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**Filed: 4/4/2014**

09800SB0589sam001

LRB098 04797 NHT 58062 a

1 AMENDMENT TO SENATE BILL 589

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 589 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 18-8.05 and 18-11 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

1 pupil in Average Daily Attendance equals or exceeds a  
2 prescribed per pupil Foundation Level. This formula approach  
3 imputes a level of per pupil Available Local Resources and  
4 provides for the basis to calculate a per pupil level of  
5 general State financial aid that, when added to Available Local  
6 Resources, equals or exceeds the Foundation Level. The amount  
7 of per pupil general State financial aid for school districts,  
8 in general, varies in inverse relation to Available Local  
9 Resources. Per pupil amounts are based upon each school  
10 district's Average Daily Attendance as that term is defined in  
11 this Section.

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

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

24 (a) Any school district which fails for any given  
25 school year to maintain school as required by law, or to  
26 maintain a recognized school is not eligible to file for

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

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

17 (c) If a school district operates a full year school  
18 under Section 10-19.1, the general State aid to the school  
19 district shall be determined by the State Board of  
20 Education in accordance with this Section as near as may be  
21 applicable.

22 (d) (Blank).

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

1 School districts are not required to exert a minimum  
2 Operating Tax Rate in order to qualify for assistance under  
3 this Section.

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

6 (a) "Average Daily Attendance": A count of pupil  
7 attendance in school, averaged as provided for in  
8 subsection (C) and utilized in deriving per pupil financial  
9 support levels.

10 (b) "Available Local Resources": A computation of  
11 local financial support, calculated on the basis of Average  
12 Daily Attendance and derived as provided pursuant to  
13 subsection (D).

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

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

23 (e) "Operating Tax Rate": All school district property  
24 taxes extended for all purposes, except Bond and Interest,  
25 Summer School, Rent, Capital Improvement, and Vocational  
26 Education Building purposes.

1 (B) Foundation Level.

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

12 (2) For the 1998-1999 school year, the Foundation Level of  
13 support is \$4,225. For the 1999-2000 school year, the  
14 Foundation Level of support is \$4,325. For the 2000-2001 school  
15 year, the Foundation Level of support is \$4,425. For the  
16 2001-2002 school year and 2002-2003 school year, the Foundation  
17 Level of support is \$4,560. For the 2003-2004 school year, the  
18 Foundation Level of support is \$4,810. For the 2004-2005 school  
19 year, the Foundation Level of support is \$4,964. For the  
20 2005-2006 school year, the Foundation Level of support is  
21 \$5,164. For the 2006-2007 school year, the Foundation Level of  
22 support is \$5,334. For the 2007-2008 school year, the  
23 Foundation Level of support is \$5,734. For the 2008-2009 school  
24 year, the Foundation Level of support is \$5,959.

25 (3) For the 2009-2010 school year and each school year

1 thereafter, the Foundation Level of support is \$6,119 or such  
2 greater amount as may be established by law by the General  
3 Assembly.

4 (C) Average Daily Attendance.

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

16 (2) The Average Daily Attendance figures utilized in  
17 subsection (E) shall be the requisite attendance data for the  
18 school year immediately preceding the school year for which  
19 general State aid is being calculated or the average of the  
20 attendance data for the 3 preceding school years, whichever is  
21 greater. The Average Daily Attendance figures utilized in  
22 subsection (H) shall be the requisite attendance data for the  
23 school year immediately preceding the school year for which  
24 general State aid is being calculated.

1 (D) Available Local Resources.

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

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

18 (3) For school districts maintaining grades kindergarten  
19 through 12, local property tax revenues per pupil shall be  
20 calculated as the product of the applicable equalized assessed  
21 valuation for the district multiplied by 3.00%, and divided by  
22 the district's Average Daily Attendance figure. For school  
23 districts maintaining grades kindergarten through 8, local  
24 property tax revenues per pupil shall be calculated as the  
25 product of the applicable equalized assessed valuation for the  
26 district multiplied by 2.30%, and divided by the district's

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

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

17 (4) The Corporate Personal Property Replacement Taxes paid  
18 to each school district during the calendar year one year  
19 before the calendar year in which a school year begins, divided  
20 by the Average Daily Attendance figure for that district, shall  
21 be added to the local property tax revenues per pupil as  
22 derived by the application of the immediately preceding  
23 paragraph (3). The sum of these per pupil figures for each  
24 school district shall constitute Available Local Resources as  
25 that term is utilized in subsection (E) in the calculation of  
26 general State aid.



1 (E) Computation of General State Aid.

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

5 (2) For any school district for which Available Local  
6 Resources per pupil is less than the product of 0.93 times the  
7 Foundation Level, general State aid for that district shall be  
8 calculated as an amount equal to the Foundation Level minus  
9 Available Local Resources, multiplied by the Average Daily  
10 Attendance of the school district.

11 (3) For any school district for which Available Local  
12 Resources per pupil is equal to or greater than the product of  
13 0.93 times the Foundation Level and less than the product of  
14 1.75 times the Foundation Level, the general State aid per  
15 pupil shall be a decimal proportion of the Foundation Level  
16 derived using a linear algorithm. Under this linear algorithm,  
17 the calculated general State aid per pupil shall decline in  
18 direct linear fashion from 0.07 times the Foundation Level for  
19 a school district with Available Local Resources equal to the  
20 product of 0.93 times the Foundation Level, to 0.05 times the  
21 Foundation Level for a school district with Available Local  
22 Resources equal to the product of 1.75 times the Foundation  
23 Level. The allocation of general State aid for school districts  
24 subject to this paragraph 3 shall be the calculated general  
25 State aid per pupil figure multiplied by the Average Daily

1 Attendance of the school district.

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

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

17 (F) Compilation of Average Daily Attendance.

18 (1) Each school district shall, by July 1 of each year,  
19 submit to the State Board of Education, on forms prescribed by  
20 the State Board of Education, attendance figures for the school  
21 year that began in the preceding calendar year. The attendance  
22 information so transmitted shall identify the average daily  
23 attendance figures for each month of the school year. Beginning  
24 with the general State aid claim form for the 2002-2003 school  
25 year, districts shall calculate Average Daily Attendance as

1 provided in subdivisions (a), (b), and (c) of this paragraph  
2 (1).

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

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

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

23 Except as otherwise provided in this Section, days of  
24 attendance by pupils shall be counted only for sessions of not  
25 less than 5 clock hours of school work per day under direct  
26 supervision of: (i) teachers, or (ii) non-teaching personnel or

1 volunteer personnel when engaging in non-teaching duties and  
2 supervising in those instances specified in subsection (a) of  
3 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
4 of legal school age and in kindergarten and grades 1 through  
5 12.

6 Days of attendance by tuition pupils shall be accredited  
7 only to the districts that pay the tuition to a recognized  
8 school.

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

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

21 (b) (Blank).

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

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

1 parent-teacher conferences is equivalent to a minimum of 5  
2 clock hours; and (2) when days in addition to those  
3 provided in items (1) and (1.5) are scheduled by a school  
4 pursuant to its school improvement plan adopted under  
5 Article 34 or its revised or amended school improvement  
6 plan adopted under Article 2, provided that (i) such  
7 sessions of 3 or more clock hours are scheduled to occur at  
8 regular intervals, (ii) the remainder of the school days in  
9 which such sessions occur are utilized for in-service  
10 training programs or other staff development activities  
11 for teachers, and (iii) a sufficient number of minutes of  
12 school work under the direct supervision of teachers are  
13 added to the school days between such regularly scheduled  
14 sessions to accumulate not less than the number of minutes  
15 by which such sessions of 3 or more clock hours fall short  
16 of 5 clock hours. Any full days used for the purposes of  
17 this paragraph shall not be considered for computing  
18 average daily attendance. Days scheduled for in-service  
19 training programs, staff development activities, or  
20 parent-teacher conferences may be scheduled separately for  
21 different grade levels and different attendance centers of  
22 the district.

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

1 clock hours of instruction to be counted for a full day of  
2 attendance.

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

8 (g) For children with disabilities who are below the  
9 age of 6 years and who cannot attend 2 or more clock hours  
10 because of their disability or immaturity, a session of not  
11 less than one clock hour may be counted as 1/2 day of  
12 attendance; however for such children whose educational  
13 needs so require a session of 4 or more clock hours may be  
14 counted as a full day of attendance.

15 (h) A recognized kindergarten which provides for only  
16 1/2 day of attendance by each pupil shall not have more  
17 than 1/2 day of attendance counted in any one day. However,  
18 kindergartens may count 2 1/2 days of attendance in any 5  
19 consecutive school days. When a pupil attends such a  
20 kindergarten for 2 half days on any one school day, the  
21 pupil shall have the following day as a day absent from  
22 school, unless the school district obtains permission in  
23 writing from the State Superintendent of Education.  
24 Attendance at kindergartens which provide for a full day of  
25 attendance by each pupil shall be counted the same as  
26 attendance by first grade pupils. Only the first year of

1 attendance in one kindergarten shall be counted, except in  
2 case of children who entered the kindergarten in their  
3 fifth year whose educational development requires a second  
4 year of kindergarten as determined under the rules and  
5 regulations of the State Board of Education.

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

17 (j) Pupils enrolled in a remote educational program  
18 established under Section 10-29 of this Code may be counted  
19 on the basis of one-fifth day of attendance for every clock  
20 hour of instruction attended in the remote educational  
21 program, provided that, in any month, the school district  
22 may not claim for a student enrolled in a remote  
23 educational program more days of attendance than the  
24 maximum number of days of attendance the district can claim  
25 (i) for students enrolled in a building holding year-round  
26 classes if the student is classified as participating in



1           the remote educational program on a year-round schedule or  
2           (ii) for students enrolled in a building not holding  
3           year-round classes if the student is not classified as  
4           participating in the remote educational program on a  
5           year-round schedule.

6           (G) Equalized Assessed Valuation Data.

7           (1) For purposes of the calculation of Available Local  
8           Resources required pursuant to subsection (D), the State Board  
9           of Education shall secure from the Department of Revenue the  
10          value as equalized or assessed by the Department of Revenue of  
11          all taxable property of every school district, together with  
12          (i) the applicable tax rate used in extending taxes for the  
13          funds of the district as of September 30 of the previous year  
14          and (ii) the limiting rate for all school districts subject to  
15          property tax extension limitations as imposed under the  
16          Property Tax Extension Limitation Law.

17          The Department of Revenue shall add to the equalized  
18          assessed value of all taxable property of each school district  
19          situated entirely or partially within a county that is or was  
20          subject to the provisions of Section 15-176 or 15-177 of the  
21          Property Tax Code (a) an amount equal to the total amount by  
22          which the homestead exemption allowed under Section 15-176 or  
23          15-177 of the Property Tax Code for real property situated in  
24          that school district exceeds the total amount that would have  
25          been allowed in that school district if the maximum reduction

1 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in  
2 all other counties in tax year 2003 or (ii) \$5,000 in all  
3 counties in tax year 2004 and thereafter and (b) an amount  
4 equal to the aggregate amount for the taxable year of all  
5 additional exemptions under Section 15-175 of the Property Tax  
6 Code for owners with a household income of \$30,000 or less. The  
7 county clerk of any county that is or was subject to the  
8 provisions of Section 15-176 or 15-177 of the Property Tax Code  
9 shall annually calculate and certify to the Department of  
10 Revenue for each school district all homestead exemption  
11 amounts under Section 15-176 or 15-177 of the Property Tax Code  
12 and all amounts of additional exemptions under Section 15-175  
13 of the Property Tax Code for owners with a household income of  
14 \$30,000 or less. It is the intent of this paragraph that if the  
15 general homestead exemption for a parcel of property is  
16 determined under Section 15-176 or 15-177 of the Property Tax  
17 Code rather than Section 15-175, then the calculation of  
18 Available Local Resources shall not be affected by the  
19 difference, if any, between the amount of the general homestead  
20 exemption allowed for that parcel of property under Section  
21 15-176 or 15-177 of the Property Tax Code and the amount that  
22 would have been allowed had the general homestead exemption for  
23 that parcel of property been determined under Section 15-175 of  
24 the Property Tax Code. It is further the intent of this  
25 paragraph that if additional exemptions are allowed under  
26 Section 15-175 of the Property Tax Code for owners with a

1 household income of less than \$30,000, then the calculation of  
2 Available Local Resources shall not be affected by the  
3 difference, if any, because of those additional exemptions.

4 This equalized assessed valuation, as adjusted further by  
5 the requirements of this subsection, shall be utilized in the  
6 calculation of Available Local Resources.

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

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

1 equalized assessed valuation of the district, the total  
2 initial equalized assessed valuation or the current  
3 equalized assessed valuation, whichever is lower, shall be  
4 used until such time as all redevelopment project costs  
5 have been paid.

6 (b) The real property equalized assessed valuation for  
7 a school district shall be adjusted by subtracting from the  
8 real property value as equalized or assessed by the  
9 Department of Revenue for the district an amount computed  
10 by dividing the amount of any abatement of taxes under  
11 Section 18-170 of the Property Tax Code by 3.00% for a  
12 district maintaining grades kindergarten through 12, by  
13 2.30% for a district maintaining grades kindergarten  
14 through 8, or by 1.05% for a district maintaining grades 9  
15 through 12 and adjusted by an amount computed by dividing  
16 the amount of any abatement of taxes under subsection (a)  
17 of Section 18-165 of the Property Tax Code by the same  
18 percentage rates for district type as specified in this  
19 subparagraph (b).

20 (3) For the 1999-2000 school year and each school year  
21 thereafter, if a school district meets all of the criteria of  
22 this subsection (G) (3), the school district's Available Local  
23 Resources shall be calculated under subsection (D) using the  
24 district's Extension Limitation Equalized Assessed Valuation  
25 as calculated under this subsection (G) (3).

26 For purposes of this subsection (G) (3) the following terms

1 shall have the following meanings:

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

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

6 "Preceding Tax Year": The property tax levy year  
7 immediately preceding the Base Tax Year.

8 "Base Tax Year's Tax Extension": The product of the  
9 equalized assessed valuation utilized by the County Clerk  
10 in the Base Tax Year multiplied by the limiting rate as  
11 calculated by the County Clerk and defined in the Property  
12 Tax Extension Limitation Law.

13 "Preceding Tax Year's Tax Extension": The product of  
14 the equalized assessed valuation utilized by the County  
15 Clerk in the Preceding Tax Year multiplied by the Operating  
16 Tax Rate as defined in subsection (A).

17 "Extension Limitation Ratio": A numerical ratio,  
18 certified by the County Clerk, in which the numerator is  
19 the Base Tax Year's Tax Extension and the denominator is  
20 the Preceding Tax Year's Tax Extension.

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

23 If a school district is subject to property tax extension  
24 limitations as imposed under the Property Tax Extension  
25 Limitation Law, the State Board of Education shall calculate  
26 the Extension Limitation Equalized Assessed Valuation of that

1 district. For the 1999-2000 school year, the Extension  
2 Limitation Equalized Assessed Valuation of a school district as  
3 calculated by the State Board of Education shall be equal to  
4 the product of the district's 1996 Equalized Assessed Valuation  
5 and the district's Extension Limitation Ratio. Except as  
6 otherwise provided in this paragraph for a school district that  
7 has approved or does approve an increase in its limiting rate,  
8 for the 2000-2001 school year and each school year thereafter,  
9 the Extension Limitation Equalized Assessed Valuation of a  
10 school district as calculated by the State Board of Education  
11 shall be equal to the product of the Equalized Assessed  
12 Valuation last used in the calculation of general State aid and  
13 the district's Extension Limitation Ratio. If the Extension  
14 Limitation Equalized Assessed Valuation of a school district as  
15 calculated under this subsection (G)(3) is less than the  
16 district's equalized assessed valuation as calculated pursuant  
17 to subsections (G)(1) and (G)(2), then for purposes of  
18 calculating the district's general State aid for the Budget  
19 Year pursuant to subsection (E), that Extension Limitation  
20 Equalized Assessed Valuation shall be utilized to calculate the  
21 district's Available Local Resources under subsection (D). For  
22 the 2009-2010 school year and each school year thereafter, if a  
23 school district has approved or does approve an increase in its  
24 limiting rate, pursuant to Section 18-190 of the Property Tax  
25 Code, affecting the Base Tax Year, the Extension Limitation  
26 Equalized Assessed Valuation of the school district, as

1 calculated by the State Board of Education, shall be equal to  
2 the product of the Equalized Assessed Valuation last used in  
3 the calculation of general State aid times an amount equal to  
4 one plus the percentage increase, if any, in the Consumer Price  
5 Index for all Urban Consumers for all items published by the  
6 United States Department of Labor for the 12-month calendar  
7 year preceding the Base Tax Year, plus the Equalized Assessed  
8 Valuation of new property, annexed property, and recovered tax  
9 increment value and minus the Equalized Assessed Valuation of  
10 disconnected property. New property and recovered tax  
11 increment value shall have the meanings set forth in the  
12 Property Tax Extension Limitation Law.

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

17 (3.5) For the 2010-2011 school year and each school year  
18 thereafter, if a school district's boundaries span multiple  
19 counties, then the Department of Revenue shall send to the  
20 State Board of Education, for the purpose of calculating  
21 general State aid, the limiting rate and individual rates by  
22 purpose for the county that contains the majority of the school  
23 district's Equalized Assessed Valuation.

24 (4) For the purposes of calculating general State aid for  
25 the 1999-2000 school year only, if a school district  
26 experienced a triennial reassessment on the equalized assessed

1 valuation used in calculating its general State financial aid  
2 apportionment for the 1998-1999 school year, the State Board of  
3 Education shall calculate the Extension Limitation Equalized  
4 Assessed Valuation that would have been used to calculate the  
5 district's 1998-1999 general State aid. This amount shall equal  
6 the product of the equalized assessed valuation used to  
7 calculate general State aid for the 1997-1998 school year and  
8 the district's Extension Limitation Ratio. If the Extension  
9 Limitation Equalized Assessed Valuation of the school district  
10 as calculated under this paragraph (4) is less than the  
11 district's equalized assessed valuation utilized in  
12 calculating the district's 1998-1999 general State aid  
13 allocation, then for purposes of calculating the district's  
14 general State aid pursuant to paragraph (5) of subsection (E),  
15 that Extension Limitation Equalized Assessed Valuation shall  
16 be utilized to calculate the district's Available Local  
17 Resources.

18 (5) For school districts having a majority of their  
19 equalized assessed valuation in any county except Cook, DuPage,  
20 Kane, Lake, McHenry, or Will, if the amount of general State  
21 aid allocated to the school district for the 1999-2000 school  
22 year under the provisions of subsection (E), (H), and (J) of  
23 this Section is less than the amount of general State aid  
24 allocated to the district for the 1998-1999 school year under  
25 these subsections, then the general State aid of the district  
26 for the 1999-2000 school year only shall be increased by the



1 difference between these amounts. The total payments made under  
2 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
3 be prorated if they exceed \$14,000,000.

4 (H) Supplemental General State Aid.

5 (1) In addition to the general State aid a school district  
6 is allotted pursuant to subsection (E), qualifying school  
7 districts shall receive a grant, paid in conjunction with a  
8 district's payments of general State aid, for supplemental  
9 general State aid based upon the concentration level of  
10 children from low-income households within the school  
11 district. Supplemental State aid grants provided for school  
12 districts under this subsection shall be appropriated for  
13 distribution to school districts as part of the same line item  
14 in which the general State financial aid of school districts is  
15 appropriated under this Section. If the appropriation in any  
16 fiscal year for general State aid and supplemental general  
17 State aid is insufficient to pay the amounts required under the  
18 general State aid and supplemental general State aid  
19 calculations, then the State Board of Education shall adjust  
20 the payments of general State aid and supplemental general  
21 State aid in accordance with subsection (d) of Section 18-11 of  
22 this Code.

23 (1.5) This paragraph (1.5) applies only to those school  
24 years preceding the 2003-2004 school year. For purposes of this  
25 subsection (H), the term "Low-Income Concentration Level"

1 shall be the low-income eligible pupil count from the most  
2 recently available federal census divided by the Average Daily  
3 Attendance of the school district. If, however, (i) the  
4 percentage decrease from the 2 most recent federal censuses in  
5 the low-income eligible pupil count of a high school district  
6 with fewer than 400 students exceeds by 75% or more the  
7 percentage change in the total low-income eligible pupil count  
8 of contiguous elementary school districts, whose boundaries  
9 are coterminous with the high school district, or (ii) a high  
10 school district within 2 counties and serving 5 elementary  
11 school districts, whose boundaries are coterminous with the  
12 high school district, has a percentage decrease from the 2 most  
13 recent federal censuses in the low-income eligible pupil count  
14 and there is a percentage increase in the total low-income  
15 eligible pupil count of a majority of the elementary school  
16 districts in excess of 50% from the 2 most recent federal  
17 censuses, then the high school district's low-income eligible  
18 pupil count from the earlier federal census shall be the number  
19 used as the low-income eligible pupil count for the high school  
20 district, for purposes of this subsection (H). The changes made  
21 to this paragraph (1) by Public Act 92-28 shall apply to  
22 supplemental general State aid grants for school years  
23 preceding the 2003-2004 school year that are paid in fiscal  
24 year 1999 or thereafter and to any State aid payments made in  
25 fiscal year 1994 through fiscal year 1998 pursuant to  
26 subsection 1(n) of Section 18-8 of this Code (which was

1 repealed on July 1, 1998), and any high school district that is  
2 affected by Public Act 92-28 is entitled to a recomputation of  
3 its supplemental general State aid grant or State aid paid in  
4 any of those fiscal years. This recomputation shall not be  
5 affected by any other funding.

6 (1.10) This paragraph (1.10) applies to the 2003-2004  
7 school year and each school year thereafter. For purposes of  
8 this subsection (H), the term "Low-Income Concentration Level"  
9 shall, for each fiscal year, be the low-income eligible pupil  
10 count as of July 1 of the immediately preceding fiscal year (as  
11 determined by the Department of Human Services based on the  
12 number of pupils who are eligible for at least one of the  
13 following low income programs: Medicaid, the Children's Health  
14 Insurance Program, TANF, or Food Stamps, excluding pupils who  
15 are eligible for services provided by the Department of  
16 Children and Family Services, averaged over the 2 immediately  
17 preceding fiscal years for fiscal year 2004 and over the 3  
18 immediately preceding fiscal years for each fiscal year  
19 thereafter) divided by the Average Daily Attendance of the  
20 school district.

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

24 (a) For any school district with a Low Income  
25 Concentration Level of at least 20% and less than 35%, the  
26 grant for any school year shall be \$800 multiplied by the

1 low income eligible pupil count.

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

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

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

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

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

22 (2.5) Supplemental general State aid pursuant to this  
23 subsection (H) shall be provided as follows for the 2002-2003  
24 school year:

25 (a) For any school district with a Low Income  
26 Concentration Level of less than 10%, the grant for each

1 school year shall be \$355 multiplied by the low income  
2 eligible pupil count.

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

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

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

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

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

23 (2.10) Except as otherwise provided, supplemental general  
24 State aid pursuant to this subsection (H) shall be provided as  
25 follows for the 2003-2004 school year and each school year  
26 thereafter:

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

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

22          For the 2003-2004 school year only, the grant shall be no  
23 greater than the grant received during the 2002-2003 school  
24 year added to the product of 0.25 multiplied by the difference  
25 between the grant amount calculated under subsection (a) or (b)  
26 of this paragraph (2.10), whichever is applicable, and the

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

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

24 (4) School districts with an Average Daily Attendance of  
25 50,000 or more that qualify for supplemental general State aid  
26 pursuant to this subsection shall be required to distribute

1 from funds available pursuant to this Section, no less than  
2 \$261,000,000 in accordance with the following requirements:

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

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

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

26 (d) Any funds made available under this subsection that



1 by reason of the provisions of this subsection are not  
2 required to be allocated and provided to attendance centers  
3 may be used and appropriated by the board of the district  
4 for any lawful school purpose.

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

18 (f) Each district subject to the provisions of this  
19 subdivision (H) (4) shall submit an acceptable plan to meet  
20 the educational needs of disadvantaged children, in  
21 compliance with the requirements of this paragraph, to the  
22 State Board of Education prior to July 15 of each year.  
23 This plan shall be consistent with the decisions of local  
24 school councils concerning the school expenditure plans  
25 developed in accordance with part 4 of Section 34-2.3. The  
26 State Board shall approve or reject the plan within 60 days

1 after its submission. If the plan is rejected, the district  
2 shall give written notice of intent to modify the plan  
3 within 15 days of the notification of rejection and then  
4 submit a modified plan within 30 days after the date of the  
5 written notice of intent to modify. Districts may amend  
6 approved plans pursuant to rules promulgated by the State  
7 Board of Education.

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

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

21 For purposes of determining compliance with this  
22 subsection in relation to the requirements of attendance  
23 center funding, each district subject to the provisions of  
24 this subsection shall submit as a separate document by  
25 December 1 of each year a report of expenditure data for  
26 the prior year in addition to any modification of its

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

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

21 (I) (Blank).

22 (J) (Blank).

23 (K) Grants to Laboratory and Alternative Schools.

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

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

19           As used in this Section, "alternative school" means a  
20 public school which is created and operated by a Regional  
21 Superintendent of Schools and approved by the State Board of  
22 Education. Such alternative schools may offer courses of  
23 instruction for which credit is given in regular school  
24 programs, courses to prepare students for the high school  
25 equivalency testing program or vocational and occupational  
26 training. A regional superintendent of schools may contract

1 with a school district or a public community college district  
2 to operate an alternative school. An alternative school serving  
3 more than one educational service region may be established by  
4 the regional superintendents of schools of the affected  
5 educational service regions. An alternative school serving  
6 more than one educational service region may be operated under  
7 such terms as the regional superintendents of schools of those  
8 educational service regions may agree.

9 Each laboratory and alternative school shall file, on forms  
10 provided by the State Superintendent of Education, an annual  
11 State aid claim which states the Average Daily Attendance of  
12 the school's students by month. The best 3 months' Average  
13 Daily Attendance shall be computed for each school. The general  
14 State aid entitlement shall be computed by multiplying the  
15 applicable Average Daily Attendance by the Foundation Level as  
16 determined under this Section.

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

18 (1) For a school district operating under the financial  
19 supervision of an Authority created under Article 34A, the  
20 general State aid otherwise payable to that district under this  
21 Section, but not the supplemental general State aid, shall be  
22 reduced by an amount equal to the budget for the operations of  
23 the Authority as certified by the Authority to the State Board  
24 of Education, and an amount equal to such reduction shall be  
25 paid to the Authority created for such district for its

1 operating expenses in the manner provided in Section 18-11. The  
2 remainder of general State school aid for any such district  
3 shall be paid in accordance with Article 34A when that Article  
4 provides for a disposition other than that provided by this  
5 Article.

6 (2) (Blank).

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

9 (M) Education Funding Advisory Board.

10 The Education Funding Advisory Board, hereinafter in this  
11 subsection (M) referred to as the "Board", is hereby created.  
12 The Board shall consist of 5 members who are appointed by the  
13 Governor, by and with the advice and consent of the Senate. The  
14 members appointed shall include representatives of education,  
15 business, and the general public. One of the members so  
16 appointed shall be designated by the Governor at the time the  
17 appointment is made as the chairperson of the Board. The  
18 initial members of the Board may be appointed any time after  
19 the effective date of this amendatory Act of 1997. The regular  
20 term of each member of the Board shall be for 4 years from the  
21 third Monday of January of the year in which the term of the  
22 member's appointment is to commence, except that of the 5  
23 initial members appointed to serve on the Board, the member who  
24 is appointed as the chairperson shall serve for a term that  
25 commences on the date of his or her appointment and expires on

1 the third Monday of January, 2002, and the remaining 4 members,  
2 by lots drawn at the first meeting of the Board that is held  
3 after all 5 members are appointed, shall determine 2 of their  
4 number to serve for terms that commence on the date of their  
5 respective appointments and expire on the third Monday of  
6 January, 2001, and 2 of their number to serve for terms that  
7 commence on the date of their respective appointments and  
8 expire on the third Monday of January, 2000. All members  
9 appointed to serve on the Board shall serve until their  
10 respective successors are appointed and confirmed. Vacancies  
11 shall be filled in the same manner as original appointments. If  
12 a vacancy in membership occurs at a time when the Senate is not  
13 in session, the Governor shall make a temporary appointment  
14 until the next meeting of the Senate, when he or she shall  
15 appoint, by and with the advice and consent of the Senate, a  
16 person to fill that membership for the unexpired term. If the  
17 Senate is not in session when the initial appointments are  
18 made, those appointments shall be made as in the case of  
19 vacancies.

20 The Education Funding Advisory Board shall be deemed  
21 established, and the initial members appointed by the Governor  
22 to serve as members of the Board shall take office, on the date  
23 that the Governor makes his or her appointment of the fifth  
24 initial member of the Board, whether those initial members are  
25 then serving pursuant to appointment and confirmation or  
26 pursuant to temporary appointments that are made by the

1 Governor as in the case of vacancies.

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

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

20 (N) (Blank).

21 (O) References.

22 (1) References in other laws to the various subdivisions of  
23 Section 18-8 as that Section existed before its repeal and  
24 replacement by this Section 18-8.05 shall be deemed to refer to



1 the corresponding provisions of this Section 18-8.05, to the  
2 extent that those references remain applicable.

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

6 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
7 changes to this Section. Under Section 6 of the Statute on  
8 Statutes there is an irreconcilable conflict between Public Act  
9 93-808 and Public Act 93-838. Public Act 93-838, being the last  
10 acted upon, is controlling. The text of Public Act 93-838 is  
11 the law regardless of the text of Public Act 93-808.

12 (Source: P.A. 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300,  
13 eff. 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09;  
14 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff.  
15 11-18-10; 97-339, eff. 8-12-11; 97-351, eff. 8-12-11; 97-742,  
16 eff. 6-30-13; 97-813, eff. 7-13-12.)

17 (105 ILCS 5/18-11) (from Ch. 122, par. 18-11)

18 Sec. 18-11. Payment of claims.

19 (a) With respect to payments for each fiscal year before  
20 fiscal year 2009, except payments for the period of June 1982  
21 through July 1983 and payments for fiscal year 1994, as soon as  
22 may be after the 10th and 20th days of each of the months of  
23 August through the following July, if moneys are available in  
24 the common school fund in the State treasury for payments under

1 Sections 18-8.05 through 18-9, the State Comptroller shall draw  
2 his warrants upon the State Treasurer as directed by the State  
3 Board of Education pursuant to Section 2-3.17b and in  
4 accordance with the transfers from the General Revenue Fund to  
5 the Common School Fund as specified in Section 8a of the State  
6 Finance Act.

7 Each such semimonthly warrant shall be in an amount equal  
8 to 1/24 of the total amount to be distributed to school  
9 districts for the fiscal year. The amount of payments made in  
10 July of each year shall be considered as payments for claims  
11 covering the school year that commenced during the immediately  
12 preceding calendar year. If the payments provided for under  
13 Sections 18-8.05 through 18-9 have been assigned as security  
14 for State aid anticipation certificates pursuant to Section  
15 18-18, the State Board of Education shall pay the appropriate  
16 amount of the payment, as specified in the notification  
17 required by Section 18-18, directly to the assignee.

18 (a-5) With respect to payments made under Sections 18-8.05  
19 through 18-10 of this Code for fiscal year 2009 and each fiscal  
20 year thereafter, as soon as may be after the 10th and 20th days  
21 of each of the months of August through the following June, if  
22 moneys are available in the Common School Fund in the State  
23 treasury for payments under Sections 18-8.05 through 18-10 of  
24 this Code, the State Comptroller shall draw his or her warrants  
25 upon the State Treasurer as directed by the State Board of  
26 Education pursuant to Section 2-3.17b of this Code and in

1 accordance with the transfers from the General Revenue Fund to  
2 the Common School Fund as specified in Section 8a of the State  
3 Finance Act.

4 Each such semimonthly warrant shall be in an amount equal  
5 to 1/22 of the total amount to be distributed to school  
6 districts for the fiscal year. If the payments provided for  
7 under Sections 18-8.05 through 18-10 of this Code have been  
8 assigned as security for State aid anticipation certificates  
9 pursuant to Section 18-18 of this Code, then the State Board of  
10 Education shall pay the appropriate amount of the payment, as  
11 specified in the notification required by Section 18-18 of this  
12 Code, directly to the assignee.

13 (b) (Blank).

14 (c) (Blank).

15 (d) If the appropriation in any fiscal year for general  
16 State aid and supplemental general State aid under Section  
17 18-8.05 of this Code is insufficient to pay the amounts  
18 required under the general State aid and supplemental general  
19 State aid calculations, then the State Board of Education shall  
20 adjust the payments of general State aid and supplemental  
21 general State aid for that fiscal year in the following manner:

22 (1) The State Board of Education shall calculate a  
23 level cut amount, to be evenly applied against all school  
24 district claims for general State aid and supplemental  
25 general State aid, on a per pupil basis using each  
26 district's average daily attendance, as defined in

1 paragraph (2) of subsection (C) of Section 18-8.05 of this  
2 Code, so that the total reduction to district claims using  
3 the level cut amount equals the difference between the  
4 appropriation for general State aid and supplemental  
5 general State aid and the amounts otherwise required under  
6 the general State aid and supplemental general State aid  
7 calculations.

8 (2) The "loss cap" is the maximum amount a school  
9 district can lose from their operating expenditure due to  
10 an under-appropriation of general State aid. It is  
11 calculated using the following methodology: calculate a  
12 percentage loss for each district by dividing the level cut  
13 amount, calculated pursuant to subdivision (1) of this  
14 subsection (d), by operating expenditure per pupil, as  
15 determined by the district's most recent annual financial  
16 report, then calculate the loss cap equal to the average  
17 percentage loss in districts weighted by average daily  
18 attendance.

19 (3) Each school district's total amount of general  
20 State aid and supplemental general State aid for the fiscal  
21 year must be reduced by the lesser of (i) the level cut  
22 amount multiplied by the district's average daily  
23 attendance; (ii) the loss cap multiplied by the district's  
24 operating expense per pupil, determined by the district's  
25 most recent annual financial report, multiplied by the  
26 district's average daily attendance, as defined in

1 paragraph (2) of subsection (C) of Section 18-8.05 of this  
2 Code; or (iii) the school district's total claim for  
3 general State aid and supplemental general State aid.

4 (4) In the case when an entity receives general State  
5 aid, but does not have an operating expense per pupil, the  
6 cut shall be either (i) the level cut amount multiplied by  
7 the entity's average daily attendance or (ii) the entity's  
8 total claim for general State aid and supplemental general  
9 State aid.

10 (5) The State Board of Education shall adjust the level  
11 cut described in subdivision (1) of this subsection (d) so  
12 that the total payments to school districts for general  
13 State aid and supplemental general State aid equals the  
14 appropriation for general State aid and supplemental  
15 general State aid.

16 (6) If, subject to subdivision (4) of this subsection  
17 (d), total payments are still greater than appropriations  
18 for general State aid, then the State Board of Education  
19 shall adjust the operating expenditures loss cap until  
20 total payments equal the appropriation.

21 (7) The State Board of Education may not use the  
22 calculations described in this subsection (d) to reduce any  
23 payments to school districts, other than general State aid  
24 and supplemental general State aid, for the fiscal year for  
25 which such calculations are applied.

26 (Source: P.A. 94-1105, eff. 6-1-07; 95-496, eff. 8-28-07;

1 95-835, eff. 8-15-08.)

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