



Rep. Darlene J. Senger

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1 AMENDMENT TO HOUSE BILL 3223

2 AMENDMENT NO. _____. Amend House Bill 3223 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 10-29 and 18-8.05 as follows:

6 (105 ILCS 5/10-29)

7 Sec. 10-29. Remote educational programs.

8 (a) For purposes of this Section, "remote educational
9 program" means an educational program delivered to students in
10 the home or other location outside of a school building that
11 meets all of the following criteria:

12 (1) A student may participate in the program only after
13 the school district, pursuant to adopted school board
14 policy, and a person authorized to enroll the student under
15 Section 10-20.12b of this Code determine that a remote
16 educational program will best serve the student's

1 individual learning needs. The adopted school board policy
2 shall include, but not be limited to, all of the following:

3 (A) Criteria for determining that a remote
4 educational program will best serve a student's
5 individual learning needs. The criteria must include
6 consideration of, at a minimum, a student's prior
7 attendance, disciplinary record, and academic history.

8 (B) Any limitations on the number of students or
9 grade levels that may participate in a remote
10 educational program.

11 (C) A description of the process that the school
12 district will use to approve participation in the
13 remote educational program. The process must include
14 without limitation a requirement that, for any student
15 who qualifies to receive services pursuant to the
16 federal Individuals with Disabilities Education
17 Improvement Act of 2004, the student's participation
18 in a remote educational program receive prior approval
19 from the student's individualized education program
20 team.

21 (D) A description of the process the school
22 district will use to develop and approve a written
23 remote educational plan that meets the requirements of
24 subdivision (5) of this subsection (a).

25 (E) A description of the system the school district
26 will establish to calculate the number of clock hours a

1 student is participating in instruction in accordance
2 with the remote educational program.

3 (F) A description of the process for renewing a
4 remote educational program at the expiration of its
5 term.

6 (G) Such other terms and provisions as the school
7 district deems necessary to provide for the
8 establishment and delivery of a remote educational
9 program.

10 (2) The school district has determined that the remote
11 educational program's curriculum is aligned to State
12 learning standards and that the program offers instruction
13 and educational experiences consistent with those given to
14 students at the same grade level in the district.

15 (3) The remote educational program is delivered by
16 instructors that meet the following qualifications:

17 (A) they are certificated under Article 21 of this
18 Code;

19 (B) they meet applicable highly qualified criteria
20 under the federal No Child Left Behind Act of 2001; and

21 (C) they have responsibility for all of the
22 following elements of the program: planning
23 instruction, diagnosing learning needs, prescribing
24 content delivery through class activities, assessing
25 learning, reporting outcomes to administrators and
26 parents and guardians, and evaluating the effects of

1 instruction.

2 (4) During the period of time from and including the
3 opening date to the closing date of the ~~calendar year~~
4 ~~included within the~~ regular school term of the school
5 district established pursuant to Section 10-19 of this
6 Code, participation in a remote educational program may be
7 claimed for general State aid purposes under Section
8 18-8.05 of this Code on any calendar day, notwithstanding
9 whether the day is a day of pupil attendance or institute
10 day on the school district's calendar or any other
11 provision of law restricting instruction on that day only
12 ~~on days of pupil attendance or institute days included~~
13 ~~within the school district's calendar established pursuant~~
14 ~~to Section 10-19 of this Code. If the district holds~~
15 year-round classes in some buildings, the district shall
16 classify each student's participation in a remote
17 educational program as either on a year-round or a
18 non-year-round schedule for purposes of claiming general
19 State aid. Outside of the regular school term of the
20 district, the remote educational program may be offered as
21 part of any summer school program authorized by this Code.

22 (5) Each student participating in a remote educational
23 program must have a written remote educational plan that
24 has been approved by the school district and a person
25 authorized to enroll the student under Section 10-20.12b of
26 this Code. The school district and a person authorized to

1 enroll the student under Section 10-20.12b of this Code
2 must approve any amendment to a remote educational plan.
3 The remote educational plan must include, but is not
4 limited to, all of the following:

5 (A) Specific achievement goals for the student
6 aligned to State learning standards.

7 (B) A description of all assessments that will be
8 used to measure student progress, which description
9 shall indicate the assessments that will be
10 administered at an attendance center within the school
11 district.

12 (C) A description of the progress reports that will
13 be provided to the school district and the person or
14 persons authorized to enroll the student under Section
15 10-20.12b of this Code.

16 (D) Expectations, processes, and schedules for
17 interaction between a teacher and student.

18 (E) A description of the specific responsibilities
19 of the student's family and the school district with
20 respect to equipment, materials, phone and Internet
21 service, and any other requirements applicable to the
22 home or other location outside of a school building
23 necessary for the delivery of the remote educational
24 program.

25 (F) If applicable, a description of how the remote
26 educational program will be delivered in a manner

1 consistent with the student's individualized education
2 program required by Section 614(d) of the federal
3 Individuals with Disabilities Education Improvement
4 Act of 2004 or plan to ensure compliance with Section
5 504 of the federal Rehabilitation Act of 1973.

6 (G) A description of the procedures and
7 opportunities for participation in academic and
8 extra-curricular activities and programs within the
9 school district.

10 (H) The identification of a parent, guardian, or
11 other responsible adult who will provide direct
12 supervision of the program. The plan must include an
13 acknowledgment by the parent, guardian, or other
14 responsible adult that he or she may engage only in
15 non-teaching duties not requiring instructional
16 judgment or the evaluation of a student. The plan shall
17 designate the parent, guardian, or other responsible
18 adult as non-teaching personnel or volunteer personnel
19 under subsection (a) of Section 10-22.34 of this Code.

20 (I) The identification of a school district
21 administrator who will oversee the remote educational
22 program on behalf of the school district and who may be
23 contacted by the student's parents with respect to any
24 issues or concerns with the program.

25 (J) The term of the student's participation in the
26 remote educational program, which may not extend for

1 longer than 12 months, unless the term is renewed by
2 the district in accordance with subdivision (7) of this
3 subsection (a).

4 (K) A description of the specific location or
5 locations in which the program will be delivered. If
6 the remote educational program is to be delivered to a
7 student in any location other than the student's home,
8 the plan must include a written determination by the
9 school district that the location will provide a
10 learning environment appropriate for the delivery of
11 the program. The location or locations in which the
12 program will be delivered shall be deemed a long
13 distance teaching reception area under subsection (a)
14 of Section 10-22.34 of this Code.

15 (L) Certification by the school district that the
16 plan meets all other requirements of this Section.

17 (6) Students participating in a remote educational
18 program must be enrolled in a school district attendance
19 center pursuant to the school district's enrollment policy
20 or policies. A student participating in a remote
21 educational program must be tested as part of all
22 assessments administered by the school district pursuant
23 to Section 2-3.64 of this Code at the attendance center in
24 which the student is enrolled and in accordance with the
25 attendance center's assessment policies and schedule. The
26 student must be included within all adequate yearly

1 progress and other accountability determinations for the
2 school district and attendance center under State and
3 federal law.

4 (7) The term of a student's participation in a remote
5 educational program may not extend for longer than 12
6 months, unless the term is renewed by the school district.
7 The district may only renew a student's participation in a
8 remote educational program following an evaluation of the
9 student's progress in the program, a determination that the
10 student's continuation in the program will best serve the
11 student's individual learning needs, and an amendment to
12 the student's written remote educational plan addressing
13 any changes for the upcoming term of the program.

14 (b) A school district may, by resolution of its school
15 board, establish a remote educational program.

16 (c) Clock hours of instruction ~~Days of attendance~~ by
17 students in a remote educational program meeting the
18 requirements of this Section may be claimed by the school
19 district and shall be counted as school work for general State
20 aid purposes in accordance with and subject to the limitations
21 of Section 18-8.05 of this Code.

22 (d) The impact of remote educational programs on wages,
23 hours, and terms and conditions of employment of educational
24 employees within the school district shall be subject to local
25 collective bargaining agreements.

26 (e) The use of a home or other location outside of a school

1 building for a remote educational program shall not cause the
2 home or other location to be deemed a public school facility.

3 (f) A remote educational program may be used, but is not
4 required, for instruction delivered to a student in the home or
5 other location outside of a school building that is not claimed
6 for general State aid purposes under Section 18-8.05 of this
7 Code.

8 (g) School districts that, pursuant to this Section, adopt
9 a policy for a remote educational program must submit to the
10 State Board of Education a copy of the policy and any
11 amendments thereto, as well as data on student participation in
12 a format specified by the State Board of Education. The State
13 Board of Education may perform or contract with an outside
14 entity to perform an evaluation of remote educational programs
15 in this State.

16 (h) The State Board of Education may adopt any rules
17 necessary to ensure compliance by remote educational programs
18 with the requirements of this Section and other applicable
19 legal requirements.

20 (Source: P.A. 96-684, eff. 8-25-09.)

21 (105 ILCS 5/18-8.05)

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

1 (A) General Provisions.

2 (1) The provisions of this Section apply to the 1998-1999
3 and subsequent school years. The system of general State
4 financial aid provided for in this Section is designed to
5 assure that, through a combination of State financial aid and
6 required local resources, the financial support provided each
7 pupil in Average Daily Attendance equals or exceeds a
8 prescribed per pupil Foundation Level. This formula approach
9 imputes a level of per pupil Available Local Resources and
10 provides for the basis to calculate a per pupil level of
11 general State financial aid that, when added to Available Local
12 Resources, equals or exceeds the Foundation Level. The amount
13 of per pupil general State financial aid for school districts,
14 in general, varies in inverse relation to Available Local
15 Resources. Per pupil amounts are based upon each school
16 district's Average Daily Attendance as that term is defined in
17 this Section.

18 (2) In addition to general State financial aid, school
19 districts with specified levels or concentrations of pupils
20 from low income households are eligible to receive supplemental
21 general State financial aid grants as provided pursuant to
22 subsection (H). The supplemental State aid grants provided for
23 school districts under subsection (H) shall be appropriated for
24 distribution to school districts as part of the same line item
25 in which the general State financial aid of school districts is
26 appropriated under this Section.

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

4 (a) Any school district which fails for any given
5 school year to maintain school as required by law, or to
6 maintain a recognized school is not eligible to file for
7 such school year any claim upon the Common School Fund. In
8 case of nonrecognition of one or more attendance centers in
9 a school district otherwise operating recognized schools,
10 the claim of the district shall be reduced in the
11 proportion which the Average Daily Attendance in the
12 attendance center or centers bear to the Average Daily
13 Attendance in the school district. A "recognized school"
14 means any public school which meets the standards as
15 established for recognition by the State Board of
16 Education. A school district or attendance center not
17 having recognition status at the end of a school term is
18 entitled to receive State aid payments due upon a legal
19 claim which was filed while it was recognized.

20 (b) School district claims filed under this Section are
21 subject to Sections 18-9 and 18-12, except as otherwise
22 provided in this Section.

23 (c) If a school district operates a full year school
24 under Section 10-19.1, the general State aid to the school
25 district shall be determined by the State Board of
26 Education in accordance with this Section as near as may be

1 applicable.

2 (d) (Blank).

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

7 School districts are not required to exert a minimum
8 Operating Tax Rate in order to qualify for assistance under
9 this Section.

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

12 (a) "Average Daily Attendance": A count of pupil
13 attendance in school, averaged as provided for in
14 subsection (C) and utilized in deriving per pupil financial
15 support levels.

16 (b) "Available Local Resources": A computation of
17 local financial support, calculated on the basis of Average
18 Daily Attendance and derived as provided pursuant to
19 subsection (D).

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

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

3 (e) "Operating Tax Rate": All school district property
4 taxes extended for all purposes, except Bond and Interest,
5 Summer School, Rent, Capital Improvement, and Vocational
6 Education Building purposes.

7 (B) Foundation Level.

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

18 (2) For the 1998-1999 school year, the Foundation Level of
19 support is \$4,225. For the 1999-2000 school year, the
20 Foundation Level of support is \$4,325. For the 2000-2001 school
21 year, the Foundation Level of support is \$4,425. For the
22 2001-2002 school year and 2002-2003 school year, the Foundation
23 Level of support is \$4,560. For the 2003-2004 school year, the
24 Foundation Level of support is \$4,810. For the 2004-2005 school
25 year, the Foundation Level of support is \$4,964. For the

1 2005-2006 school year, the Foundation Level of support is
2 \$5,164. For the 2006-2007 school year, the Foundation Level of
3 support is \$5,334. For the 2007-2008 school year, the
4 Foundation Level of support is \$5,734. For the 2008-2009 school
5 year, the Foundation Level of support is \$5,959.

6 (3) For the 2009-2010 school year and each school year
7 thereafter, the Foundation Level of support is \$6,119 or such
8 greater amount as may be established by law by the General
9 Assembly.

10 (C) Average Daily Attendance.

11 (1) For purposes of calculating general State aid pursuant
12 to subsection (E), an Average Daily Attendance figure shall be
13 utilized. The Average Daily Attendance figure for formula
14 calculation purposes shall be the monthly average of the actual
15 number of pupils in attendance of each school district, as
16 further averaged for the best 3 months of pupil attendance for
17 each school district. In compiling the figures for the number
18 of pupils in attendance, school districts and the State Board
19 of Education shall, for purposes of general State aid funding,
20 conform attendance figures to the requirements of subsection
21 (F).

22 (2) The Average Daily Attendance figures utilized in
23 subsection (E) shall be the requisite attendance data for the
24 school year immediately preceding the school year for which
25 general State aid is being calculated or the average of the

1 attendance data for the 3 preceding school years, whichever is
2 greater. The Average Daily Attendance figures utilized in
3 subsection (H) shall be the requisite attendance data for the
4 school year immediately preceding the school year for which
5 general State aid is being calculated.

6 (D) Available Local Resources.

7 (1) For purposes of calculating general State aid pursuant
8 to subsection (E), a representation of Available Local
9 Resources per pupil, as that term is defined and determined in
10 this subsection, shall be utilized. Available Local Resources
11 per pupil shall include a calculated dollar amount representing
12 local school district revenues from local property taxes and
13 from Corporate Personal Property Replacement Taxes, expressed
14 on the basis of pupils in Average Daily Attendance. Calculation
15 of Available Local Resources shall exclude any tax amnesty
16 funds received as a result of Public Act 93-26.

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

23 (3) For school districts maintaining grades kindergarten
24 through 12, local property tax revenues per pupil shall be
25 calculated as the product of the applicable equalized assessed

1 valuation for the district multiplied by 3.00%, and divided by
2 the district's Average Daily Attendance figure. For school
3 districts maintaining grades kindergarten through 8, local
4 property tax revenues per pupil shall be calculated as the
5 product of the applicable equalized assessed valuation for the
6 district multiplied by 2.30%, and divided by the district's
7 Average Daily Attendance figure. For school districts
8 maintaining grades 9 through 12, local property tax revenues
9 per pupil shall be the applicable equalized assessed valuation
10 of the district multiplied by 1.05%, and divided by the
11 district's Average Daily Attendance figure.

12 For partial elementary unit districts created pursuant to
13 Article 11E of this Code, local property tax revenues per pupil
14 shall be calculated as the product of the equalized assessed
15 valuation for property within the partial elementary unit
16 district for elementary purposes, as defined in Article 11E of
17 this Code, multiplied by 2.06% and divided by the district's
18 Average Daily Attendance figure, plus the product of the
19 equalized assessed valuation for property within the partial
20 elementary unit district for high school purposes, as defined
21 in Article 11E of this Code, multiplied by 0.94% and divided by
22 the district's Average Daily Attendance figure.

23 (4) The Corporate Personal Property Replacement Taxes paid
24 to each school district during the calendar year one year
25 before the calendar year in which a school year begins, divided
26 by the Average Daily Attendance figure for that district, shall

1 be added to the local property tax revenues per pupil as
2 derived by the application of the immediately preceding
3 paragraph (3). The sum of these per pupil figures for each
4 school district shall constitute Available Local Resources as
5 that term is utilized in subsection (E) in the calculation of
6 general State aid.

7 (E) Computation of General State Aid.

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

11 (2) For any school district for which Available Local
12 Resources per pupil is less than the product of 0.93 times the
13 Foundation Level, general State aid for that district shall be
14 calculated as an amount equal to the Foundation Level minus
15 Available Local Resources, multiplied by the Average Daily
16 Attendance of the school district.

17 (3) For any school district for which Available Local
18 Resources per pupil is equal to or greater than the product of
19 0.93 times the Foundation Level and less than the product of
20 1.75 times the Foundation Level, the general State aid per
21 pupil shall be a decimal proportion of the Foundation Level
22 derived using a linear algorithm. Under this linear algorithm,
23 the calculated general State aid per pupil shall decline in
24 direct linear fashion from 0.07 times the Foundation Level for
25 a school district with Available Local Resources equal to the

1 product of 0.93 times the Foundation Level, to 0.05 times the
2 Foundation Level for a school district with Available Local
3 Resources equal to the product of 1.75 times the Foundation
4 Level. The allocation of general State aid for school districts
5 subject to this paragraph 3 shall be the calculated general
6 State aid per pupil figure multiplied by the Average Daily
7 Attendance of the school district.

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

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

23 (F) Compilation of Average Daily Attendance.

24 (1) Each school district shall, by July 1 of each year,
25 submit to the State Board of Education, on forms prescribed by

1 the State Board of Education, attendance figures for the school
2 year that began in the preceding calendar year. The attendance
3 information so transmitted shall identify the average daily
4 attendance figures for each month of the school year. Beginning
5 with the general State aid claim form for the 2002-2003 school
6 year, districts shall calculate Average Daily Attendance as
7 provided in subdivisions (a), (b), and (c) of this paragraph
8 (1).

9 (a) In districts that do not hold year-round classes,
10 days of attendance in August shall be added to the month of
11 September and any days of attendance in June shall be added
12 to the month of May.

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

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

1 buildings for each month and added to the monthly
2 attendance of the non-year-round buildings.

3 Except as otherwise provided in this Section, days of
4 attendance by pupils shall be counted only for sessions of not
5 less than 5 clock hours of school work per day under direct
6 supervision of: (i) teachers, or (ii) non-teaching personnel or
7 volunteer personnel when engaging in non-teaching duties and
8 supervising in those instances specified in subsection (a) of
9 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
10 of legal school age and in kindergarten and grades 1 through
11 12.

12 Days of attendance by tuition pupils shall be accredited
13 only to the districts that pay the tuition to a recognized
14 school.

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

18 (a) Pupils regularly enrolled in a public school for
19 only a part of the school day may be counted on the basis
20 of 1/6 day for every class hour of instruction of 40
21 minutes or more attended pursuant to such enrollment,
22 unless a pupil is enrolled in a block-schedule format of 80
23 minutes or more of instruction, in which case the pupil may
24 be counted on the basis of the proportion of minutes of
25 school work completed each day to the minimum number of
26 minutes that school work is required to be held that day.

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

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

10 (d) A session of 3 or more clock hours may be counted
11 as a day of attendance (1) when the remainder of the school
12 day or at least 2 hours in the evening of that day is
13 utilized for an in-service training program for teachers,
14 up to a maximum of 5 days per school year, provided a
15 district conducts an in-service training program for
16 teachers in accordance with Section 10-22.39 of this Code;
17 or, in lieu of 4 such days, 2 full days may be used, in
18 which event each such day may be counted as a day required
19 for a legal school calendar pursuant to Section 10-19 of
20 this Code; (1.5) when, of the 5 days allowed under item
21 (1), a maximum of 4 days are used for parent-teacher
22 conferences, or, in lieu of 4 such days, 2 full days are
23 used, in which case each such day may be counted as a
24 calendar day required under Section 10-19 of this Code,
25 provided that the full-day, parent-teacher conference
26 consists of (i) a minimum of 5 clock hours of

1 parent-teacher conferences, (ii) both a minimum of 2 clock
2 hours of parent-teacher conferences held in the evening
3 following a full day of student attendance, as specified in
4 subsection (F)(1)(c), and a minimum of 3 clock hours of
5 parent-teacher conferences held on the day immediately
6 following evening parent-teacher conferences, or (iii)
7 multiple parent-teacher conferences held in the evenings
8 following full days of student attendance, as specified in
9 subsection (F)(1)(c), in which the time used for the
10 parent-teacher conferences is equivalent to a minimum of 5
11 clock hours; and (2) when days in addition to those
12 provided in items (1) and (1.5) are scheduled by a school
13 pursuant to its school improvement plan adopted under
14 Article 34 or its revised or amended school improvement
15 plan adopted under Article 2, provided that (i) such
16 sessions of 3 or more clock hours are scheduled to occur at
17 regular intervals, (ii) the remainder of the school days in
18 which such sessions occur are utilized for in-service
19 training programs or other staff development activities
20 for teachers, and (iii) a sufficient number of minutes of
21 school work under the direct supervision of teachers are
22 added to the school days between such regularly scheduled
23 sessions to accumulate not less than the number of minutes
24 by which such sessions of 3 or more clock hours fall short
25 of 5 clock hours. Any full days used for the purposes of
26 this paragraph shall not be considered for computing

1 average daily attendance. Days scheduled for in-service
2 training programs, staff development activities, or
3 parent-teacher conferences may be scheduled separately for
4 different grade levels and different attendance centers of
5 the district.

6 (e) A session of not less than one clock hour of
7 teaching hospitalized or homebound pupils on-site or by
8 telephone to the classroom may be counted as 1/2 day of
9 attendance, however these pupils must receive 4 or more
10 clock hours of instruction to be counted for a full day of
11 attendance.

12 (f) A session of at least 4 clock hours may be counted
13 as a day of attendance for first grade pupils, and pupils
14 in full day kindergartens, and a session of 2 or more hours
15 may be counted as 1/2 day of attendance by pupils in
16 kindergartens which provide only 1/2 day of attendance.

17 (g) For children with disabilities who are below the
18 age of 6 years and who cannot attend 2 or more clock hours
19 because of their disability or immaturity, a session of not
20 less than one clock hour may be counted as 1/2 day of
21 attendance; however for such children whose educational
22 needs so require a session of 4 or more clock hours may be
23 counted as a full day of attendance.

24 (h) A recognized kindergarten which provides for only
25 1/2 day of attendance by each pupil shall not have more
26 than 1/2 day of attendance counted in any one day. However,

1 kindergartens may count 2 1/2 days of attendance in any 5
2 consecutive school days. When a pupil attends such a
3 kindergarten for 2 half days on any one school day, the
4 pupil shall have the following day as a day absent from
5 school, unless the school district obtains permission in
6 writing from the State Superintendent of Education.
7 Attendance at kindergartens which provide for a full day of
8 attendance by each pupil shall be counted the same as
9 attendance by first grade pupils. Only the first year of
10 attendance in one kindergarten shall be counted, except in
11 case of children who entered the kindergarten in their
12 fifth year whose educational development requires a second
13 year of kindergarten as determined under the rules and
14 regulations of the State Board of Education.

15 (i) On the days when the Prairie State Achievement
16 Examination is administered under subsection (c) of
17 Section 2-3.64 of this Code, the day of attendance for a
18 pupil whose school day must be shortened to accommodate
19 required testing procedures may be less than 5 clock hours
20 and shall be counted towards the 176 days of actual pupil
21 attendance required under Section 10-19 of this Code,
22 provided that a sufficient number of minutes of school work
23 in excess of 5 clock hours are first completed on other
24 school days to compensate for the loss of school work on
25 the examination days.

26 (j) Pupils enrolled in a remote educational program

1 established under Section 10-29 of this Code may be counted
2 on the basis of one-fifth day of attendance for every clock
3 hour of instruction attended in the remote educational
4 program, provided that, in any month, the school district
5 may not claim for a student enrolled in a remote
6 educational program more days of attendance than the
7 maximum number of days of attendance the district can claim
8 (i) for students enrolled in a building holding year-round
9 classes if the student is classified as participating in
10 the remote educational program on a year-round schedule or
11 (ii) for students enrolled in a building not holding
12 year-round classes if the student is not classified as
13 participating in the remote educational program on a
14 year-round schedule.

15 (G) Equalized Assessed Valuation Data.

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

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

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

13 This equalized assessed valuation, as adjusted further by
14 the requirements of this subsection, shall be utilized in the
15 calculation of Available Local Resources.

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

18 (a) For the purposes of calculating State aid under
19 this Section, with respect to any part of a school district
20 within a redevelopment project area in respect to which a
21 municipality has adopted tax increment allocation
22 financing pursuant to the Tax Increment Allocation
23 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
24 of the Illinois Municipal Code or the Industrial Jobs
25 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
26 Illinois Municipal Code, no part of the current equalized

1 assessed valuation of real property located in any such
2 project area which is attributable to an increase above the
3 total initial equalized assessed valuation of such
4 property shall be used as part of the equalized assessed
5 valuation of the district, until such time as all
6 redevelopment project costs have been paid, as provided in
7 Section 11-74.4-8 of the Tax Increment Allocation
8 Redevelopment Act or in Section 11-74.6-35 of the
9 Industrial Jobs Recovery Law. For the purpose of the
10 equalized assessed valuation of the district, the total
11 initial equalized assessed valuation or the current
12 equalized assessed valuation, whichever is lower, shall be
13 used until such time as all redevelopment project costs
14 have been paid.

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

1 percentage rates for district type as specified in this
2 subparagraph (b).

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

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

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

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

15 "Preceding Tax Year": The property tax levy year
16 immediately preceding the Base Tax Year.

17 "Base Tax Year's Tax Extension": The product of the
18 equalized assessed valuation utilized by the County Clerk
19 in the Base Tax Year multiplied by the limiting rate as
20 calculated by the County Clerk and defined in the Property
21 Tax Extension Limitation Law.

22 "Preceding Tax Year's Tax Extension": The product of
23 the equalized assessed valuation utilized by the County
24 Clerk in the Preceding Tax Year multiplied by the Operating
25 Tax Rate as defined in subsection (A).

26 "Extension Limitation Ratio": A numerical ratio,

1 certified by the County Clerk, in which the numerator is
2 the Base Tax Year's Tax Extension and the denominator is
3 the Preceding Tax Year's Tax Extension.

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

6 If a school district is subject to property tax extension
7 limitations as imposed under the Property Tax Extension
8 Limitation Law, the State Board of Education shall calculate
9 the Extension Limitation Equalized Assessed Valuation of that
10 district. For the 1999-2000 school year, the Extension
11 Limitation Equalized Assessed Valuation of a school district as
12 calculated by the State Board of Education shall be equal to
13 the product of the district's 1996 Equalized Assessed Valuation
14 and the district's Extension Limitation Ratio. Except as
15 otherwise provided in this paragraph for a school district that
16 has approved or does approve an increase in its limiting rate,
17 for the 2000-2001 school year and each school year thereafter,
18 the Extension Limitation Equalized Assessed Valuation of a
19 school district as calculated by the State Board of Education
20 shall be equal to the product of the Equalized Assessed
21 Valuation last used in the calculation of general State aid and
22 the district's Extension Limitation Ratio. If the Extension
23 Limitation Equalized Assessed Valuation of a school district as
24 calculated under this subsection (G)(3) is less than the
25 district's equalized assessed valuation as calculated pursuant
26 to subsections (G)(1) and (G)(2), then for purposes of

1 calculating the district's general State aid for the Budget
2 Year pursuant to subsection (E), that Extension Limitation
3 Equalized Assessed Valuation shall be utilized to calculate the
4 district's Available Local Resources under subsection (D). For
5 the 2009-2010 school year and each school year thereafter, if a
6 school district has approved or does approve an increase in its
7 limiting rate, pursuant to Section 18-190 of the Property Tax
8 Code, affecting the Base Tax Year, the Extension Limitation
9 Equalized Assessed Valuation of the school district, as
10 calculated by the State Board of Education, shall be equal to
11 the product of the Equalized Assessed Valuation last used in
12 the calculation of general State aid times an amount equal to
13 one plus the percentage increase, if any, in the Consumer Price
14 Index for all Urban Consumers for all items published by the
15 United States Department of Labor for the 12-month calendar
16 year preceding the Base Tax Year, plus the Equalized Assessed
17 Valuation of new property, annexed property, and recovered tax
18 increment value and minus the Equalized Assessed Valuation of
19 disconnected property. New property and recovered tax
20 increment value shall have the meanings set forth in the
21 Property Tax Extension Limitation Law.

22 Partial elementary unit districts created in accordance
23 with Article 11E of this Code shall not be eligible for the
24 adjustment in this subsection (G)(3) until the fifth year
25 following the effective date of the reorganization.

26 (3.5) For the 2010-2011 school year and each school year

1 thereafter, if a school district's boundaries span multiple
2 counties, then the Department of Revenue shall send to the
3 State Board of Education, for the purpose of calculating
4 general State aid, the limiting rate and individual rates by
5 purpose for the county that contains the majority of the school
6 district's Equalized Assessed Valuation.

7 (4) For the purposes of calculating general State aid for
8 the 1999-2000 school year only, if a school district
9 experienced a triennial reassessment on the equalized assessed
10 valuation used in calculating its general State financial aid
11 apportionment for the 1998-1999 school year, the State Board of
12 Education shall calculate the Extension Limitation Equalized
13 Assessed Valuation that would have been used to calculate the
14 district's 1998-1999 general State aid. This amount shall equal
15 the product of the equalized assessed valuation used to
16 calculate general State aid for the 1997-1998 school year and
17 the district's Extension Limitation Ratio. If the Extension
18 Limitation Equalized Assessed Valuation of the school district
19 as calculated under this paragraph (4) is less than the
20 district's equalized assessed valuation utilized in
21 calculating the district's 1998-1999 general State aid
22 allocation, then for purposes of calculating the district's
23 general State aid pursuant to paragraph (5) of subsection (E),
24 that Extension Limitation Equalized Assessed Valuation shall
25 be utilized to calculate the district's Available Local
26 Resources.

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

13 (H) Supplemental General State Aid.

14 (1) In addition to the general State aid a school district
15 is allotted pursuant to subsection (E), qualifying school
16 districts shall receive a grant, paid in conjunction with a
17 district's payments of general State aid, for supplemental
18 general State aid based upon the concentration level of
19 children from low-income households within the school
20 district. Supplemental State aid grants provided for school
21 districts under this subsection shall be appropriated for
22 distribution to school districts as part of the same line item
23 in which the general State financial aid of school districts is
24 appropriated under this Section.

25 (1.5) This paragraph (1.5) applies only to those school

1 years preceding the 2003-2004 school year. For purposes of this
2 subsection (H), the term "Low-Income Concentration Level"
3 shall be the low-income eligible pupil count from the most
4 recently available federal census divided by the Average Daily
5 Attendance of the school district. If, however, (i) the
6 percentage decrease from the 2 most recent federal censuses in
7 the low-income eligible pupil count of a high school district
8 with fewer than 400 students exceeds by 75% or more the
9 percentage change in the total low-income eligible pupil count
10 of contiguous elementary school districts, whose boundaries
11 are coterminous with the high school district, or (ii) a high
12 school district within 2 counties and serving 5 elementary
13 school districts, whose boundaries are coterminous with the
14 high school district, has a percentage decrease from the 2 most
15 recent federal censuses in the low-income eligible pupil count
16 and there is a percentage increase in the total low-income
17 eligible pupil count of a majority of the elementary school
18 districts in excess of 50% from the 2 most recent federal
19 censuses, then the high school district's low-income eligible
20 pupil count from the earlier federal census shall be the number
21 used as the low-income eligible pupil count for the high school
22 district, for purposes of this subsection (H). The changes made
23 to this paragraph (1) by Public Act 92-28 shall apply to
24 supplemental general State aid grants for school years
25 preceding the 2003-2004 school year that are paid in fiscal
26 year 1999 or thereafter and to any State aid payments made in

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

8 (1.10) This paragraph (1.10) applies to the 2003-2004
9 school year and each school year thereafter. For purposes of
10 this subsection (H), the term "Low-Income Concentration Level"
11 shall, for each fiscal year, be the low-income eligible pupil
12 count as of July 1 of the immediately preceding fiscal year (as
13 determined by the Department of Human Services based on the
14 number of pupils who are eligible for at least one of the
15 following low income programs: Medicaid, the Children's Health
16 Insurance Program, TANF, or Food Stamps, excluding pupils who
17 are eligible for services provided by the Department of
18 Children and Family Services, averaged over the 2 immediately
19 preceding fiscal years for fiscal year 2004 and over the 3
20 immediately preceding fiscal years for each fiscal year
21 thereafter) divided by the Average Daily Attendance of the
22 school district.

23 (2) Supplemental general State aid pursuant to this
24 subsection (H) shall be provided as follows for the 1998-1999,
25 1999-2000, and 2000-2001 school years only:

26 (a) For any school district with a Low Income

1 Concentration Level of at least 20% and less than 35%, the
2 grant for any school year shall be \$800 multiplied by the
3 low income eligible pupil count.

4 (b) For any school district with a Low Income
5 Concentration Level of at least 35% and less than 50%, the
6 grant for the 1998-1999 school year shall be \$1,100
7 multiplied by the low income eligible pupil count.

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

12 (d) For any school district with a Low Income
13 Concentration Level of 60% or more, the grant for the
14 1998-99 school year shall be \$1,900 multiplied by the low
15 income eligible pupil count.

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

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

24 (2.5) Supplemental general State aid pursuant to this
25 subsection (H) shall be provided as follows for the 2002-2003
26 school year:

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

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

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

13 (d) For any school district with a Low Income
14 Concentration Level of at least 35% and less than 50%, the
15 grant for each school year shall be \$1,362 multiplied by
16 the low income eligible pupil count.

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

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

25 (2.10) Except as otherwise provided, supplemental general
26 State aid pursuant to this subsection (H) shall be provided as

1 follows for the 2003-2004 school year and each school year
2 thereafter:

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

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

12 For the 2003-2004 school year and each school year
13 thereafter through the 2008-2009 school year only, the grant
14 shall be no less than the grant for the 2002-2003 school year.
15 For the 2009-2010 school year only, the grant shall be no less
16 than the grant for the 2002-2003 school year multiplied by
17 0.66. For the 2010-2011 school year only, the grant shall be no
18 less than the grant for the 2002-2003 school year multiplied by
19 0.33. Notwithstanding the provisions of this paragraph to the
20 contrary, if for any school year supplemental general State aid
21 grants are prorated as provided in paragraph (1) of this
22 subsection (H), then the grants under this paragraph shall be
23 prorated.

24 For the 2003-2004 school year only, the grant shall be no
25 greater than the grant received during the 2002-2003 school
26 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

1 50,000 or more that qualify for supplemental general State aid
2 pursuant to this subsection shall be required to distribute
3 from funds available pursuant to this Section, no less than
4 \$261,000,000 in accordance with the following requirements:

5 (a) The required amounts shall be distributed to the
6 attendance centers within the district in proportion to the
7 number of pupils enrolled at each attendance center who are
8 eligible to receive free or reduced-price lunches or
9 breakfasts under the federal Child Nutrition Act of 1966
10 and under the National School Lunch Act during the
11 immediately preceding school year.

12 (b) The distribution of these portions of supplemental
13 and general State aid among attendance centers according to
14 these requirements shall not be compensated for or
15 contravened by adjustments of the total of other funds
16 appropriated to any attendance centers, and the Board of
17 Education shall utilize funding from one or several sources
18 in order to fully implement this provision annually prior
19 to the opening of school.

20 (c) Each attendance center shall be provided by the
21 school district a distribution of noncategorical funds and
22 other categorical funds to which an attendance center is
23 entitled under law in order that the general State aid and
24 supplemental general State aid provided by application of
25 this subsection supplements rather than supplants the
26 noncategorical funds and other categorical funds provided

1 by the school district to the attendance centers.

2 (d) Any funds made available under this subsection that
3 by reason of the provisions of this subsection are not
4 required to be allocated and provided to attendance centers
5 may be used and appropriated by the board of the district
6 for any lawful school purpose.

7 (e) Funds received by an attendance center pursuant to
8 this subsection shall be used by the attendance center at
9 the discretion of the principal and local school council
10 for programs to improve educational opportunities at
11 qualifying schools through the following programs and
12 services: early childhood education, reduced class size or
13 improved adult to student classroom ratio, enrichment
14 programs, remedial assistance, attendance improvement, and
15 other educationally beneficial expenditures which
16 supplement the regular and basic programs as determined by
17 the State Board of Education. Funds provided shall not be
18 expended for any political or lobbying purposes as defined
19 by board rule.

20 (f) Each district subject to the provisions of this
21 subdivision (H)(4) shall submit an acceptable plan to meet
22 the educational needs of disadvantaged children, in
23 compliance with the requirements of this paragraph, to the
24 State Board of Education prior to July 15 of each year.
25 This plan shall be consistent with the decisions of local
26 school councils concerning the school expenditure plans

1 developed in accordance with part 4 of Section 34-2.3. The
2 State Board shall approve or reject the plan within 60 days
3 after its submission. If the plan is rejected, the district
4 shall give written notice of intent to modify the plan
5 within 15 days of the notification of rejection and then
6 submit a modified plan within 30 days after the date of the
7 written notice of intent to modify. Districts may amend
8 approved plans pursuant to rules promulgated by the State
9 Board of Education.

10 Upon notification by the State Board of Education that
11 the district has not submitted a plan prior to July 15 or a
12 modified plan within the time period specified herein, the
13 State aid funds affected by that plan or modified plan
14 shall be withheld by the State Board of Education until a
15 plan or modified plan is submitted.

16 If the district fails to distribute State aid to
17 attendance centers in accordance with an approved plan, the
18 plan for the following year shall allocate funds, in
19 addition to the funds otherwise required by this
20 subsection, to those attendance centers which were
21 underfunded during the previous year in amounts equal to
22 such underfunding.

23 For purposes of determining compliance with this
24 subsection in relation to the requirements of attendance
25 center funding, each district subject to the provisions of
26 this subsection shall submit as a separate document by

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

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

23 (I) (Blank).

24 (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

1 district shall also receive, from a separate appropriation made
2 for purposes of this subsection (J), a supplementary payment
3 that is equal to the amount of the difference in the aggregate
4 State aid figures as described in paragraph (1).

5 (3) (Blank).

6 (K) Grants to Laboratory and Alternative Schools.

7 In calculating the amount to be paid to the governing board
8 of a public university that operates a laboratory school under
9 this Section or to any alternative school that is operated by a
10 regional superintendent of schools, the State Board of
11 Education shall require by rule such reporting requirements as
12 it deems necessary.

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

25 As used in this Section, "alternative school" means a

1 public school which is created and operated by a Regional
2 Superintendent of Schools and approved by the State Board of
3 Education. Such alternative schools may offer courses of
4 instruction for which credit is given in regular school
5 programs, courses to prepare students for the high school
6 equivalency testing program or vocational and occupational
7 training. A regional superintendent of schools may contract
8 with a school district or a public community college district
9 to operate an alternative school. An alternative school serving
10 more than one educational service region may be established by
11 the regional superintendents of schools of the affected
12 educational service regions. An alternative school serving
13 more than one educational service region may be operated under
14 such terms as the regional superintendents of schools of those
15 educational service regions may agree.

16 Each laboratory and alternative school shall file, on forms
17 provided by the State Superintendent of Education, an annual
18 State aid claim which states the Average Daily Attendance of
19 the school's students by month. The best 3 months' Average
20 Daily Attendance shall be computed for each school. The general
21 State aid entitlement shall be computed by multiplying the
22 applicable Average Daily Attendance by the Foundation Level as
23 determined under this Section.

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

25 (1) For a school district operating under the financial

1 supervision of an Authority created under Article 34A, the
2 general State aid otherwise payable to that district under this
3 Section, but not the supplemental general State aid, shall be
4 reduced by an amount equal to the budget for the operations of
5 the Authority as certified by the Authority to the State Board
6 of Education, and an amount equal to such reduction shall be
7 paid to the Authority created for such district for its
8 operating expenses in the manner provided in Section 18-11. The
9 remainder of general State school aid for any such district
10 shall be paid in accordance with Article 34A when that Article
11 provides for a disposition other than that provided by this
12 Article.

13 (2) (Blank).

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

16 (M) Education Funding Advisory Board.

17 The Education Funding Advisory Board, hereinafter in this
18 subsection (M) referred to as the "Board", is hereby created.
19 The Board shall consist of 5 members who are appointed by the
20 Governor, by and with the advice and consent of the Senate. The
21 members appointed shall include representatives of education,
22 business, and the general public. One of the members so
23 appointed shall be designated by the Governor at the time the
24 appointment is made as the chairperson of the Board. The
25 initial members of the Board may be appointed any time after

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

1 The Education Funding Advisory Board shall be deemed
2 established, and the initial members appointed by the Governor
3 to serve as members of the Board shall take office, on the date
4 that the Governor makes his or her appointment of the fifth
5 initial member of the Board, whether those initial members are
6 then serving pursuant to appointment and confirmation or
7 pursuant to temporary appointments that are made by the
8 Governor as in the case of vacancies.

9 The State Board of Education shall provide such staff
10 assistance to the Education Funding Advisory Board as is
11 reasonably required for the proper performance by the Board of
12 its responsibilities.

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

1 (N) (Blank).

2 (O) References.

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

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

11 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
12 changes to this Section. Under Section 6 of the Statute on
13 Statutes there is an irreconcilable conflict between Public Act
14 93-808 and Public Act 93-838. Public Act 93-838, being the last
15 acted upon, is controlling. The text of Public Act 93-838 is
16 the law regardless of the text of Public Act 93-808.

17 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
18 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
19 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
20 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,
21 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff. 11-18-10;
22 revised 11-24-10.)

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