 Organizational Unit's Adequacy Target, with the resulting  
21 amount reduced by the Organizational Unit's Final  
22 Resources. For Tier 2, an Organizational Unit's Funding Gap  
23 equals the tier's Target Ratio, as described in paragraph  
24 (5) of this subsection (g), multiplied by the  
25 Organizational Unit's Adequacy Target, with the resulting  
26 amount reduced by the Organizational Unit's Final

1 Resources and its Tier 1 funding allocation. To determine  
2 the Organizational Unit's Funding Gap, the resulting  
3 amount is then multiplied by a factor equal to one minus  
4 the Organizational Unit's Local Capacity Target  
5 percentage. Each Organizational Unit within Tier 3 or Tier  
6 4 receives an allocation of New State Funds equal to the  
7 product of its Adequacy Target and the tier's Allocation  
8 Rate, as specified in paragraph (4) of this subsection (g).

9 (2) To ensure equitable distribution of dollars for all  
10 Tier 2 Organizational Units, no Tier 2 Organizational Unit  
11 shall receive fewer dollars per ASE than any Tier 3  
12 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
13 Unit shall have its funding allocation divided by its ASE.  
14 Any Tier 2 Organizational Unit with a funding allocation  
15 per ASE below the greatest Tier 3 allocation per ASE shall  
16 get a funding allocation equal to the greatest Tier 3  
17 funding allocation per ASE multiplied by the  
18 Organizational Unit's ASE. Each Tier 2 Organizational  
19 Unit's Tier 2 funding allocation shall be multiplied by the  
20 percentage calculated by dividing the original Tier 2  
21 Aggregate Funding by the sum of all Tier 2 Organizational  
22 Units' ~~Unit's~~ Tier 2 funding allocation after adjusting  
23 districts' funding below Tier 3 levels.

24 (3) Organizational Units are placed into one of 4 tiers  
25 as follows:

26 (A) Tier 1 consists of all Organizational Units,

1           except for Specially Funded Units, with a Percent of  
2           Adequacy less than the Tier 1 Target Ratio. The Tier 1  
3           Target Ratio is the ratio level that allows for Tier 1  
4           Aggregate Funding to be distributed, with the Tier 1  
5           Allocation Rate determined pursuant to paragraph (4)  
6           of this subsection (g).

7           (B) Tier 2 consists of all Tier 1 Units and all  
8           other Organizational Units, except for Specially  
9           Funded Units, with a Percent of Adequacy of less than  
10          0.90.

11          (C) Tier 3 consists of all Organizational Units,  
12          except for Specially Funded Units, with a Percent of  
13          Adequacy of at least 0.90 and less than 1.0.

14          (D) Tier 4 consists of all Organizational Units  
15          with a Percent of Adequacy of at least 1.0.

16          (4) The Allocation Rates for Tiers 1 through 4 are ~~is~~  
17          determined as follows:

18                (A) The Tier 1 Allocation Rate is 30%.

19                (B) The Tier 2 Allocation Rate is the result of the  
20                following equation: Tier 2 Aggregate Funding, divided  
21                by the sum of the Funding Gaps for all Tier 2  
22                Organizational Units, unless the result of such  
23                equation is higher than 1.0. If the result of such  
24                equation is higher than 1.0, then the Tier 2 Allocation  
25                Rate is 1.0.

26                (C) The Tier 3 Allocation Rate is the result of the

1 following equation: Tier 3 Aggregate Funding, divided  
2 by the sum of the Adequacy Targets of all Tier 3  
3 Organizational Units.

4 (D) The Tier 4 Allocation Rate is the result of the  
5 following equation: Tier 4 Aggregate Funding, divided  
6 by the sum of the Adequacy Targets of all Tier 4  
7 Organizational Units.

8 (5) A tier's Target Ratio is determined as follows:

9 (A) The Tier 1 Target Ratio is the ratio level that  
10 allows for Tier 1 Aggregate Funding to be distributed  
11 with the Tier 1 Allocation Rate.

12 (B) The Tier 2 Target Ratio is 0.90.

13 (C) The Tier 3 Target Ratio is 1.0.

14 (6) If, at any point, the Tier 1 Target Ratio is  
15 greater than 90%, than all Tier 1 funding shall be  
16 allocated to Tier 2 and no Tier 1 Organizational Unit's  
17 funding may be identified.

18 (7) In the event that all Tier 2 Organizational Units  
19 receive funding at the Tier 2 Target Ratio level, any  
20 remaining New State Funds shall be allocated to Tier 3 and  
21 Tier 4 Organizational Units.

22 (8) If any Specially Funded Units, excluding Glenwood  
23 Academy, recognized by the State Board do not qualify for  
24 direct funding following the implementation of Public Act  
25 100-465 ~~this amendatory Act of the 100th General Assembly~~  
26 from any of the funding sources included within the



1 definition of Base Funding Minimum, the unqualified  
2 portion of the Base Funding Minimum shall be transferred to  
3 one or more appropriate Organizational Units as determined  
4 by the State Superintendent based on the prior year ASE of  
5 the Organizational Units.

6 (8.5) If a school district withdraws from a special  
7 education cooperative, the portion of the Base Funding  
8 Minimum that is attributable to the school district may be  
9 redistributed to the school district upon withdrawal. The  
10 school district and the cooperative must include the amount  
11 of the Base Funding Minimum that is to be reapportioned  
12 ~~re-apportioned~~ in their withdrawal agreement and notify  
13 the State Board of the change with a copy of the agreement  
14 upon withdrawal.

15 (9) The Minimum Funding Level is intended to establish  
16 a target for State funding that will keep pace with  
17 inflation and continue to advance equity through the  
18 Evidence-Based Funding formula. Through State fiscal year  
19 2020, the ~~The target for State funding of New Property Tax~~  
20 ~~Relief Pool Funds is \$50,000,000 for State fiscal year 2019~~  
21 ~~and subsequent State fiscal years. The Minimum Funding~~  
22 ~~Level is equal to \$350,000,000. For State fiscal year 2021~~  
23 and subsequent State fiscal years, the Minimum Funding  
24 Level is equal to 5% of the Statewide Funding Gap. In  
25 ~~addition to any New State Funds, no more than \$50,000,000~~  
26 ~~New Property Tax Relief Pool Funds may be counted towards~~

1 ~~the Minimum Funding Level.~~ If the sum of New State Funds  
2 and applicable New Property Tax Relief Pool Funds are less  
3 than the Minimum Funding Level, than funding for tiers  
4 shall be reduced in the following manner:

5 (A) First, Tier 4 funding shall be reduced by an  
6 amount equal to the difference between the Minimum  
7 Funding Level and New State Funds until such time as  
8 Tier 4 funding is exhausted.

9 (B) Next, Tier 3 funding shall be reduced by an  
10 amount equal to the difference between the Minimum  
11 Funding Level and New State Funds and the reduction in  
12 Tier 4 funding until such time as Tier 3 funding is  
13 exhausted.

14 (C) Next, Tier 2 funding shall be reduced by an  
15 amount equal to the difference between the Minimum  
16 Funding Level ~~level~~ and New ~~new~~ State Funds and the  
17 reduction in Tier 4 and Tier 3.

18 (D) Finally, Tier 1 funding shall be reduced by an  
19 amount equal to the difference between the Minimum  
20 Funding level and New State Funds and the reduction in  
21 Tier 2, 3, and 4 funding. In addition, the Allocation  
22 Rate for Tier 1 shall be reduced to a percentage equal  
23 to the Tier 1 Allocation Rate ~~allocation rate~~ set by  
24 paragraph (4) of this subsection (g), multiplied by the  
25 result of New State Funds divided by the Minimum  
26 Funding Level.

1           (9.5) For State fiscal year 2019 and subsequent State  
2           fiscal years, if New State Funds exceed \$300,000,000, then  
3           any amount in excess of \$300,000,000 shall be dedicated for  
4           purposes of Section 2-3.170 of this Code up to a maximum of  
5           \$50,000,000. The target for State funding of New Property  
6           Tax Relief Pool Funds is \$50,000,000 for each State fiscal  
7           year.

8           (10) In the event of a decrease in the amount of the  
9           appropriation for this Section in any fiscal year after  
10          implementation of this Section, the Organizational Units  
11          receiving Tier 1 and Tier 2 funding, as determined under  
12          paragraph (3) of this subsection (g), shall be held  
13          harmless by establishing a Base Funding Guarantee equal to  
14          the per pupil kindergarten through grade 12 funding  
15          received in accordance with this Section in the prior  
16          fiscal year. Reductions shall be made to the Base Funding  
17          Minimum of Organizational Units in Tier 3 and Tier 4 on a  
18          per pupil basis equivalent to the total number of the ASE  
19          in Tier 3-funded and Tier 4-funded Organizational Units  
20          divided by the total reduction in State funding. The Base  
21          Funding Minimum as reduced shall continue to be applied to  
22          Tier 3 and Tier 4 Organizational Units and adjusted by the  
23          relative formula when increases in appropriations for this  
24          Section resume. In no event may State funding reductions to  
25          Organizational Units in Tier 3 or Tier 4 exceed an amount  
26          that would be less than the Base Funding Minimum

1 established in the first year of implementation of this  
2 Section. If additional reductions are required, all school  
3 districts shall receive a reduction by a per pupil amount  
4 equal to the aggregate additional appropriation reduction  
5 divided by the total ASE of all Organizational Units.

6 (11) The State Superintendent shall make minor  
7 adjustments to the distribution formula set forth in this  
8 subsection (g) to account for the rounding of percentages  
9 to the nearest tenth of a percentage and dollar amounts to  
10 the nearest whole dollar.

11 (h) State Superintendent administration of funding and  
12 district submission requirements.

13 (1) The State Superintendent shall, in accordance with  
14 appropriations made by the General Assembly, meet the  
15 funding obligations created under this Section.

16 (2) The State Superintendent shall calculate the  
17 Adequacy Target for each Organizational Unit and Net State  
18 Contribution Target for each Organizational Unit under  
19 this Section. No Evidence-Based Funding shall be  
20 distributed within an Organizational Unit without the  
21 approval of the unit's school board.

22 (3) Annually, the State Superintendent shall calculate  
23 and report to each Organizational Unit the unit's aggregate  
24 financial adequacy amount, which shall be the sum of the  
25 Adequacy Target for each Organizational Unit. The State  
26 Superintendent shall calculate and report separately for

1 each Organizational Unit the unit's total State funds  
2 allocated for its students with disabilities. The State  
3 Superintendent shall calculate and report separately for  
4 each Organizational Unit the amount of funding and  
5 applicable FTE calculated for each Essential Element of the  
6 unit's Adequacy Target.

7 (4) Annually, the State Superintendent shall calculate  
8 and report to each Organizational Unit the amount the unit  
9 must expend on special education and bilingual education  
10 and computer technology and equipment for Organizational  
11 Units assigned to Tier 1 or Tier 2 that received an  
12 additional \$285.50 per student computer technology and  
13 equipment investment grant to their Adequacy Target  
14 pursuant to the unit's Base Funding Minimum, Special  
15 Education Allocation, Bilingual Education Allocation, and  
16 computer technology and equipment investment allocation.

17 (5) Moneys distributed under this Section shall be  
18 calculated on a school year basis, but paid on a fiscal  
19 year basis, with payments beginning in August and extending  
20 through June. Unless otherwise provided, the moneys  
21 appropriated for each fiscal year shall be distributed in  
22 equal payments at least 2 times monthly to each  
23 Organizational Unit. If moneys appropriated for any fiscal  
24 year are distributed other than monthly, the distribution  
25 shall be on the same basis for each Organizational Unit.

26 (6) Any school district that fails, for any given

1 school year, to maintain school as required by law or to  
2 maintain a recognized school is not eligible to receive  
3 Evidence-Based Funding. In case of non-recognition of one  
4 or more attendance centers in a school district otherwise  
5 operating recognized schools, the claim of the district  
6 shall be reduced in the proportion that the enrollment in  
7 the attendance center or centers bears to the enrollment of  
8 the school district. "Recognized school" means any public  
9 school that meets the standards for recognition by the  
10 State Board. A school district or attendance center not  
11 having recognition status at the end of a school term is  
12 entitled to receive State aid payments due upon a legal  
13 claim that was filed while it was recognized.

14 (7) School district claims filed under this Section are  
15 subject to Sections 18-9 and 18-12 of this Code, except as  
16 otherwise provided in this Section.

17 (8) Each fiscal year, the State Superintendent shall  
18 calculate for each Organizational Unit an amount of its  
19 Base Funding Minimum and Evidence-Based Funding that shall  
20 be deemed attributable to the provision of special  
21 educational facilities and services, as defined in Section  
22 14-1.08 of this Code, in a manner that ensures compliance  
23 with maintenance of State financial support requirements  
24 under the federal Individuals with Disabilities Education  
25 Act. An Organizational Unit must use such funds only for  
26 the provision of special educational facilities and

1 services, as defined in Section 14-1.08 of this Code, and  
2 must comply with any expenditure verification procedures  
3 adopted by the State Board.

4 (9) All Organizational Units in this State must submit  
5 annual spending plans by the end of September of each year  
6 to the State Board as part of the annual budget process,  
7 which shall describe how each Organizational Unit will  
8 utilize the Base Funding Minimum ~~Funding~~ and  
9 Evidence-Based Funding ~~funding~~ it receives from this State  
10 under this Section with specific identification of the  
11 intended utilization of Low-Income, English learner, and  
12 special education resources. Additionally, the annual  
13 spending plans of each Organizational Unit shall describe  
14 how the Organizational Unit expects to achieve student  
15 growth and how the Organizational Unit will achieve State  
16 education goals, as defined by the State Board. The State  
17 Superintendent may, from time to time, identify additional  
18 requisites for Organizational Units to satisfy when  
19 compiling the annual spending plans required under this  
20 subsection (h). The format and scope of annual spending  
21 plans shall be developed by the State Superintendent and  
22 the State Board of Education. School districts that serve  
23 students under Article 14C of this Code shall continue to  
24 submit information as required under Section 14C-12 of this  
25 Code.

26 (10) No later than January 1, 2018, the State

1 Superintendent shall develop a 5-year strategic plan for  
2 all Organizational Units to help in planning for adequacy  
3 funding under this Section. The State Superintendent shall  
4 submit the plan to the Governor and the General Assembly,  
5 as provided in Section 3.1 of the General Assembly  
6 Organization Act. The plan shall include recommendations  
7 for:

8 (A) a framework for collaborative, professional,  
9 innovative, and 21st century learning environments  
10 using the Evidence-Based Funding model;

11 (B) ways to prepare and support this State's  
12 educators for successful instructional careers;

13 (C) application and enhancement of the current  
14 financial accountability measures, the approved State  
15 plan to comply with the federal Every Student Succeeds  
16 Act, and the Illinois Balanced Accountability Measures  
17 in relation to student growth and elements of the  
18 Evidence-Based Funding model; and

19 (D) implementation of an effective school adequacy  
20 funding system based on projected and recommended  
21 funding levels from the General Assembly.

22 (11) On an annual basis, the State Superintendent must  
23 recalibrate all of the following per pupil elements of the  
24 Adequacy Target and applied to the formulas, based on the  
25 study of average expenses and as reported in the most  
26 recent annual financial report:



1 (A) Gifted under subparagraph (M) of paragraph (2)  
2 of subsection (b).

3 (B) Instructional materials under subparagraph (O)  
4 of paragraph (2) of subsection (b).

5 (C) Assessment under subparagraph (P) of paragraph  
6 (2) of subsection (b).

7 (D) Student activities under subparagraph (R) of  
8 paragraph (2) of subsection (b).

9 (E) Maintenance and operations under subparagraph  
10 (S) of paragraph (2) of subsection (b).

11 (F) Central office under subparagraph (T) of  
12 paragraph (2) of subsection (b).

13 (i) Professional Review Panel.

14 (1) A Professional Review Panel is created to study and  
15 review topics related to the implementation and effect of  
16 Evidence-Based Funding, as assigned by a joint resolution  
17 or Public Act of the General Assembly or a motion passed by  
18 the State Board of Education. The Panel must provide  
19 recommendations to and serve the Governor, the General  
20 Assembly, and the State Board. The State Superintendent or  
21 his or her designee must serve as a voting member and  
22 chairperson of the Panel. The State Superintendent must  
23 appoint a vice chairperson from the membership of the  
24 Panel. The Panel must advance recommendations based on a  
25 three-fifths majority vote of Panel ~~panel~~ members present  
26 and voting. A minority opinion may also accompany any

1 recommendation of the Panel. The Panel shall be appointed  
2 by the State Superintendent, except as otherwise provided  
3 in paragraph (2) of this subsection (i) and include the  
4 following members:

5 (A) Two appointees that represent district  
6 superintendents, recommended by a statewide  
7 organization that represents district superintendents.

8 (B) Two appointees that represent school boards,  
9 recommended by a statewide organization that  
10 represents school boards.

11 (C) Two appointees from districts that represent  
12 school business officials, recommended by a statewide  
13 organization that represents school business  
14 officials.

15 (D) Two appointees that represent school  
16 principals, recommended by a statewide organization  
17 that represents school principals.

18 (E) Two appointees that represent teachers,  
19 recommended by a statewide organization that  
20 represents teachers.

21 (F) Two appointees that represent teachers,  
22 recommended by another statewide organization that  
23 represents teachers.

24 (G) Two appointees that represent regional  
25 superintendents of schools, recommended by  
26 organizations that represent regional superintendents.

1           (H) Two independent experts selected solely by the  
2 State Superintendent.

3           (I) Two independent experts recommended by public  
4 universities in this State.

5           (J) One member recommended by a statewide  
6 organization that represents parents.

7           (K) Two representatives recommended by collective  
8 impact organizations that represent major metropolitan  
9 areas or geographic areas in Illinois.

10          (L) One member from a statewide organization  
11 focused on research-based education policy to support  
12 a school system that prepares all students for college,  
13 a career, and democratic citizenship.

14          (M) One representative from a school district  
15 organized under Article 34 of this Code.

16          The State Superintendent shall ensure that the  
17 membership of the Panel includes representatives from  
18 school districts and communities reflecting the  
19 geographic, socio-economic, racial, and ethnic diversity  
20 of this State. The State Superintendent shall additionally  
21 ensure that the membership of the Panel includes  
22 representatives with expertise in bilingual education and  
23 special education. Staff from the State Board shall staff  
24 the Panel.

25          (2) In addition to those Panel members appointed by the  
26 State Superintendent, 4 members of the General Assembly

1 shall be appointed as follows: one member of the House of  
2 Representatives appointed by the Speaker of the House of  
3 Representatives, one member of the Senate appointed by the  
4 President of the Senate, one member of the House of  
5 Representatives appointed by the Minority Leader of the  
6 House of Representatives, and one member of the Senate  
7 appointed by the Minority Leader of the Senate. There shall  
8 be one additional member appointed by the Governor. All  
9 members appointed by legislative leaders or the Governor  
10 shall be non-voting, ex officio members.

11 (3) The Panel must study topics at the direction of the  
12 General Assembly or State Board of Education, as provided  
13 under paragraph (1). The Panel may also study the following  
14 topics at the direction of the chairperson: ~~(4)~~

15 (A) The format and scope of annual spending plans  
16 referenced in paragraph (9) of subsection (h) of this  
17 Section.

18 (B) The Comparable Wage Index under this Section.

19 (C) Maintenance and operations, including capital  
20 maintenance and construction costs.

21 (D) "At-risk student" definition.

22 (E) Benefits.

23 (F) Technology.

24 (G) Local Capacity Target.

25 (H) Funding for Alternative Schools, Laboratory  
26 Schools, safe schools, and alternative learning

1 opportunities programs.

2 (I) Funding for college and career acceleration  
3 strategies.

4 (J) Special education investments.

5 (K) Early childhood investments, in collaboration  
6 with the Illinois Early Learning Council.

7 (4) (Blank).

8 (4.5) Within 2 years after the effective date of this  
9 amendatory Act of the 101st General Assembly and every 2  
10 years thereafter, the Panel shall review the Minimum  
11 Funding Level.

12 (5) Within 5 years after the implementation of this  
13 Section, and every 5 years thereafter, the Panel shall  
14 complete an evaluative study of the entire Evidence-Based  
15 Funding model, including an assessment of whether or not  
16 the formula is achieving State goals. The Panel shall  
17 report to the State Board, the General Assembly, and the  
18 Governor on the findings of the study.

19 (6) (Blank).

20 (j) References. Beginning July 1, 2017, references in other  
21 laws to general State aid funds or calculations under Section  
22 18-8.05 of this Code (now repealed) shall be deemed to be  
23 references to evidence-based model formula funds or  
24 calculations under this Section.

25 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;  
26 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.

1 6-14-19; revised 7-1-19.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.