



Rep. John E. Bradley

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1 AMENDMENT TO SENATE BILL 86

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 86 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

7 Sec. 18-8.05. Basis for apportionment of general State  
8 financial aid and supplemental general State aid to the common  
9 schools for the 1998-1999 and subsequent school years.

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the 1998-1999  
12 and subsequent school years. The system of general State  
13 financial aid provided for in this Section is designed to  
14 assure that, through a combination of State financial aid and  
15 required local resources, the financial support provided each  
16 pupil in Average Daily Attendance equals or exceeds a  
17 prescribed per pupil Foundation Level. This formula approach  
18 imputes a level of per pupil Available Local Resources and  
19 provides for the basis to calculate a per pupil level of  
20 general State financial aid that, when added to Available Local  
21 Resources, equals or exceeds the Foundation Level. The amount  
22 of per pupil general State financial aid for school districts,  
23 in general, varies in inverse relation to Available Local

1 Resources. Per pupil amounts are based upon each school  
2 district's Average Daily Attendance as that term is defined in  
3 this Section.

4 (2) In addition to general State financial aid, school  
5 districts with specified levels or concentrations of pupils  
6 from low income households are eligible to receive supplemental  
7 general State financial aid grants as provided pursuant to  
8 subsection (H). The supplemental State aid grants provided for  
9 school districts under subsection (H) shall be appropriated for  
10 distribution to school districts as part of the same line item  
11 in which the general State financial aid of school districts is  
12 appropriated under this Section.

13 (3) To receive financial assistance under this Section,  
14 school districts are required to file claims with the State  
15 Board of Education, subject to the following requirements:

16 (a) Any school district which fails for any given  
17 school year to maintain school as required by law, or to  
18 maintain a recognized school is not eligible to file for  
19 such school year any claim upon the Common School Fund. In  
20 case of nonrecognition of one or more attendance centers in  
21 a school district otherwise operating recognized schools,  
22 the claim of the district shall be reduced in the  
23 proportion which the Average Daily Attendance in the  
24 attendance center or centers bear to the Average Daily  
25 Attendance in the school district. A "recognized school"  
26 means any public school which meets the standards as  
27 established for recognition by the State Board of  
28 Education. A school district or attendance center not  
29 having recognition status at the end of a school term is  
30 entitled to receive State aid payments due upon a legal  
31 claim which was filed while it was recognized.

32 (b) School district claims filed under this Section are  
33 subject to Sections 18-9, 18-10, and 18-12, except as  
34 otherwise provided in this Section.

1 (c) If a school district operates a full year school  
2 under Section 10-19.1, the general State aid to the school  
3 district shall be determined by the State Board of  
4 Education in accordance with this Section as near as may be  
5 applicable.

6 (d) (Blank).

7 (4) Except as provided in subsections (H) and (L), the  
8 board of any district receiving any of the grants provided for  
9 in this Section may apply those funds to any fund so received  
10 for which that board is authorized to make expenditures by law.

11 School districts are not required to exert a minimum  
12 Operating Tax Rate in order to qualify for assistance under  
13 this Section.

14 (5) As used in this Section the following terms, when  
15 capitalized, shall have the meaning ascribed herein:

16 (a) "Average Daily Attendance": A count of pupil  
17 attendance in school, averaged as provided for in  
18 subsection (C) and utilized in deriving per pupil financial  
19 support levels.

20 (b) "Available Local Resources": A computation of  
21 local financial support, calculated on the basis of Average  
22 Daily Attendance and derived as provided pursuant to  
23 subsection (D).

24 (c) "Corporate Personal Property Replacement Taxes":  
25 Funds paid to local school districts pursuant to "An Act in  
26 relation to the abolition of ad valorem personal property  
27 tax and the replacement of revenues lost thereby, and  
28 amending and repealing certain Acts and parts of Acts in  
29 connection therewith", certified August 14, 1979, as  
30 amended (Public Act 81-1st S.S.-1).

31 (d) "Foundation Level": A prescribed level of per pupil  
32 financial support as provided for in subsection (B).

33 (e) "Operating Tax Rate": All school district property  
34 taxes extended for all purposes, except Bond and Interest,

1 Summer School, Rent, Capital Improvement, and Vocational  
2 Education Building purposes.

3 (B) Foundation Level.

4 (1) The Foundation Level is a figure established by the  
5 State representing the minimum level of per pupil financial  
6 support that should be available to provide for the basic  
7 education of each pupil in Average Daily Attendance. As set  
8 forth in this Section, each school district is assumed to exert  
9 a sufficient local taxing effort such that, in combination with  
10 the aggregate of general State financial aid provided the  
11 district, an aggregate of State and local resources are  
12 available to meet the basic education needs of pupils in the  
13 district.

14 (2) For the 1998-1999 school year, the Foundation Level of  
15 support is \$4,225. For the 1999-2000 school year, the  
16 Foundation Level of support is \$4,325. For the 2000-2001 school  
17 year, the Foundation Level of support is \$4,425.

18 (3) For the 2001-2002 school year and 2002-2003 school  
19 year, the Foundation Level of support is \$4,560.

20 (4) For the 2003-2004 school year and each school year  
21 thereafter, the Foundation Level of support is \$4,810 or such  
22 greater amount as may be established by law by the General  
23 Assembly.

24 (C) Average Daily Attendance.

25 (1) For purposes of calculating general State aid pursuant  
26 to subsection (E), an Average Daily Attendance figure shall be  
27 utilized. The Average Daily Attendance figure for formula  
28 calculation purposes shall be the monthly average of the actual  
29 number of pupils in attendance of each school district, as  
30 further averaged for the best 3 months of pupil attendance for  
31 each school district. In compiling the figures for the number  
32 of pupils in attendance, school districts and the State Board

1 of Education shall, for purposes of general State aid funding,  
2 conform attendance figures to the requirements of subsection  
3 (F).

4 (2) The Average Daily Attendance figures utilized in  
5 subsection (E) shall be the requisite attendance data for the  
6 school year immediately preceding the school year for which  
7 general State aid is being calculated or the average of the  
8 attendance data for the 3 preceding school years, whichever is  
9 greater. The Average Daily Attendance figures utilized in  
10 subsection (H) shall be the requisite attendance data for the  
11 school year immediately preceding the school year for which  
12 general State aid is being calculated.

13 (D) Available Local Resources.

14 (1) For purposes of calculating general State aid pursuant  
15 to subsection (E), a representation of Available Local  
16 Resources per pupil, as that term is defined and determined in  
17 this subsection, shall be utilized. Available Local Resources  
18 per pupil shall include a calculated dollar amount representing  
19 local school district revenues from local property taxes and  
20 from Corporate Personal Property Replacement Taxes, expressed  
21 on the basis of pupils in Average Daily Attendance.

22 (2) In determining a school district's revenue from local  
23 property taxes, the State Board of Education shall utilize the  
24 equalized assessed valuation of all taxable property of each  
25 school district as of September 30 of the previous year. The  
26 equalized assessed valuation utilized shall be obtained and  
27 determined as provided in subsection (G).

28 (3) For school districts maintaining grades kindergarten  
29 through 12, local property tax revenues per pupil shall be  
30 calculated as the product of the applicable equalized assessed  
31 valuation for the district multiplied by 3.00%, and divided by  
32 the district's Average Daily Attendance figure. For school  
33 districts maintaining grades kindergarten through 8, local

1 property tax revenues per pupil shall be calculated as the  
2 product of the applicable equalized assessed valuation for the  
3 district multiplied by 2.30%, and divided by the district's  
4 Average Daily Attendance figure. For school districts  
5 maintaining grades 9 through 12, local property tax revenues  
6 per pupil shall be the applicable equalized assessed valuation  
7 of the district multiplied by 1.05%, and divided by the  
8 district's Average Daily Attendance figure.

9 (4) The Corporate Personal Property Replacement Taxes paid  
10 to each school district during the calendar year 2 years before  
11 the calendar year in which a school year begins, divided by the  
12 Average Daily Attendance figure for that district, shall be  
13 added to the local property tax revenues per pupil as derived  
14 by the application of the immediately preceding paragraph (3).  
15 The sum of these per pupil figures for each school district  
16 shall constitute Available Local Resources as that term is  
17 utilized in subsection (E) in the calculation of general State  
18 aid.

19 (E) Computation of General State Aid.

20 (1) For each school year, the amount of general State aid  
21 allotted to a school district shall be computed by the State  
22 Board of Education as provided in this subsection.

23 (2) For any school district for which Available Local  
24 Resources per pupil is less than the product of 0.93 times the  
25 Foundation Level, general State aid for that district shall be  
26 calculated as an amount equal to the Foundation Level minus  
27 Available Local Resources, multiplied by the Average Daily  
28 Attendance of the school district.

29 (3) For any school district for which Available Local  
30 Resources per pupil is equal to or greater than the product of  
31 0.93 times the Foundation Level and less than the product of  
32 1.75 times the Foundation Level, the general State aid per  
33 pupil shall be a decimal proportion of the Foundation Level

1 derived using a linear algorithm. Under this linear algorithm,  
2 the calculated general State aid per pupil shall decline in  
3 direct linear fashion from 0.07 times the Foundation Level for  
4 a school district with Available Local Resources equal to the  
5 product of 0.93 times the Foundation Level, to 0.05 times the  
6 Foundation Level for a school district with Available Local  
7 Resources equal to the product of 1.75 times the Foundation  
8 Level. The allocation of general State aid for school districts  
9 subject to this paragraph 3 shall be the calculated general  
10 State aid per pupil figure multiplied by the Average Daily  
11 Attendance of the school district.

12 (4) For any school district for which Available Local  
13 Resources per pupil equals or exceeds the product of 1.75 times  
14 the Foundation Level, the general State aid for the school  
15 district shall be calculated as the product of \$218 multiplied  
16 by the Average Daily Attendance of the school district.

17 (5) The amount of general State aid allocated to a school  
18 district for the 1999-2000 school year meeting the requirements  
19 set forth in paragraph (4) of subsection (G) shall be increased  
20 by an amount equal to the general State aid that would have  
21 been received by the district for the 1998-1999 school year by  
22 utilizing the Extension Limitation Equalized Assessed  
23 Valuation as calculated in paragraph (4) of subsection (G) less  
24 the general State aid allotted for the 1998-1999 school year.  
25 This amount shall be deemed a one time increase, and shall not  
26 affect any future general State aid allocations.

27 (F) Compilation of Average Daily Attendance.

28 (1) Each school district shall, by July 1 of each year,  
29 submit to the State Board of Education, on forms prescribed by  
30 the State Board of Education, attendance figures for the school  
31 year that began in the preceding calendar year. The attendance  
32 information so transmitted shall identify the average daily  
33 attendance figures for each month of the school year. Beginning

1 with the general State aid claim form for the 2002-2003 school  
2 year, districts shall calculate Average Daily Attendance as  
3 provided in subdivisions (a), (b), and (c) of this paragraph  
4 (1).

5 (a) In districts that do not hold year-round classes,  
6 days of attendance in August shall be added to the month of  
7 September and any days of attendance in June shall be added  
8 to the month of May.

9 (b) In districts in which all buildings hold year-round  
10 classes, days of attendance in July and August shall be  
11 added to the month of September and any days of attendance  
12 in June shall be added to the month of May.

13 (c) In districts in which some buildings, but not all,  
14 hold year-round classes, for the non-year-round buildings,  
15 days of attendance in August shall be added to the month of  
16 September and any days of attendance in June shall be added  
17 to the month of May. The average daily attendance for the  
18 year-round buildings shall be computed as provided in  
19 subdivision (b) of this paragraph (1). To calculate the  
20 Average Daily Attendance for the district, the average  
21 daily attendance for the year-round buildings shall be  
22 multiplied by the days in session for the non-year-round  
23 buildings for each month and added to the monthly  
24 attendance of the non-year-round buildings.

25 Except as otherwise provided in this Section, days of  
26 attendance by pupils shall be counted only for sessions of not  
27 less than 5 clock hours of school work per day under direct  
28 supervision of: (i) teachers, or (ii) non-teaching personnel or  
29 volunteer personnel when engaging in non-teaching duties and  
30 supervising in those instances specified in subsection (a) of  
31 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
32 of legal school age and in kindergarten and grades 1 through  
33 12.

34 Days of attendance by tuition pupils shall be accredited



1 only to the districts that pay the tuition to a recognized  
2 school.

3 (2) Days of attendance by pupils of less than 5 clock hours  
4 of school shall be subject to the following provisions in the  
5 compilation of Average Daily Attendance.

6 (a) Pupils regularly enrolled in a public school for  
7 only a part of the school day may be counted on the basis  
8 of 1/6 day for every class hour of instruction of 40  
9 minutes or more attended pursuant to such enrollment,  
10 unless a pupil is enrolled in a block-schedule format of 80  
11 minutes or more of instruction, in which case the pupil may  
12 be counted on the basis of the proportion of minutes of  
13 school work completed each day to the minimum number of  
14 minutes that school work is required to be held that day.

15 (b) Days of attendance may be less than 5 clock hours  
16 on the opening and closing of the school term, and upon the  
17 first day of pupil attendance, if preceded by a day or days  
18 utilized as an institute or teachers' workshop.

19 (c) A session of 4 or more clock hours may be counted  
20 as a day of attendance upon certification by the regional  
21 superintendent, and approved by the State Superintendent  
22 of Education to the extent that the district has been  
23 forced to use daily multiple sessions.

24 (d) A session of 3 or more clock hours may be counted  
25 as a day of attendance (1) when the remainder of the school  
26 day or at least 2 hours in the evening of that day is  
27 utilized for an in-service training program for teachers,  
28 up to a maximum of 5 days per school year of which a  
29 maximum of 4 days of such 5 days may be used for  
30 parent-teacher conferences, provided a district conducts  
31 an in-service training program for teachers which has been  
32 approved by the State Superintendent of Education; or, in  
33 lieu of 4 such days, 2 full days may be used, in which  
34 event each such day may be counted as a day of attendance;

1 and (2) when days in addition to those provided in item (1)  
2 are scheduled by a school pursuant to its school  
3 improvement plan adopted under Article 34 or its revised or  
4 amended school improvement plan adopted under Article 2,  
5 provided that (i) such sessions of 3 or more clock hours  
6 are scheduled to occur at regular intervals, (ii) the  
7 remainder of the school days in which such sessions occur  
8 are utilized for in-service training programs or other  
9 staff development activities for teachers, and (iii) a  
10 sufficient number of minutes of school work under the  
11 direct supervision of teachers are added to the school days  
12 between such regularly scheduled sessions to accumulate  
13 not less than the number of minutes by which such sessions  
14 of 3 or more clock hours fall short of 5 clock hours. Any  
15 full days used for the purposes of this paragraph shall not  
16 be considered for computing average daily attendance. Days  
17 scheduled for in-service training programs, staff  
18 development activities, or parent-teacher conferences may  
19 be scheduled separately for different grade levels and  
20 different attendance centers of the district.

21 (e) A session of not less than one clock hour of  
22 teaching hospitalized or homebound pupils on-site or by  
23 telephone to the classroom may be counted as 1/2 day of  
24 attendance, however these pupils must receive 4 or more  
25 clock hours of instruction to be counted for a full day of  
26 attendance.

27 (f) A session of at least 4 clock hours may be counted  
28 as a day of attendance for first grade pupils, and pupils  
29 in full day kindergartens, and a session of 2 or more hours  
30 may be counted as 1/2 day of attendance by pupils in  
31 kindergartens which provide only 1/2 day of attendance.

32 (g) For children with disabilities who are below the  
33 age of 6 years and who cannot attend 2 or more clock hours  
34 because of their disability or immaturity, a session of not

1 less than one clock hour may be counted as 1/2 day of  
2 attendance; however for such children whose educational  
3 needs so require a session of 4 or more clock hours may be  
4 counted as a full day of attendance.

5 (h) A recognized kindergarten which provides for only  
6 1/2 day of attendance by each pupil shall not have more  
7 than 1/2 day of attendance counted in any one day. However,  
8 kindergartens may count 2 1/2 days of attendance in any 5  
9 consecutive school days. When a pupil attends such a  
10 kindergarten for 2 half days on any one school day, the  
11 pupil shall have the following day as a day absent from  
12 school, unless the school district obtains permission in  
13 writing from the State Superintendent of Education.  
14 Attendance at kindergartens which provide for a full day of  
15 attendance by each pupil shall be counted the same as  
16 attendance by first grade pupils. Only the first year of  
17 attendance in one kindergarten shall be counted, except in  
18 case of children who entered the kindergarten in their  
19 fifth year whose educational development requires a second  
20 year of kindergarten as determined under the rules and  
21 regulations of the State Board of Education.

22 (G) Equalized Assessed Valuation Data.

23 (1) For purposes of the calculation of Available Local  
24 Resources required pursuant to subsection (D), the State Board  
25 of Education shall secure from the Department of Revenue the  
26 value as equalized or assessed by the Department of Revenue of  
27 all taxable property of every school district, together with  
28 (i) the applicable tax rate used in extending taxes for the  
29 funds of the district as of September 30 of the previous year  
30 and (ii) the limiting rate for all school districts subject to  
31 property tax extension limitations as imposed under the  
32 Property Tax Extension Limitation Law.

33 This equalized assessed valuation, as adjusted further by

1 the requirements of this subsection, shall be utilized in the  
2 calculation of Available Local Resources.

3 (2) The equalized assessed valuation in paragraph (1) shall  
4 be adjusted, as applicable, in the following manner:

5 (a) For the purposes of calculating State aid under  
6 this Section, with respect to any part of a school district  
7 within a redevelopment project area in respect to which a  
8 municipality has adopted tax increment allocation  
9 financing pursuant to the Tax Increment Allocation  
10 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11  
11 of the Illinois Municipal Code or the Industrial Jobs  
12 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
13 Illinois Municipal Code, no part of the current equalized  
14 assessed valuation of real property located in any such  
15 project area which is attributable to an increase above the  
16 total initial equalized assessed valuation of such  
17 property shall be used as part of the equalized assessed  
18 valuation of the district, until such time as all  
19 redevelopment project costs have been paid, as provided in  
20 Section 11-74.4-8 of the Tax Increment Allocation  
21 Redevelopment Act or in Section 11-74.6-35 of the  
22 Industrial Jobs Recovery Law. For the purpose of the  
23 equalized assessed valuation of the district, the total  
24 initial equalized assessed valuation or the current  
25 equalized assessed valuation, whichever is lower, shall be  
26 used until such time as all redevelopment project costs  
27 have been paid.

28 (b) The real property equalized assessed valuation for  
29 a school district shall be adjusted by subtracting from the  
30 real property value as equalized or assessed by the  
31 Department of Revenue for the district an amount computed  
32 by dividing the amount of any abatement of taxes under  
33 Section 18-170 of the Property Tax Code by 3.00% for a  
34 district maintaining grades kindergarten through 12, by

1           2.30% for a district maintaining grades kindergarten  
2           through 8, or by 1.05% for a district maintaining grades 9  
3           through 12 and adjusted by an amount computed by dividing  
4           the amount of any abatement of taxes under subsection (a)  
5           of Section 18-165 of the Property Tax Code by the same  
6           percentage rates for district type as specified in this  
7           subparagraph (b).

8           (3) For the 1999-2000 school year and each school year  
9           thereafter, if a school district meets all of the criteria of  
10          this subsection (G) (3), the school district's Available Local  
11          Resources shall be calculated under subsection (D) using the  
12          district's Extension Limitation Equalized Assessed Valuation  
13          as calculated under this subsection (G) (3).

14          For purposes of this subsection (G) (3) the following terms  
15          shall have the following meanings:

16                 "Budget Year": The school year for which general State  
17                 aid is calculated and awarded under subsection (E).

18                 "Base Tax Year": The property tax levy year used to  
19                 calculate the Budget Year allocation of general State aid.

20                 "Preceding Tax Year": The property tax levy year  
21                 immediately preceding the Base Tax Year.

22                 "Base Tax Year's Tax Extension": The product of the  
23                 equalized assessed valuation utilized by the County Clerk  
24                 in the Base Tax Year multiplied by the limiting rate as  
25                 calculated by the County Clerk and defined in the Property  
26                 Tax Extension Limitation Law.

27                 "Preceding Tax Year's Tax Extension": The product of  
28                 the equalized assessed valuation utilized by the County  
29                 Clerk in the Preceding Tax Year multiplied by the Operating  
30                 Tax Rate as defined in subsection (A).

31                 "Extension Limitation Ratio": A numerical ratio,  
32                 certified by the County Clerk, in which the numerator is  
33                 the Base Tax Year's Tax Extension and the denominator is  
34                 the Preceding Tax Year's Tax Extension.

1           "Operating Tax Rate": The operating tax rate as defined  
2           in subsection (A).

3           If a school district is subject to property tax extension  
4           limitations as imposed under the Property Tax Extension  
5           Limitation Law, the State Board of Education shall calculate  
6           the Extension Limitation Equalized Assessed Valuation of that  
7           district. For the 1999-2000 school year, the Extension  
8           Limitation Equalized Assessed Valuation of a school district as  
9           calculated by the State Board of Education shall be equal to  
10          the product of the district's 1996 Equalized Assessed Valuation  
11          and the district's Extension Limitation Ratio. For the  
12          2000-2001 school year and each school year thereafter, the  
13          Extension Limitation Equalized Assessed Valuation of a school  
14          district as calculated by the State Board of Education shall be  
15          equal to the product of the Equalized Assessed Valuation last  
16          used in the calculation of general State aid and the district's  
17          Extension Limitation Ratio. If the Extension Limitation  
18          Equalized Assessed Valuation of a school district as calculated  
19          under this subsection (G)(3) is less than the district's  
20          equalized assessed valuation as calculated pursuant to  
21          subsections (G)(1) and (G)(2), then for purposes of calculating  
22          the district's general State aid for the Budget Year pursuant  
23          to subsection (E), that Extension Limitation Equalized  
24          Assessed Valuation shall be utilized to calculate the  
25          district's Available Local Resources under subsection (D).

26          (4) For the purposes of calculating general State aid for  
27          the 1999-2000 school year only, if a school district  
28          experienced a triennial reassessment on the equalized assessed  
29          valuation used in calculating its general State financial aid  
30          apportionment for the 1998-1999 school year, the State Board of  
31          Education shall calculate the Extension Limitation Equalized  
32          Assessed Valuation that would have been used to calculate the  
33          district's 1998-1999 general State aid. This amount shall equal  
34          the product of the equalized assessed valuation used to

1 calculate general State aid for the 1997-1998 school year and  
2 the district's Extension Limitation Ratio. If the Extension  
3 Limitation Equalized Assessed Valuation of the school district  
4 as calculated under this paragraph (4) is less than the  
5 district's equalized assessed valuation utilized in  
6 calculating the district's 1998-1999 general State aid  
7 allocation, then for purposes of calculating the district's  
8 general State aid pursuant to paragraph (5) of subsection (E),  
9 that Extension Limitation Equalized Assessed Valuation shall  
10 be utilized to calculate the district's Available Local  
11 Resources.

12 (5) For school districts having a majority of their  
13 equalized assessed valuation in any county except Cook, DuPage,  
14 Kane, Lake, McHenry, or Will, if the amount of general State  
15 aid allocated to the school district for the 1999-2000 school  
16 year under the provisions of subsection (E), (H), and (J) of  
17 this Section is less than the amount of general State aid  
18 allocated to the district for the 1998-1999 school year under  
19 these subsections, then the general State aid of the district  
20 for the 1999-2000 school year only shall be increased by the  
21 difference between these amounts. The total payments made under  
22 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
23 be prorated if they exceed \$14,000,000.

24 (H) Supplemental General State Aid.

25 (1) In addition to the general State aid a school district  
26 is allotted pursuant to subsection (E), qualifying school  
27 districts shall receive a grant, paid in conjunction with a  
28 district's payments of general State aid, for supplemental  
29 general State aid based upon the concentration level of  
30 children from low-income households within the school  
31 district. Supplemental State aid grants provided for school  
32 districts under this subsection shall be appropriated for  
33 distribution to school districts as part of the same line item

1 in which the general State financial aid of school districts is  
2 appropriated under this Section. If the appropriation in any  
3 fiscal year for general State aid and supplemental general  
4 State aid is insufficient to pay the amounts required under the  
5 general State aid and supplemental general State aid  
6 calculations, then the State Board of Education shall ensure  
7 that each school district receives the full amount due for  
8 general State aid and the remainder of the appropriation shall  
9 be used for supplemental general State aid, which the State  
10 Board of Education shall calculate and pay to eligible  
11 districts on a prorated basis.

12 (1.5) This paragraph (1.5) applies only to those school  
13 years preceding the 2003-2004 school year. For purposes of this  
14 subsection (H), the term "Low-Income Concentration Level"  
15 shall be the low-income eligible pupil count from the most  
16 recently available federal census divided by the Average Daily  
17 Attendance of the school district. If, however, (i) the  
18 percentage decrease from the 2 most recent federal censuses in  
19 the low-income eligible pupil count of a high school district  
20 with fewer than 400 students exceeds by 75% or more the  
21 percentage change in the total low-income eligible pupil count  
22 of contiguous elementary school districts, whose boundaries  
23 are coterminous with the high school district, or (ii) a high  
24 school district within 2 counties and serving 5 elementary  
25 school districts, whose boundaries are coterminous with the  
26 high school district, has a percentage decrease from the 2 most  
27 recent federal censuses in the low-income eligible pupil count  
28 and there is a percentage increase in the total low-income  
29 eligible pupil count of a majority of the elementary school  
30 districts in excess of 50% from the 2 most recent federal  
31 censuses, then the high school district's low-income eligible  
32 pupil count from the earlier federal census shall be the number  
33 used as the low-income eligible pupil count for the high school  
34 district, for purposes of this subsection (H). The changes made



1 to this paragraph (1) by Public Act 92-28 shall apply to  
2 supplemental general State aid grants for school years  
3 preceding the 2003-2004 school year that are paid in fiscal  
4 year 1999 or thereafter and to any State aid payments made in  
5 fiscal year 1994 through fiscal year 1998 pursuant to  
6 subsection 1(n) of Section 18-8 of this Code (which was  
7 repealed on July 1, 1998), and any high school district that is  
8 affected by Public Act 92-28 is entitled to a recomputation of  
9 its supplemental general State aid grant or State aid paid in  
10 any of those fiscal years. This recomputation shall not be  
11 affected by any other funding.

12 (1.10) This paragraph (1.10) applies to the 2003-2004  
13 school year and each school year thereafter. For purposes of  
14 this subsection (H), the term "Low-Income Concentration Level"  
15 shall, for each fiscal year, be the low-income eligible pupil  
16 count as of July 1 of the immediately preceding fiscal year (as  
17 determined by the Department of Human Services based on the  
18 number of pupils who are eligible for at least one of the  
19 following low income programs: Medicaid, KidCare, TANF, or Food  
20 Stamps, excluding pupils who are eligible for services provided  
21 by the Department of Children and Family Services, averaged  
22 over the 2 immediately preceding fiscal years for fiscal year  
23 2004 and over the 3 immediately preceding fiscal years for each  
24 fiscal year thereafter) divided by the Average Daily Attendance  
25 of the school district.

26 (2) Supplemental general State aid pursuant to this  
27 subsection (H) shall be provided as follows for the 1998-1999,  
28 1999-2000, and 2000-2001 school years only:

29 (a) For any school district with a Low Income  
30 Concentration Level of at least 20% and less than 35%, the  
31 grant for any school year shall be \$800 multiplied by the  
32 low income eligible pupil count.

33 (b) For any school district with a Low Income  
34 Concentration Level of at least 35% and less than 50%, the

1 grant for the 1998-1999 school year shall be \$1,100  
2 multiplied by the low income eligible pupil count.

3 (c) For any school district with a Low Income  
4 Concentration Level of at least 50% and less than 60%, the  
5 grant for the 1998-99 school year shall be \$1,500  
6 multiplied by the low income eligible pupil count.

7 (d) For any school district with a Low Income  
8 Concentration Level of 60% or more, the grant for the  
9 1998-99 school year shall be \$1,900 multiplied by the low  
10 income eligible pupil count.

11 (e) For the 1999-2000 school year, the per pupil amount  
12 specified in subparagraphs (b), (c), and (d) immediately  
13 above shall be increased to \$1,243, \$1,600, and \$2,000,  
14 respectively.

15 (f) For the 2000-2001 school year, the per pupil  
16 amounts specified in subparagraphs (b), (c), and (d)  
17 immediately above shall be \$1,273, \$1,640, and \$2,050,  
18 respectively.

19 (2.5) Supplemental general State aid pursuant to this  
20 subsection (H) shall be provided as follows for the 2002-2003  
21 school year:

22 (a) For any school district with a Low Income  
23 Concentration Level of less than 10%, the grant for each  
24 school year shall be \$355 multiplied by the low income  
25 eligible pupil count.

26 (b) For any school district with a Low Income  
27 Concentration Level of at least 10% and less than 20%, the  
28 grant for each school year shall be \$675 multiplied by the  
29 low income eligible pupil count.

30 (c) For any school district with a Low Income  
31 Concentration Level of at least 20% and less than 35%, the  
32 grant for each school year shall be \$1,330 multiplied by  
33 the low income eligible pupil count.

34 (d) For any school district with a Low Income

1 Concentration Level of at least 35% and less than 50%, the  
2 grant for each school year shall be \$1,362 multiplied by  
3 the low income eligible pupil count.

4 (e) For any school district with a Low Income  
5 Concentration Level of at least 50% and less than 60%, the  
6 grant for each school year shall be \$1,680 multiplied by  
7 the low income eligible pupil count.

8 (f) For any school district with a Low Income  
9 Concentration Level of 60% or more, the grant for each  
10 school year shall be \$2,080 multiplied by the low income  
11 eligible pupil count.

12 (2.10) Except as otherwise provided, supplemental general  
13 State aid pursuant to this subsection (H) shall be provided as  
14 follows for the 2003-2004 school year and each school year  
15 thereafter:

16 (a) For any school district with a Low Income  
17 Concentration Level of 15% or less, the grant for each  
18 school year shall be \$355 multiplied by the low income  
19 eligible pupil count.

20 (b) For any school district with a Low Income  
21 Concentration Level greater than 15%, the grant for each  
22 school year shall be \$294.25 added to the product of \$2,700  
23 and the square of the Low Income Concentration Level, all  
24 multiplied by the low income eligible pupil count.

25 For the 2003-2004 school year and each school year  
26 thereafter only, the grant shall be no less than the grant for  
27 the 2002-2003 school year. ~~For the 2004-2005 school year only,~~  
28 ~~the grant shall be no less than the grant for the 2002-2003~~  
29 ~~school year multiplied by 0.66. For the 2005-2006 school year~~  
30 ~~only, the grant shall be no less than the grant for the~~  
31 ~~2002-2003 school year multiplied by 0.33.~~

32 For the 2003-2004 school year only, the grant shall be no  
33 greater than the grant received during the 2002-2003 school  
34 year added to the product of 0.25 multiplied by the difference

1 between the grant amount calculated under subsection (a) or (b)  
2 of this paragraph (2.10), whichever is applicable, and the  
3 grant received during the 2002-2003 school year. For the  
4 2004-2005 school year only, the grant shall be no greater than  
5 the grant received during the 2002-2003 school year added to  
6 the product of 0.50 multiplied by the difference between the  
7 grant amount calculated under subsection (a) or (b) of this  
8 paragraph (2.10), whichever is applicable, and the grant  
9 received during the 2002-2003 school year. For the 2005-2006  
10 school year only, the grant shall be no greater than the grant  
11 received during the 2002-2003 school year added to the product  
12 of 0.75 multiplied by the difference between the grant amount  
13 calculated under subsection (a) or (b) of this paragraph  
14 (2.10), whichever is applicable, and the grant received during  
15 the 2002-2003 school year.

16 (3) School districts with an Average Daily Attendance of  
17 more than 1,000 and less than 50,000 that qualify for  
18 supplemental general State aid pursuant to this subsection  
19 shall submit a plan to the State Board of Education prior to  
20 October 30 of each year for the use of the funds resulting from  
21 this grant of supplemental general State aid for the  
22 improvement of instruction in which priority is given to  
23 meeting the education needs of disadvantaged children. Such  
24 plan shall be submitted in accordance with rules and  
25 regulations promulgated by the State Board of Education.

26 (4) School districts with an Average Daily Attendance of  
27 50,000 or more that qualify for supplemental general State aid  
28 pursuant to this subsection shall be required to distribute  
29 from funds available pursuant to this Section, no less than  
30 \$261,000,000 in accordance with the following requirements:

31 (a) The required amounts shall be distributed to the  
32 attendance centers within the district in proportion to the  
33 number of pupils enrolled at each attendance center who are  
34 eligible to receive free or reduced-price lunches or

1 breakfasts under the federal Child Nutrition Act of 1966  
2 and under the National School Lunch Act during the  
3 immediately preceding school year.

4 (b) The distribution of these portions of supplemental  
5 and general State aid among attendance centers according to  
6 these requirements shall not be compensated for or  
7 contravened by adjustments of the total of other funds  
8 appropriated to any attendance centers, and the Board of  
9 Education shall utilize funding from one or several sources  
10 in order to fully implement this provision annually prior  
11 to the opening of school.

12 (c) Each attendance center shall be provided by the  
13 school district a distribution of noncategorical funds and  
14 other categorical funds to which an attendance center is  
15 entitled under law in order that the general State aid and  
16 supplemental general State aid provided by application of  
17 this subsection supplements rather than supplants the  
18 noncategorical funds and other categorical funds provided  
19 by the school district to the attendance centers.

20 (d) Any funds made available under this subsection that  
21 by reason of the provisions of this subsection are not  
22 required to be allocated and provided to attendance centers  
23 may be used and appropriated by the board of the district  
24 for any lawful school purpose.

25 (e) Funds received by an attendance center pursuant to  
26 this subsection shall be used by the attendance center at  
27 the discretion of the principal and local school council  
28 for programs to improve educational opportunities at  
29 qualifying schools through the following programs and  
30 services: early childhood education, reduced class size or  
31 improved adult to student classroom ratio, enrichment  
32 programs, remedial assistance, attendance improvement, and  
33 other educationally beneficial expenditures which  
34 supplement the regular and basic programs as determined by

1 the State Board of Education. Funds provided shall not be  
2 expended for any political or lobbying purposes as defined  
3 by board rule.

4 (f) Each district subject to the provisions of this  
5 subdivision (H)(4) shall submit an acceptable plan to meet  
6 the educational needs of disadvantaged children, in  
7 compliance with the requirements of this paragraph, to the  
8 State Board of Education prior to July 15 of each year.  
9 This plan shall be consistent with the decisions of local  
10 school councils concerning the school expenditure plans  
11 developed in accordance with part 4 of Section 34-2.3. The  
12 State Board shall approve or reject the plan within 60 days  
13 after its submission. If the plan is rejected, the district  
14 shall give written notice of intent to modify the plan  
15 within 15 days of the notification of rejection and then  
16 submit a modified plan within 30 days after the date of the  
17 written notice of intent to modify. Districts may amend  
18 approved plans pursuant to rules promulgated by the State  
19 Board of Education.

20 Upon notification by the State Board of Education that  
21 the district has not submitted a plan prior to July 15 or a  
22 modified plan within the time period specified herein, the  
23 State aid funds affected by that plan or modified plan  
24 shall be withheld by the State Board of Education until a  
25 plan or modified plan is submitted.

26 If the district fails to distribute State aid to  
27 attendance centers in accordance with an approved plan, the  
28 plan for the following year shall allocate funds, in  
29 addition to the funds otherwise required by this  
30 subsection, to those attendance centers which were  
31 underfunded during the previous year in amounts equal to  
32 such underfunding.

33 For purposes of determining compliance with this  
34 subsection in relation to the requirements of attendance

1 center funding, each district subject to the provisions of  
2 this subsection shall submit as a separate document by  
3 December 1 of each year a report of expenditure data for  
4 the prior year in addition to any modification of its  
5 current plan. If it is determined that there has been a  
6 failure to comply with the expenditure provisions of this  
7 subsection regarding contravention or supplanting, the  
8 State Superintendent of Education shall, within 60 days of  
9 receipt of the report, notify the district and any affected  
10 local school council. The district shall within 45 days of  
11 receipt of that notification inform the State  
12 Superintendent of Education of the remedial or corrective  
13 action to be taken, whether by amendment of the current  
14 plan, if feasible, or by adjustment in the plan for the  
15 following year. Failure to provide the expenditure report  
16 or the notification of remedial or corrective action in a  
17 timely manner shall result in a withholding of the affected  
18 funds.

19 The State Board of Education shall promulgate rules and  
20 regulations to implement the provisions of this  
21 subsection. No funds shall be released under this  
22 subdivision (H) (4) to any district that has not submitted a  
23 plan that has been approved by the State Board of  
24 Education.

25 (I) General State Aid for Newly Configured School Districts.

26 (1) For a new school district formed by combining property  
27 included totally within 2 or more previously existing school  
28 districts, for its first year of existence the general State  
29 aid and supplemental general State aid calculated under this  
30 Section shall be computed for the new district and for the  
31 previously existing districts for which property is totally  
32 included within the new district. If the computation on the  
33 basis of the previously existing districts is greater, a

1 supplementary payment equal to the difference shall be made for  
2 the first 4 years of existence of the new district.

3 (2) For a school district which annexes all of the  
4 territory of one or more entire other school districts, for the  
5 first year during which the change of boundaries attributable  
6 to such annexation becomes effective for all purposes as  
7 determined under Section 7-9 or 7A-8, the general State aid and  
8 supplemental general State aid calculated under this Section  
9 shall be computed for the annexing district as constituted  
10 after the annexation and for the annexing and each annexed  
11 district as constituted prior to the annexation; and if the  
12 computation on the basis of the annexing and annexed districts  
13 as constituted prior to the annexation is greater, a  
14 supplementary payment equal to the difference shall be made for  
15 the first 4 years of existence of the annexing school district  
16 as constituted upon such annexation.

17 (3) For 2 or more school districts which annex all of the  
18 territory of one or more entire other school districts, and for  
19 2 or more community unit districts which result upon the  
20 division (pursuant to petition under Section 11A-2) of one or  
21 more other unit school districts into 2 or more parts and which  
22 together include all of the parts into which such other unit  
23 school district or districts are so divided, for the first year  
24 during which the change of boundaries attributable to such  
25 annexation or division becomes effective for all purposes as  
26 determined under Section 7-9 or 11A-10, as the case may be, the  
27 general State aid and supplemental general State aid calculated  
28 under this Section shall be computed for each annexing or  
29 resulting district as constituted after the annexation or  
30 division and for each annexing and annexed district, or for  
31 each resulting and divided district, as constituted prior to  
32 the annexation or division; and if the aggregate of the general  
33 State aid and supplemental general State aid as so computed for  
34 the annexing or resulting districts as constituted after the



1 annexation or division is less than the aggregate of the  
2 general State aid and supplemental general State aid as so  
3 computed for the annexing and annexed districts, or for the  
4 resulting and divided districts, as constituted prior to the  
5 annexation or division, then a supplementary payment equal to  
6 the difference shall be made and allocated between or among the  
7 annexing or resulting districts, as constituted upon such  
8 annexation or division, for the first 4 years of their  
9 existence. The total difference payment shall be allocated  
10 between or among the annexing or resulting districts in the  
11 same ratio as the pupil enrollment from that portion of the  
12 annexed or divided district or districts which is annexed to or  
13 included in each such annexing or resulting district bears to  
14 the total pupil enrollment from the entire annexed or divided  
15 district or districts, as such pupil enrollment is determined  
16 for the school year last ending prior to the date when the  
17 change of boundaries attributable to the annexation or division  
18 becomes effective for all purposes. The amount of the total  
19 difference payment and the amount thereof to be allocated to  
20 the annexing or resulting districts shall be computed by the  
21 State Board of Education on the basis of pupil enrollment and  
22 other data which shall be certified to the State Board of  
23 Education, on forms which it shall provide for that purpose, by  
24 the regional superintendent of schools for each educational  
25 service region in which the annexing and annexed districts, or  
26 resulting and divided districts are located.

27 (3.5) Claims for financial assistance under this  
28 subsection (I) shall not be recomputed except as expressly  
29 provided under this Section.

30 (4) Any supplementary payment made under this subsection  
31 (I) shall be treated as separate from all other payments made  
32 pursuant to this Section.

33 (J) Supplementary Grants in Aid.

1           (1) Notwithstanding any other provisions of this Section,  
2 the amount of the aggregate general State aid in combination  
3 with supplemental general State aid under this Section for  
4 which each school district is eligible shall be no less than  
5 the amount of the aggregate general State aid entitlement that  
6 was received by the district under Section 18-8 (exclusive of  
7 amounts received under subsections 5(p) and 5(p-5) of that  
8 Section) for the 1997-98 school year, pursuant to the  
9 provisions of that Section as it was then in effect. If a  
10 school district qualifies to receive a supplementary payment  
11 made under this subsection (J), the amount of the aggregate  
12 general State aid in combination with supplemental general  
13 State aid under this Section which that district is eligible to  
14 receive for each school year shall be no less than the amount  
15 of the aggregate general State aid entitlement that was  
16 received by the district under Section 18-8 (exclusive of  
17 amounts received under subsections 5(p) and 5(p-5) of that  
18 Section) for the 1997-1998 school year, pursuant to the  
19 provisions of that Section as it was then in effect.

20           (2) If, as provided in paragraph (1) of this subsection  
21 (J), a school district is to receive aggregate general State  
22 aid in combination with supplemental general State aid under  
23 this Section for the 1998-99 school year and any subsequent  
24 school year that in any such school year is less than the  
25 amount of the aggregate general State aid entitlement that the  
26 district received for the 1997-98 school year, the school  
27 district shall also receive, from a separate appropriation made  
28 for purposes of this subsection (J), a supplementary payment  
29 that is equal to the amount of the difference in the aggregate  
30 State aid figures as described in paragraph (1).

31           (3) (Blank).

32           (K) Grants to Laboratory and Alternative Schools.

33           In calculating the amount to be paid to the governing board

1 of a public university that operates a laboratory school under  
2 this Section or to any alternative school that is operated by a  
3 regional superintendent of schools, the State Board of  
4 Education shall require by rule such reporting requirements as  
5 it deems necessary.

6 As used in this Section, "laboratory school" means a public  
7 school which is created and operated by a public university and  
8 approved by the State Board of Education. The governing board  
9 of a public university which receives funds from the State  
10 Board under this subsection (K) may not increase the number of  
11 students enrolled in its laboratory school from a single  
12 district, if that district is already sending 50 or more  
13 students, except under a mutual agreement between the school  
14 board of a student's district of residence and the university  
15 which operates the laboratory school. A laboratory school may  
16 not have more than 1,000 students, excluding students with  
17 disabilities in a special education program.

18 As used in this Section, "alternative school" means a  
19 public school which is created and operated by a Regional  
20 Superintendent of Schools and approved by the State Board of  
21 Education. Such alternative schools may offer courses of  
22 instruction for which credit is given in regular school  
23 programs, courses to prepare students for the high school  
24 equivalency testing program or vocational and occupational  
25 training. A regional superintendent of schools may contract  
26 with a school district or a public community college district  
27 to operate an alternative school. An alternative school serving  
28 more than one educational service region may be established by  
29 the regional superintendents of schools of the affected  
30 educational service regions. An alternative school serving  
31 more than one educational service region may be operated under  
32 such terms as the regional superintendents of schools of those  
33 educational service regions may agree.

34 Each laboratory and alternative school shall file, on forms

1 provided by the State Superintendent of Education, an annual  
2 State aid claim which states the Average Daily Attendance of  
3 the school's students by month. The best 3 months' Average  
4 Daily Attendance shall be computed for each school. The general  
5 State aid entitlement shall be computed by multiplying the  
6 applicable Average Daily Attendance by the Foundation Level as  
7 determined under this Section.

8 (L) Payments, Additional Grants in Aid and Other Requirements.

9 (1) For a school district operating under the financial  
10 supervision of an Authority created under Article 34A, the  
11 general State aid otherwise payable to that district under this  
12 Section, but not the supplemental general State aid, shall be  
13 reduced by an amount equal to the budget for the operations of  
14 the Authority as certified by the Authority to the State Board  
15 of Education, and an amount equal to such reduction shall be  
16 paid to the Authority created for such district for its  
17 operating expenses in the manner provided in Section 18-11. The  
18 remainder of general State school aid for any such district  
19 shall be paid in accordance with Article 34A when that Article  
20 provides for a disposition other than that provided by this  
21 Article.

22 (2) (Blank).

23 (3) Summer school. Summer school payments shall be made as  
24 provided in Section 18-4.3.

25 (M) Education Funding Advisory Board.

26 The Education Funding Advisory Board, hereinafter in this  
27 subsection (M) referred to as the "Board", is hereby created.  
28 The Board shall consist of 5 members who are appointed by the  
29 Governor, by and with the advice and consent of the Senate. The  
30 members appointed shall include representatives of education,  
31 business, and the general public. One of the members so  
32 appointed shall be designated by the Governor at the time the

1 appointment is made as the chairperson of the Board. The  
2 initial members of the Board may be appointed any time after  
3 the effective date of this amendatory Act of 1997. The regular  
4 term of each member of the Board shall be for 4 years from the  
5 third Monday of January of the year in which the term of the  
6 member's appointment is to commence, except that of the 5  
7 initial members appointed to serve on the Board, the member who  
8 is appointed as the chairperson shall serve for a term that  
9 commences on the date of his or her appointment and expires on  
10 the third Monday of January, 2002, and the remaining 4 members,  
11 by lots drawn at the first meeting of the Board that is held  
12 after all 5 members are appointed, shall determine 2 of their  
13 number to serve for terms that commence on the date of their  
14 respective appointments and expire on the third Monday of  
15 January, 2001, and 2 of their number to serve for terms that  
16 commence on the date of their respective appointments and  
17 expire on the third Monday of January, 2000. All members  
18 appointed to serve on the Board shall serve until their  
19 respective successors are appointed and confirmed. Vacancies  
20 shall be filled in the same manner as original appointments. If  
21 a vacancy in membership occurs at a time when the Senate is not  
22 in session, the Governor shall make a temporary appointment  
23 until the next meeting of the Senate, when he or she shall  
24 appoint, by and with the advice and consent of the Senate, a  
25 person to fill that membership for the unexpired term. If the  
26 Senate is not in session when the initial appointments are  
27 made, those appointments shall be made as in the case of  
28 vacancies.

29 The Education Funding Advisory Board shall be deemed  
30 established, and the initial members appointed by the Governor  
31 to serve as members of the Board shall take office, on the date  
32 that the Governor makes his or her appointment of the fifth  
33 initial member of the Board, whether those initial members are  
34 then serving pursuant to appointment and confirmation or

1 pursuant to temporary appointments that are made by the  
2 Governor as in the case of vacancies.

3 The State Board of Education shall provide such staff  
4 assistance to the Education Funding Advisory Board as is  
5 reasonably required for the proper performance by the Board of  
6 its responsibilities.

7 For school years after the 2000-2001 school year, the  
8 Education Funding Advisory Board, in consultation with the  
9 State Board of Education, shall make recommendations as  
10 provided in this subsection (M) to the General Assembly for the  
11 foundation level under subdivision (B)(3) of this Section and  
12 for the supplemental general State aid grant level under  
13 subsection (H) of this Section for districts with high  
14 concentrations of children from poverty. The recommended  
15 foundation level shall be determined based on a methodology  
16 which incorporates the basic education expenditures of  
17 low-spending schools exhibiting high academic performance. The  
18 Education Funding Advisory Board shall make such  
19 recommendations to the General Assembly on January 1 of odd  
20 numbered years, beginning January 1, 2001.

21 (N) (Blank).

22 (O) References.

23 (1) References in other laws to the various subdivisions of  
24 Section 18-8 as that Section existed before its repeal and  
25 replacement by this Section 18-8.05 shall be deemed to refer to  
26 the corresponding provisions of this Section 18-8.05, to the  
27 extent that those references remain applicable.

28 (2) References in other laws to State Chapter 1 funds shall  
29 be deemed to refer to the supplemental general State aid  
30 provided under subsection (H) of this Section.

31 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,  
32 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,

1 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

2 Section 99. Effective date. This Act takes effect July 1,  
3 2004.".