



Sen. David Koehler

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09800SB0577sam002

LRB098 04776 AMC 44892 a

1 AMENDMENT TO SENATE BILL 577

2 AMENDMENT NO. _____. Amend Senate Bill 577 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 14-7.02b as follows:

6 (105 ILCS 5/14-7.02b)

7 Sec. 14-7.02b. Funding for children requiring special
8 education services. Payments to school districts for children
9 requiring special education services documented in their
10 individualized education program regardless of the program
11 from which these services are received, excluding children
12 claimed under Sections 14-7.02 and 14-7.03 of this Code, shall
13 be made in accordance with this Section. Funds received under
14 this Section may be used only for the provision of special
15 educational facilities and services as defined in Section
16 14-1.08 of this Code.

1 The appropriation for fiscal year 2005 and thereafter shall
2 be based upon the IDEA child count of all students in the
3 State, excluding students claimed under Sections 14-7.02 and
4 14-7.03 of this Code, on December 1 of the fiscal year 2 years
5 preceding, multiplied by 17.5% of the general State aid
6 foundation level of support established for that fiscal year
7 under Section 18-8.05 of this Code.

8 Beginning with fiscal year 2005 and through fiscal year
9 2007, individual school districts shall not receive payments
10 under this Section totaling less than they received under the
11 funding authorized under Section 14-7.02a of this Code during
12 fiscal year 2004, pursuant to the provisions of Section
13 14-7.02a as they were in effect before the effective date of
14 this amendatory Act of the 93rd General Assembly. This base
15 level funding shall be computed first.

16 Beginning with fiscal year 2008 and each fiscal year
17 thereafter, individual school districts must not receive
18 payments under this Section totaling less than they received in
19 fiscal year 2007. This funding shall be computed last and shall
20 be a separate calculation from any other calculation set forth
21 in this Section. This amount is exempt from the requirements of
22 Section 1D-1 of this Code. Beginning with fiscal year 2014 and
23 each fiscal year thereafter, if the State authorizes the
24 conduct of electronic gaming or authorizes owners licenses
25 under the Riverboat Gambling Act in addition to the 10 initial
26 licenses authorized under subsection (e) of Section 7 of the

1 Riverboat Gambling Act, \$15,000,000 in gaming revenues
2 deposited into the Education Assistance Fund from the State
3 Gaming Fund shall be used by the State Board of Education for
4 the purpose of making the hold harmless payments authorized in
5 this paragraph.

6 An amount equal to 85% of the funds remaining in the
7 appropriation shall be allocated to school districts based upon
8 the district's average daily attendance reported for purposes
9 of Section 18-8.05 of this Code for the preceding school year.
10 Fifteen percent of the funds remaining in the appropriation
11 shall be allocated to school districts based upon the
12 district's low income eligible pupil count used in the
13 calculation of general State aid under Section 18-8.05 of this
14 Code for the same fiscal year. One hundred percent of the funds
15 computed and allocated to districts under this Section shall be
16 distributed and paid to school districts.

17 For individual students with disabilities whose program
18 costs exceed 4 times the district's per capita tuition rate as
19 calculated under Section 10-20.12a of this Code, the costs in
20 excess of 4 times the district's per capita tuition rate shall
21 be paid by the State Board of Education from unexpended IDEA
22 discretionary funds originally designated for room and board
23 reimbursement pursuant to Section 14-8.01 of this Code. The
24 amount of tuition for these children shall be determined by the
25 actual cost of maintaining classes for these children, using
26 the per capita cost formula set forth in Section 14-7.01 of

1 this Code, with the program and cost being pre-approved by the
2 State Superintendent of Education. Reimbursement for
3 individual students with disabilities whose program costs
4 exceed 4 times the district's per capita tuition rate shall be
5 claimed beginning with costs encumbered for the 2004-2005
6 school year and thereafter.

7 The State Board of Education shall prepare vouchers equal
8 to one-fourth the amount allocated to districts, for
9 transmittal to the State Comptroller on the 30th day of
10 September, December, and March, respectively, and the final
11 voucher, no later than June 20. The Comptroller shall make
12 payments pursuant to this Section to school districts as soon
13 as possible after receipt of vouchers. If the money
14 appropriated from the General Assembly for such purposes for
15 any year is insufficient, it shall be apportioned on the basis
16 of the payments due to school districts.

17 Nothing in this Section shall be construed to decrease or
18 increase the percentage of all special education funds that are
19 allocated annually under Article 1D of this Code or to alter
20 the requirement that a school district provide special
21 education services.

22 Nothing in this amendatory Act of the 93rd General Assembly
23 shall eliminate any reimbursement obligation owed as of the
24 effective date of this amendatory Act of the 93rd General
25 Assembly to a school district with in excess of 500,000
26 inhabitants.

1 (Source: P.A. 93-1022, eff. 8-24-08. 95-705, eff. 1-8-08.)

2 Section 99. Effective date. This Act takes effect July 1,
3 2013.".