



Sen. Kimberly A. Lightford

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1 AMENDMENT TO HOUSE BILL 2170

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2170 by replacing  
3 everything after the enacting clause with the following:

4 "Article 5.

5 Section 5-5. The School Code is amended by adding Section  
6 2-3.64a-10 and by changing Section 27A-5 as follows:

7 (105 ILCS 5/2-3.64a-10 new)

8 Sec. 2-3.64a-10. Kindergarten assessment.

9 (a) For the purposes of this Section, "kindergarten"  
10 includes both full-day and half-day kindergarten programs.

11 (b) Beginning no later than the 2021-2022 school year, the  
12 State Board of Education shall annually assess all public  
13 school students entering kindergarten using a common  
14 assessment tool, unless the State Board determines that a  
15 student is otherwise exempt. The common assessment tool must

1 assess multiple developmental domains, including literacy,  
2 language, mathematics, and social and emotional development.  
3 The assessment must be valid, reliable, and developmentally  
4 appropriate to formatively assess a child's development and  
5 readiness for kindergarten.

6 (c) Results from the assessment may be used by the school  
7 to understand the child's development and readiness for  
8 kindergarten, to tailor instruction, and to measure the child's  
9 progress over time. Assessment results may also be used to  
10 identify a need for the professional development of teachers  
11 and early childhood educators and to inform State-level and  
12 district-level policies and resource allocation.

13 The school shall make the assessment results available to  
14 the child's parent or guardian.

15 The assessment results may not be used (i) to prevent a  
16 child from enrolling in kindergarten or (ii) as the sole  
17 measure used in determining the grade promotion or retention of  
18 a student.

19 (d) On an annual basis, the State Board shall report  
20 publicly, at a minimum, data from the assessment for the State  
21 overall and for each school district. The State Board's report  
22 must disaggregate data by race and ethnicity, household income,  
23 students who are English learners, and students who have an  
24 individualized education program.

25 (e) The State Superintendent of Education shall appoint a  
26 committee of no more than 21 members, consisting of parents,

1 teachers, school administrators, assessment experts, regional  
2 superintendents of schools, and citizens, to review, on an  
3 ongoing basis, the content and design of the assessment, the  
4 collective results of the assessment as measured against  
5 kindergarten-readiness standards, and other issues involving  
6 the assessment as identified by the committee.

7 The committee shall make periodic recommendations to the  
8 State Superintendent of Education and the General Assembly  
9 concerning the assessments.

10 (f) The State Board may adopt rules to implement and  
11 administer this Section.

12 (105 ILCS 5/27A-5)

13 Sec. 27A-5. Charter school; legal entity; requirements.

14 (a) A charter school shall be a public, nonsectarian,  
15 nonreligious, non-home based, and non-profit school. A charter  
16 school shall be organized and operated as a nonprofit  
17 corporation or other discrete, legal, nonprofit entity  
18 authorized under the laws of the State of Illinois.

19 (b) A charter school may be established under this Article  
20 by creating a new school or by converting an existing public  
21 school or attendance center to charter school status. Beginning  
22 on April 16, 2003 (the effective date of Public Act 93-3), in  
23 all new applications to establish a charter school in a city  
24 having a population exceeding 500,000, operation of the charter  
25 school shall be limited to one campus. The changes made to this

1 Section by Public Act 93-3 do not apply to charter schools  
2 existing or approved on or before April 16, 2003 (the effective  
3 date of Public Act 93-3).

4 (b-5) In this subsection (b-5), "virtual-schooling" means  
5 a cyber school where students engage in online curriculum and  
6 instruction via the Internet and electronic communication with  
7 their teachers at remote locations and with students  
8 participating at different times.

9 From April 1, 2013 through December 31, 2016, there is a  
10 moratorium on the establishment of charter schools with  
11 virtual-schooling components in school districts other than a  
12 school district organized under Article 34 of this Code. This  
13 moratorium does not apply to a charter school with  
14 virtual-schooling components existing or approved prior to  
15 April 1, 2013 or to the renewal of the charter of a charter  
16 school with virtual-schooling components already approved  
17 prior to April 1, 2013.

18 (c) A charter school shall be administered and governed by  
19 its board of directors or other governing body in the manner  
20 provided in its charter. The governing body of a charter school  
21 shall be subject to the Freedom of Information Act and the Open  
22 Meetings Act. No later than January 1, 2021 (one year after the  
23 effective date of Public Act 101-291) ~~this amendatory Act of~~  
24 ~~the 101st General Assembly~~, a charter school's board of  
25 directors or other governing body must include at least one  
26 parent or guardian of a pupil currently enrolled in the charter

1 school who may be selected through the charter school or a  
2 charter network election, appointment by the charter school's  
3 board of directors or other governing body, or by the charter  
4 school's Parent Teacher Organization or its equivalent.

5 (c-5) No later than January 1, 2021 (one year after the  
6 effective date of Public Act 101-291) ~~this amendatory Act of~~  
7 ~~the 101st General Assembly~~ or within the first year of his or  
8 her first term, every voting member of a charter school's board  
9 of directors or other governing body shall complete a minimum  
10 of 4 hours of professional development leadership training to  
11 ensure that each member has sufficient familiarity with the  
12 board's or governing body's role and responsibilities,  
13 including financial oversight and accountability of the  
14 school, evaluating the principal's and school's performance,  
15 adherence to the Freedom of Information Act and the Open  
16 Meetings ~~Act Acts~~, and compliance with education and labor law.  
17 In each subsequent year of his or her term, a voting member of  
18 a charter school's board of directors or other governing body  
19 shall complete a minimum of 2 hours of professional development  
20 training in these same areas. The training under this  
21 subsection may be provided or certified by a statewide charter  
22 school membership association or may be provided or certified  
23 by other qualified providers approved by the State Board of  
24 Education.

25 (d) For purposes of this subsection (d), "non-curricular  
26 health and safety requirement" means any health and safety

1 requirement created by statute or rule to provide, maintain,  
2 preserve, or safeguard safe or healthful conditions for  
3 students and school personnel or to eliminate, reduce, or  
4 prevent threats to the health and safety of students and school  
5 personnel. "Non-curricular health and safety requirement" does  
6 not include any course of study or specialized instructional  
7 requirement for which the State Board has established goals and  
8 learning standards or which is designed primarily to impart  
9 knowledge and skills for students to master and apply as an  
10 outcome of their education.

11 A charter school shall comply with all non-curricular  
12 health and safety requirements applicable to public schools  
13 under the laws of the State of Illinois. On or before September  
14 1, 2015, the State Board shall promulgate and post on its  
15 Internet website a list of non-curricular health and safety  
16 requirements that a charter school must meet. The list shall be  
17 updated annually no later than September 1. Any charter  
18 contract between a charter school and its authorizer must  
19 contain a provision that requires the charter school to follow  
20 the list of all non-curricular health and safety requirements  
21 promulgated by the State Board and any non-curricular health  
22 and safety requirements added by the State Board to such list  
23 during the term of the charter. Nothing in this subsection (d)  
24 precludes an authorizer from including non-curricular health  
25 and safety requirements in a charter school contract that are  
26 not contained in the list promulgated by the State Board,

1 including non-curricular health and safety requirements of the  
2 authorizing local school board.

3 (e) Except as otherwise provided in the School Code, a  
4 charter school shall not charge tuition; provided that a  
5 charter school may charge reasonable fees for textbooks,  
6 instructional materials, and student activities.

7 (f) A charter school shall be responsible for the  
8 management and operation of its fiscal affairs including, but  
9 not limited to, the preparation of its budget. An audit of each  
10 charter school's finances shall be conducted annually by an  
11 outside, independent contractor retained by the charter  
12 school. To ensure financial accountability for the use of  
13 public funds, on or before December 1 of every year of  
14 operation, each charter school shall submit to its authorizer  
15 and the State Board a copy of its audit and a copy of the Form  
16 990 the charter school filed that year with the federal  
17 Internal Revenue Service. In addition, if deemed necessary for  
18 proper financial oversight of the charter school, an authorizer  
19 may require quarterly financial statements from each charter  
20 school.

21 (g) A charter school shall comply with all provisions of  
22 this Article, the Illinois Educational Labor Relations Act, all  
23 federal and State laws and rules applicable to public schools  
24 that pertain to special education and the instruction of  
25 English learners, and its charter. A charter school is exempt  
26 from all other State laws and regulations in this Code

1 governing public schools and local school board policies;  
2 however, a charter school is not exempt from the following:

3 (1) Sections 10-21.9 and 34-18.5 of this Code regarding  
4 criminal history records checks and checks of the Statewide  
5 Sex Offender Database and Statewide Murderer and Violent  
6 Offender Against Youth Database of applicants for  
7 employment;

8 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and  
9 34-84a of this Code regarding discipline of students;

10 (3) the Local Governmental and Governmental Employees  
11 Tort Immunity Act;

12 (4) Section 108.75 of the General Not For Profit  
13 Corporation Act of 1986 regarding indemnification of  
14 officers, directors, employees, and agents;

15 (5) the Abused and Neglected Child Reporting Act;

16 (5.5) subsection (b) of Section 10-23.12 and  
17 subsection (b) of Section 34-18.6 of this Code;

18 (6) the Illinois School Student Records Act;

19 (7) Section 10-17a of this Code regarding school report  
20 cards;

21 (8) the P-20 Longitudinal Education Data System Act;

22 (9) Section 27-23.7 of this Code regarding bullying  
23 prevention;

24 (10) Section 2-3.162 of this Code regarding student  
25 discipline reporting;

26 (11) Sections 22-80 and 27-8.1 of this Code;



- 1 (12) Sections 10-20.60 and 34-18.53 of this Code;
- 2 (13) Sections 10-20.63 and 34-18.56 of this Code;
- 3 (14) Section 26-18 of this Code;
- 4 (15) Section 22-30 of this Code; ~~and~~
- 5 (16) Sections 24-12 and 34-85 of this Code; ~~and~~
- 6 (17) the ~~(16)~~ The Seizure Smart School Act; and
- 7 (18) Section 2-3.64a-10 of this Code.

8 The change made by Public Act 96-104 to this subsection (g)  
9 is declaratory of existing law.

10 (h) A charter school may negotiate and contract with a  
11 school district, the governing body of a State college or  
12 university or public community college, or any other public or  
13 for-profit or nonprofit private entity for: (i) the use of a  
14 school building and grounds or any other real property or  
15 facilities that the charter school desires to use or convert  
16 for use as a charter school site, (ii) the operation and  
17 maintenance thereof, and (iii) the provision of any service,  
18 activity, or undertaking that the charter school is required to  
19 perform in order to carry out the terms of its charter.  
20 However, a charter school that is established on or after April  
21 16, 2003 (the effective date of Public Act 93-3) and that  
22 operates in a city having a population exceeding 500,000 may  
23 not contract with a for-profit entity to manage or operate the  
24 school during the period that commences on April 16, 2003 (the  
25 effective date of Public Act 93-3) and concludes at the end of  
26 the 2004-2005 school year. Except as provided in subsection (i)

1 of this Section, a school district may charge a charter school  
2 reasonable rent for the use of the district's buildings,  
3 grounds, and facilities. Any services for which a charter  
4 school contracts with a school district shall be provided by  
5 the district at cost. Any services for which a charter school  
6 contracts with a local school board or with the governing body  
7 of a State college or university or public community college  
8 shall be provided by the public entity at cost.

9 (i) In no event shall a charter school that is established  
10 by converting an existing school or attendance center to  
11 charter school status be required to pay rent for space that is  
12 deemed available, as negotiated and provided in the charter  
13 agreement, in school district facilities. However, all other  
14 costs for the operation and maintenance of school district  
15 facilities that are used by the charter school shall be subject  
16 to negotiation between the charter school and the local school  
17 board and shall be set forth in the charter.

18 (j) A charter school may limit student enrollment by age or  
19 grade level.

20 (k) If the charter school is approved by the State Board or  
21 Commission, then the charter school is its own local education  
22 agency.

23 (Source: P.A. 100-29, eff. 1-1-18; 100-156, eff. 1-1-18;  
24 100-163, eff. 1-1-18; 100-413, eff. 1-1-18; 100-468, eff.  
25 6-1-18; 100-726, eff. 1-1-19; 100-863, eff. 8-14-18; 101-50,  
26 eff. 7-1-20; 101-81, eff. 7-12-19; 101-291, eff. 1-1-20;

1 101-531, eff. 8-23-19; 101-543, eff. 8-23-19; revised 8-4-20.)

2 Article 10.

3 Section 10-5. The Early Intervention Services System Act is  
4 amended by changing Section 11 as follows:

5 (325 ILCS 20/11) (from Ch. 23, par. 4161)

6 Sec. 11. Individualized Family Service Plans.

7 (a) Each eligible infant or toddler and that infant's or  
8 toddler's family shall receive:

9 (1) timely, comprehensive, multidisciplinary  
10 assessment of the unique strengths and needs of each  
11 eligible infant and toddler, and assessment of the concerns  
12 and priorities of the families to appropriately assist them  
13 in meeting their needs and identify supports and services  
14 to meet those needs; and

15 (2) a written Individualized Family Service Plan  
16 developed by a multidisciplinary team which includes the  
17 parent or guardian. The individualized family service plan  
18 shall be based on the multidisciplinary team's assessment  
19 of the resources, priorities, and concerns of the family  
20 and its identification of the supports and services  
21 necessary to enhance the family's capacity to meet the  
22 developmental needs of the infant or toddler, and shall  
23 include the identification of services appropriate to meet

1 those needs, including the frequency, intensity, and  
2 method of delivering services. During and as part of the  
3 initial development of the individualized family services  
4 plan, and any periodic reviews of the plan, the  
5 multidisciplinary team may seek consultation from the lead  
6 agency's designated experts, if any, to help determine  
7 appropriate services and the frequency and intensity of  
8 those services. All services in the individualized family  
9 services plan must be justified by the multidisciplinary  
10 assessment of the unique strengths and needs of the infant  
11 or toddler and must be appropriate to meet those needs. At  
12 the periodic reviews, the team shall determine whether  
13 modification or revision of the outcomes or services is  
14 necessary.

15 (b) The Individualized Family Service Plan shall be  
16 evaluated once a year and the family shall be provided a review  
17 of the Plan at 6 month intervals or more often where  
18 appropriate based on infant or toddler and family needs. The  
19 lead agency shall create a quality review process regarding  
20 Individualized Family Service Plan development and changes  
21 thereto, to monitor and help assure that resources are being  
22 used to provide appropriate early intervention services.

23 (c) The initial evaluation and initial assessment and  
24 initial Plan meeting must be held within 45 days after the  
25 initial contact with the early intervention services system.  
26 The 45-day timeline does not apply for any period when the

1 child or parent is unavailable to complete the initial  
2 evaluation, the initial assessments of the child and family, or  
3 the initial Plan meeting, due to exceptional family  
4 circumstances that are documented in the child's early  
5 intervention records, or when the parent has not provided  
6 consent for the initial evaluation or the initial assessment of  
7 the child despite documented, repeated attempts to obtain  
8 parental consent. As soon as exceptional family circumstances  
9 no longer exist or parental consent has been obtained, the  
10 initial evaluation, the initial assessment, and the initial  
11 Plan meeting must be completed as soon as possible. With  
12 parental consent, early intervention services may commence  
13 before the completion of the comprehensive assessment and  
14 development of the Plan.

15 (d) Parents must be informed that early intervention  
16 services shall be provided to each eligible infant and toddler,  
17 to the maximum extent appropriate, in the natural environment,  
18 which may include the home or other community settings. Parents  
19 shall make the final decision to accept or decline early  
20 intervention services. A decision to decline such services  
21 shall not be a basis for administrative determination of  
22 parental fitness, or other findings or sanctions against the  
23 parents. Parameters of the Plan shall be set forth in rules.

24 (e) The regional intake offices shall explain to each  
25 family, orally and in writing, all of the following:

26 (1) That the early intervention program will pay for

1 all early intervention services set forth in the  
2 individualized family service plan that are not covered or  
3 paid under the family's public or private insurance plan or  
4 policy and not eligible for payment through any other third  
5 party payor.

6 (2) That services will not be delayed due to any rules  
7 or restrictions under the family's insurance plan or  
8 policy.

9 (3) That the family may request, with appropriate  
10 documentation supporting the request, a determination of  
11 an exemption from private insurance use under Section  
12 13.25.

13 (4) That responsibility for co-payments or  
14 co-insurance under a family's private insurance plan or  
15 policy will be transferred to the lead agency's central  
16 billing office.

17 (5) That families will be responsible for payments of  
18 family fees, which will be based on a sliding scale  
19 according to the State's definition of ability to pay which  
20 is comparing household size and income to the sliding scale  
21 and considering out-of-pocket medical or disaster  
22 expenses, and that these fees are payable to the central  
23 billing office. Families who fail to provide income  
24 information shall be charged the maximum amount on the  
25 sliding scale.

26 (f) The individualized family service plan must state

1 whether the family has private insurance coverage and, if the  
2 family has such coverage, must have attached to it a copy of  
3 the family's insurance identification card or otherwise  
4 include all of the following information:

5 (1) The name, address, and telephone number of the  
6 insurance carrier.

7 (2) The contract number and policy number of the  
8 insurance plan.

9 (3) The name, address, and social security number of  
10 the primary insured.

11 (4) The beginning date of the insurance benefit year.

12 (g) A copy of the individualized family service plan must  
13 be provided to each enrolled provider who is providing early  
14 intervention services to the child who is the subject of that  
15 plan.

16 (h) Children receiving services under this Act shall  
17 receive a smooth and effective transition by their third  
18 birthday consistent with federal regulations adopted pursuant  
19 to Sections 1431 through 1444 of Title 20 of the United States  
20 Code. Children who receive early intervention services prior to  
21 their third birthday and are found eligible for an  
22 individualized education program under the Individuals with  
23 Disabilities Education Act, 20 U.S.C. 1414(d) (1) (A), and under  
24 Section 14-8.02 of the School Code may continue to receive  
25 early intervention services until the beginning of the school  
26 year following their third birthday in order to minimize gaps

1 in services, ensure better continuity of care, and align  
2 practices for the enrollment of preschool children with special  
3 needs to the enrollment practices of typically developing  
4 preschool children.

5 (Source: P.A. 97-902, eff. 8-6-12; 98-41, eff. 6-28-13.)

6 Article 15.

7 Section 15-1. Short title. This Article may be cited as the  
8 Equitable Early Childhood Education and Care Act. References in  
9 this Article to "this Act" mean this Article.

10 Section 15-5. Findings; policies.

11 (a) The General Assembly finds the following:

12 (1) Long-standing research shows that high-quality  
13 early childhood experiences have an impact on children's  
14 short-term and long-term outcomes, such as educational  
15 attainment, health, and lifetime income, particularly for  
16 children from low-income families.

17 (2) Early childhood education and care programs  
18 provide child care so parents can maintain stable  
19 employment, provide for themselves and their families, and  
20 advance their career or educational goals.

21 (3) Illinois has a vigorous early childhood education  
22 and care industry composed of programs that serve children  
23 under the age of 6, including preschool and child care in



1 schools, centers, and homes; these programs also include  
2 home visiting and services for young children with special  
3 needs.

4 (4) A significant portion of the early childhood  
5 workforce and of family child care providers are Black and  
6 Latinx women.

7 (5) Illinois was among the first states in the nation  
8 to enact the Pre-K At-Risk program and services for infants  
9 and toddlers in the 1980s and reaffirmed this commitment to  
10 early childhood education in 2006 by creating Preschool for  
11 All to offer State-funded, high-quality preschool to  
12 3-year-olds and 4-year-olds.

13 (6) Illinois was one of the first states in the nation  
14 to commit education funding to very young children and to  
15 have a statutory commitment to grow funding for  
16 infant-toddler services as it grows preschool services,  
17 including prenatal supports like home visitors and doulas.

18 (7) Countless children and families have benefitted  
19 from these services over these decades and have had the  
20 opportunity to enter school ready to learn and succeed.

21 (8) Despite progress made by the State, too few  
22 children, particularly those from Black, Latinx, and  
23 low-income households and child care deserts, have access  
24 to high-quality early childhood education and care  
25 services, due to both the availability and affordability of  
26 quality services.

1           (9) In 2019, only 29% of all children in Illinois  
2 entered kindergarten "ready"; only 21% of Black children,  
3 17% of Latinx children, 14% of English Learners, 14% of  
4 children with IEPs, and 20% of children on free and reduced  
5 lunch demonstrated readiness, highlighting the critical  
6 work Illinois must do to close gaps in opportunity and  
7 outcomes.

8           (10) The State's early childhood education and care  
9 programs are maintained across 3 state agencies, which  
10 leads to inefficiencies, lack of alignment, challenges to  
11 collecting comprehensive data around services and needs of  
12 children and families, and obstacles for both children and  
13 families and the early childhood education and care  
14 providers to navigate the fragmented system and ensure  
15 children receive high-quality services that meet their  
16 needs.

17           (11) The State's current mechanisms for payment to  
18 early childhood education and care providers may not  
19 incentivize quality services and can lead to payment  
20 delays, lack of stability of providers, and the inability  
21 of providers to provide appropriate compensation to the  
22 workforce and support quality programming.

23           (12) Illinois must advance a just system for early  
24 childhood education and care that ensures racially and  
25 economically equitable opportunities and outcomes for all  
26 children.

1           (13) In 2017, Illinois became a national leader in  
2           passing the K-12 Evidence-Based Funding formula for public  
3           schools, creating a mechanism to adequately fund and  
4           equitably disburse resources throughout the State and  
5           prioritize funding for school districts that need it most.

6           (b) The General Assembly supports the following goals of  
7           the Illinois Commission on Equitable Early Childhood Education  
8           and Care Funding:

9           (1) To create a more equitable, efficient, and  
10          effective system and thereby increase access to  
11          high-quality services, particularly to serve more Black  
12          and Latinx children and populations of children where  
13          children of color may be disproportionately represented,  
14          such as children from low-income households, with  
15          disabilities, experiencing homelessness, and participating  
16          in the child welfare system.

17          (2) To ensure a more equitable system, we support the  
18          Commission's goal of consolidating programs and services  
19          into a single, adequately staffed State agency to align and  
20          coordinate services, to decrease barriers to access for  
21          families and make it easier for them to navigate the  
22          system, and to better collect, use, and report  
23          comprehensive data to ensure disparities in services are  
24          addressed.

25          (3) To ensure equitable and adequate funding to expand  
26          access to high-quality services and increase compensation

1 of this vital workforce, a significant proportion of which  
2 are Black and Latinx women. The General Assembly encourages  
3 the State to commit to a multi-year plan designed to move  
4 the State toward adequate funding over time.

5 (4) To redesign the mechanisms by which the State pays  
6 providers of early childhood education and care services to  
7 ensure provider stability, capacity, and quality and to  
8 make sure providers and services are available to families  
9 throughout the State, including in areas of child care  
10 deserts and concentrated poverty.

11 (5) To ensure comprehensive data on children and  
12 families' access to and participation in programs and  
13 resulting outcomes, including, but not limited to,  
14 kindergarten readiness, to understand and address the  
15 degree to which the State is reaching children and families  
16 and ensuring equitable opportunity and outcomes.

17 (c) The General Assembly encourages the State to create a  
18 planning process and timeline, with a designated body  
19 accountable for implementing the Commission's recommendations,  
20 that includes engagement of parents, providers, communities,  
21 experts, and other stakeholders and to regularly evaluate the  
22 impact of the implementation of the Commission's  
23 recommendations to ensure they impact children, families, and  
24 communities as intended and lead to a more equitable early  
25 childhood education and care system for Illinois.

1 Article 20.

2 Section 20-5. The Illinois Act on the Aging is amended by  
3 adding Section 4.01b as follows:

4 (20 ILCS 105/4.01b new)

5 Sec. 4.01b. Uniform demographic data collection.

6 (a) The Department shall collect and publicly report  
7 statistical data on the racial and ethnic demographics of  
8 program participants for each program administered by the  
9 Department. Except as provided in subsection (b), when  
10 collecting the data required under this Section, the Department  
11 shall use the same racial and ethnic classifications for each  
12 program, which shall include, but not be limited to, the  
13 following:

14 (1) American Indian and Alaska Native alone.

15 (2) Asian alone.

16 (3) Black or African American alone.

17 (4) Hispanic or Latino of any race.

18 (5) Native Hawaiian and Other Pacific Islander alone.

19 (6) White alone.

20 (7) Some other race alone.

21 (8) Two or more races.

22 The Department may further define, by rule, the racial and  
23 ethnic classifications provided in this Section.

24 (b) If a program administered by the Department is subject

1 to federal reporting requirements that include the collection  
2 and public reporting of statistical data on the racial and  
3 ethnic demographics of program participants, the Department  
4 may maintain the same racial and ethnic classifications used  
5 under the federal requirements if such classifications differ  
6 from the classifications listed in subsection (a).

7 (c) The Department shall make all demographic information  
8 collected under this Section available to the public which at a  
9 minimum shall include posting the information for each program  
10 in a timely manner on the Department's official website. If the  
11 Department already has a mechanism or process in place to  
12 report information about program participation for any program  
13 administered by the Department, then the Department shall use  
14 that mechanism or process to include the demographic  
15 information collected under this Section. If the Department  
16 does not have a mechanism or process in place to report  
17 information about program participation for any program  
18 administered by the Department, then the Department shall  
19 create a mechanism or process to disseminate the demographic  
20 information collected under this Section.

21 (d) The Department shall submit to the General Assembly on  
22 or before December 1 of each year preceding a new General  
23 Assembly a report that contains the following:

24 (1) The racial and ethnic demographics of program  
25 participants for each program administered by the  
26 Department, as required under this Section, during the

1       prior 2 fiscal years.

2           (2) The most recent demographic information, including  
3       racial and ethnic data, of inmates and parolees eligible  
4       for each of the programs detailed under paragraph (1)  
5       according to either eligibility guidelines or the best  
6       available information.

7           (3) Recommendations to eliminate any existing racial  
8       and ethnic disparities in program participation for each  
9       program administered by the Department as indicated by the  
10       demographic information collected under paragraphs (1) and  
11       (2).

12           (e) If the Department is unable to provide any item  
13       specified under subsection (d), the Department shall submit to  
14       the General Assembly on or before December 1 of each year  
15       preceding a new General Assembly the reason for the delay and  
16       the estimated date by which the Department will provide the  
17       specified information.

18           (f) The Governor may require the Department and other  
19       relevant State agencies that are required to report demographic  
20       information as provided by this amendatory Act of the 101st  
21       General Assembly to consolidate into a single report each  
22       agency's recommendations provided under paragraph (3) of  
23       subsection (d), including a detailed account of measures each  
24       agency plans to implement to eliminate existing racial and  
25       ethnic disparities within any program administered by the  
26       agency. The provisions of this subsection shall not apply to

1 the State Board of Education.

2 Section 20-10. The Department of Central Management  
3 Services Law of the Civil Administrative Code of Illinois is  
4 amended by adding Section 405-535 as follows:

5 (20 ILCS 405/405-535 new)

6 Sec. 405-535. Uniform demographic data collection.

7 (a) The Department shall collect and publicly report  
8 statistical data on the racial and ethnic demographics of  
9 program participants for each program administered by the  
10 Department. Except as provided in subsection (b), when  
11 collecting the data required under this Section, the Department  
12 shall use the same racial and ethnic classifications for each  
13 program, which shall include, but not be limited to, the  
14 following:

15 (1) American Indian and Alaska Native alone.

16 (2) Asian alone.

17 (3) Black or African American alone.

18 (4) Hispanic or Latino of any race.

19 (5) Native Hawaiian and Other Pacific Islander alone.

20 (6) White alone.

21 (7) Some other race alone.

22 (8) Two or more races.

23 The Department may further define, by rule, the racial and  
24 ethnic classifications provided in this Section.



1       (b) If a program administered by the Department is subject  
2 to federal reporting requirements that include the collection  
3 and public reporting of statistical data on the racial and  
4 ethnic demographics of program participants, the Department  
5 may maintain the same racial and ethnic classifications used  
6 under the federal requirements if such classifications differ  
7 from the classifications listed in subsection (a).

8       (c) The Department shall make all demographic information  
9 collected under this Section available to the public which at a  
10 minimum shall include posting the information for each program  
11 in a timely manner on the Department's official website. If the  
12 Department already has a mechanism or process in place to  
13 report information about program participation for any program  
14 administered by the Department, then the Department shall use  
15 that mechanism or process to include the demographic  
16 information collected under this Section. If the Department  
17 does not have a mechanism or process in place to report  
18 information about program participation for any program  
19 administered by the Department, then the Department shall  
20 create a mechanism or process to disseminate the demographic  
21 information collected under this Section.

22       (d) The Department shall submit to the General Assembly on  
23 or before December 1 of each year preceding a new General  
24 Assembly a report that contains the following:

25           (1) The racial and ethnic demographics of program  
26 participants for each program administered by the

1 Department, as required under this Section, during the  
2 prior 2 fiscal years.

3 (2) The most recent demographic information, including  
4 racial and ethnic data, on individuals residing in Illinois  
5 who are in need of or eligible for each of the programs  
6 detailed under paragraph (1) according to either  
7 eligibility guidelines or the best available information.

8 (3) Recommendations to eliminate any existing racial  
9 and ethnic disparities in program participation for each  
10 program administered by the Department as indicated by the  
11 demographic information collected under paragraphs (1) and  
12 (2).

13 (e) If the Department is unable to provide any item  
14 specified under subsection (d), the Department shall submit to  
15 the General Assembly on or before December 1 of each year  
16 preceding a new General Assembly the reason for the delay and  
17 the estimated date by which the Department will provide the  
18 specified information.

19 (f) The Governor may require the Department and other  
20 relevant State agencies that are required to report demographic  
21 information as provided by this amendatory Act of the 101st  
22 General Assembly to consolidate into a single report each  
23 agency's recommendations provided under paragraph (3) of  
24 subsection (d), including a detailed account of measures each  
25 agency plans to implement to eliminate existing racial and  
26 ethnic disparities within any program administered by the

1 agency. The provisions of this subsection shall not apply to  
2 the State Board of Education.

3 Section 20-15. The Children and Family Services Act is  
4 amended by adding Section 44 as follows:

5 (20 ILCS 505/44 new)

6 Sec. 44. Uniform demographic data collection.

7 (a) The Department shall collect and publicly report  
8 statistical data on the racial and ethnic demographics of  
9 program participants for each program administered by the  
10 Department. Except as provided in subsection (b), when  
11 collecting the data required under this Section, the Department  
12 shall use the same racial and ethnic classifications for each  
13 program, which shall include, but not be limited to, the  
14 following:

15 (1) American Indian and Alaska Native alone.

16 (2) Asian alone.

17 (3) Black or African American alone.

18 (4) Hispanic or Latino of any race.

19 (5) Native Hawaiian and Other Pacific Islander alone.

20 (6) White alone.

21 (7) Some other race alone.

22 (8) Two or more races.

23 The Department may further define, by rule, the racial and  
24 ethnic classifications provided in this Section.

1       (b) If a program administered by the Department is subject  
2 to federal reporting requirements that include the collection  
3 and public reporting of statistical data on the racial and  
4 ethnic demographics of program participants, the Department  
5 may maintain the same racial and ethnic classifications used  
6 under the federal requirements if such classifications differ  
7 from the classifications listed in subsection (a).

8       (c) The Department shall make all demographic information  
9 collected under this Section available to the public which at a  
10 minimum shall include posting the information for each program  
11 in a timely manner on the Department's official website. If the  
12 Department already has a mechanism or process in place to  
13 report information about program participation for any program  
14 administered by the Department, then the Department shall use  
15 that mechanism or process to include the demographic  
16 information collected under this Section. If the Department  
17 does not have a mechanism or process in place to report  
18 information about program participation for any program  
19 administered by the Department, then the Department shall  
20 create a mechanism or process to disseminate the demographic  
21 information collected under this Section.

22       (d) The Department shall submit to the General Assembly on  
23 or before December 1 of each year preceding a new General  
24 Assembly a report that contains the following:

25           (1) The racial and ethnic demographics of program  
26 participants for each program administered by the

1 Department, as required under this Section, during the  
2 prior 2 fiscal years.

3 (2) The most recent demographic information, including  
4 racial and ethnic data, on individuals residing in Illinois  
5 who are in need of or eligible for each of the programs  
6 detailed under paragraph (1) according to either  
7 eligibility guidelines or the best available information.

8 (3) Recommendations to eliminate any existing racial  
9 and ethnic disparities in program participation for each  
10 program administered by the Department as indicated by the  
11 demographic information collected under paragraphs (1) and  
12 (2).

13 (e) If the Department is unable to provide any item  
14 specified under subsection (d), the Department shall submit to  
15 the General Assembly on or before December 1 of each year  
16 preceding a new General Assembly the reason for the delay and  
17 the estimated date by which the Department will provide the  
18 specified information.

19 (f) The Governor may require the Department and other  
20 relevant State agencies that are required to report demographic  
21 information as provided by this amendatory Act of the 101st  
22 General Assembly to consolidate into a single report each  
23 agency's recommendations provided under paragraph (3) of  
24 subsection (d), including a detailed account of measures each  
25 agency plans to implement to eliminate existing racial and  
26 ethnic disparities within any program administered by the

1 agency. The provisions of this subsection shall not apply to  
2 the State Board of Education.

3 Section 20-20. The Department of Human Services Act is  
4 amended by changing Section 1-70 as follows:

5 (20 ILCS 1305/1-70)

6 Sec. 1-70. Uniform demographic data collection.

7 (a) The Department shall collect and publicly report  
8 statistical data on the racial and ethnic demographics of  
9 program participants for each program administered by the  
10 Department. Except as provided in subsection (b), when  
11 collecting the data required under this Section, the Department  
12 shall use the same racial and ethnic classifications for each  
13 program, which shall include, but not be limited to, the  
14 following:

15 (1) American Indian and Alaska Native alone.

16 (2) Asian alone.

17 (3) Black or African American alone.

18 (4) Hispanic or Latino of any race.

19 (5) Native Hawaiian and Other Pacific Islander alone.

20 (6) White alone.

21 (7) Some other race alone.

22 (8) Two or more races.

23 The Department may further define, by rule, the racial and  
24 ethnic classifications provided in this Section.

1 (b) If a program administered by the Department is subject  
2 to federal reporting requirements that include the collection  
3 and public reporting of statistical data on the racial and  
4 ethnic demographics of program participants, the Department  
5 may maintain the same racial and ethnic classifications used  
6 under the federal requirements if such classifications differ  
7 from the classifications listed in subsection (a).

8 (c) The Department shall make all demographic information  
9 collected under this Section available to the public which at a  
10 minimum shall include posting the information for each program  
11 in a timely manner on the Department's official website. If the  
12 Department already has a mechanism or process in place to  
13 report information about program participation for any program  
14 administered by the Department, then the Department shall use  
15 that mechanism or process to include the demographic  
16 information collected under this Section. If the Department  
17 does not have a mechanism or process in place to report  
18 information about program participation for any program  
19 administered by the Department, then the Department shall  
20 create a mechanism or process to disseminate the demographic  
21 information collected under this Section.

22 (d) The Department shall submit to the General Assembly on  
23 or before December 1 of each year preceding a new General  
24 Assembly a report that contains the following:

25 (1) The racial and ethnic demographics of program  
26 participants for each program administered by the

1 Department, as required under this Section, during the  
2 prior 2 fiscal years.

3 (2) The most recent demographic information, including  
4 racial and ethnic data, on individuals residing in Illinois  
5 who are in need of or eligible for each of the programs  
6 detailed under paragraph (1) according to either  
7 eligibility guidelines or the best available information.

8 (3) Recommendations to eliminate any existing racial  
9 and ethnic disparities in program participation for each  
10 program administered by the Department as indicated by the  
11 demographic information collected under paragraphs (1) and  
12 (2).

13 (e) If the Department is unable to provide any item  
14 specified under subsection (d), the Department shall submit to  
15 the General Assembly on or before December 1 of each year  
16 preceding a new General Assembly the reason for the delay and  
17 the estimated date by which the Department will provide the  
18 specified information.

19 (f) The Governor may require the Department and other  
20 relevant State agencies that are required to report demographic  
21 information as provided by this amendatory Act of the 101st  
22 General Assembly to consolidate into a single report each  
23 agency's recommendations provided under paragraph (3) of  
24 subsection (d), including a detailed account of measures each  
25 agency plans to implement to eliminate existing racial and  
26 ethnic disparities within any program administered by the



1 agency. The provisions of this subsection shall not apply to  
2 the State Board of Education.

3 (Source: P.A. 100-275, eff. 1-1-18; 100-863, eff. 8-14-18.)

4 Section 20-25. The Department of Labor Law is amended by  
5 adding Section 1505-220 as follows:

6 (20 ILCS 1505/1505-220 new)

7 Sec. 1505-220. Uniform demographic data collection.

8 (a) The Department shall collect and publicly report  
9 statistical data on the racial and ethnic demographics of  
10 program participants for each program administered by the  
11 Department. Except as provided in subsection (b), when  
12 collecting the data required under this Section, the Department  
13 shall use the same racial and ethnic classifications for each  
14 program, which shall include, but not be limited to, the  
15 following:

16 (1) American Indian and Alaska Native alone.

17 (2) Asian alone.

18 (3) Black or African American alone.

19 (4) Hispanic or Latino of any race.

20 (5) Native Hawaiian and Other Pacific Islander alone.

21 (6) White alone.

22 (7) Some other race alone.

23 (8) Two or more races.

24 The Department may further define, by rule, the racial and

1 ethnic classifications provided in this Section.

2 (b) If a program administered by the Department is subject  
3 to federal reporting requirements that include the collection  
4 and public reporting of statistical data on the racial and  
5 ethnic demographics of program participants, the Department  
6 may maintain the same racial and ethnic classifications used  
7 under the federal requirements if such classifications differ  
8 from the classifications listed in subsection (a).

9 (c) The Department shall make all demographic information  
10 collected under this Section available to the public which at a  
11 minimum shall include posting the information for each program  
12 in a timely manner on the Department's official website. If the  
13 Department already has a mechanism or process in place to  
14 report information about program participation for any program  
15 administered by the Department, then the Department shall use  
16 that mechanism or process to include the demographic  
17 information collected under this Section. If the Department  
18 does not have a mechanism or process in place to report  
19 information about program participation for any program  
20 administered by the Department, then the Department shall  
21 create a mechanism or process to disseminate the demographic  
22 information collected under this Section.

23 (d) The Department shall submit to the General Assembly on  
24 or before December 1 of each year preceding a new General  
25 Assembly a report that contains the following:

26 (1) The racial and ethnic demographics of program

1 participants for each program administered by the  
2 Department, as required under this Section, during the  
3 prior 2 fiscal years.

4 (2) The most recent demographic information, including  
5 racial and ethnic data, on individuals residing in Illinois  
6 who are in need of or eligible for each of the programs  
7 detailed under paragraph (1) according to either  
8 eligibility guidelines or the best available information.

9 (3) Recommendations to eliminate any existing racial  
10 and ethnic disparities in program participation for each  
11 program administered by the Department as indicated by the  
12 demographic information collected under paragraphs (1) and  
13 (2).

14 (e) If the Department is unable to provide any item  
15 specified under subsection (d), the Department shall submit to  
16 the General Assembly on or before December 1 of each year  
17 preceding a new General Assembly the reason for the delay and  
18 the estimated date by which the Department will provide the  
19 specified information.

20 (f) The Governor may require the Department and other  
21 relevant State agencies that are required to report demographic  
22 information as provided by this amendatory Act of the 101st  
23 General Assembly to consolidate into a single report each  
24 agency's recommendations provided under paragraph (3) of  
25 subsection (d), including a detailed account of measures each  
26 agency plans to implement to eliminate existing racial and

1 ethnic disparities within any program administered by the  
2 agency. The provisions of this subsection shall not apply to  
3 the State Board of Education.

4 Section 20-30. The Department of Healthcare and Family  
5 Services Law is amended by adding Section 2205-35 as follows:

6 (20 ILCS 2205/2205-35 new)

7 Sec. 2205-35. Uniform demographic data collection.

8 (a) The Department shall collect and publicly report  
9 statistical data on the racial and ethnic demographics of  
10 program participants for each program administered by the  
11 Department. Except as provided in subsection (b), when  
12 collecting the data required under this Section, the Department  
13 shall use the same racial and ethnic classifications for each  
14 program, which shall include, but not be limited to, the  
15 following:

16 (1) American Indian and Alaska Native alone.

17 (2) Asian alone.

18 (3) Black or African American alone.

19 (4) Hispanic or Latino of any race.

20 (5) Native Hawaiian and Other Pacific Islander alone.

21 (6) White alone.

22 (7) Some other race alone.

23 (8) Two or more races.

24 The Department may further define, by rule, the racial and

1 ethnic classifications provided in this Section.

2 (b) If a program administered by the Department is subject  
3 to federal reporting requirements that include the collection  
4 and public reporting of statistical data on the racial and  
5 ethnic demographics of program participants, the Department  
6 may maintain the same racial and ethnic classifications used  
7 under the federal requirements if such classifications differ  
8 from the classifications listed in subsection (a).

9 (c) The Department shall make all demographic information  
10 collected under this Section available to the public which at a  
11 minimum shall include posting the information for each program  
12 in a timely manner on the Department's official website. If the  
13 Department already has a mechanism or process in place to  
14 report information about program participation for any program  
15 administered by the Department, then the Department shall use  
16 that mechanism or process to include the demographic  
17 information collected under this Section. If the Department  
18 does not have a mechanism or process in place to report  
19 information about program participation for any program  
20 administered by the Department, then the Department shall  
21 create a mechanism or process to disseminate the demographic  
22 information collected under this Section.

23 (d) The Department shall submit to the General Assembly on  
24 or before December 1 of each year preceding a new General  
25 Assembly a report that contains the following:

26 (1) The racial and ethnic demographics of program

1 participants for each program administered by the  
2 Department, as required under this Section, during the  
3 prior 2 fiscal years.

4 (2) The most recent demographic information, including  
5 racial and ethnic data, on individuals residing in Illinois  
6 who are in need of or eligible for each of the programs  
7 detailed under paragraph (1) according to either  
8 eligibility guidelines or the best available information.

9 (3) Recommendations to eliminate any existing racial  
10 and ethnic disparities in program participation for each  
11 program administered by the Department as indicated by the  
12 demographic information collected under paragraphs (1) and  
13 (2).

14 (e) If the Department is unable to provide any item  
15 specified under subsection (d), the Department shall submit to  
16 the General Assembly on or before December 1 of each year  
17 preceding a new General Assembly the reason for the delay and  
18 the estimated date by which the Department will provide the  
19 specified information.

20 (e) The Governor may require the Department and other  
21 relevant State agencies that are required to report demographic  
22 information as provided by this amendatory Act of the 101st  
23 General Assembly to consolidate into a single report each  
24 agency's recommendations provided under paragraph (3) of  
25 subsection (d), including a detailed account of measures each  
26 agency plans to implement to eliminate existing racial and

1 ethnic disparities within any program administered by the  
2 agency. The provisions of this subsection shall not apply to  
3 the State Board of Education.

4 Section 20-35. The Department of Public Health Powers and  
5 Duties Law is amended by adding Section 2310-61 as follows:

6 (20 ILCS 2310/2310-61 new)

7 Sec. 2310-61. Uniform demographic data collection.

8 (a) The Department shall collect and publicly report  
9 statistical data on the racial and ethnic demographics of  
10 program participants for each program administered by the  
11 Department. Except as provided in subsection (b), when  
12 collecting the data required under this Section, the Department  
13 shall use the same racial and ethnic classifications for each  
14 program, which shall include, but not be limited to, the  
15 following:

16 (1) American Indian and Alaska Native alone.

17 (2) Asian alone.

18 (3) Black or African American alone.

19 (4) Hispanic or Latino of any race.

20 (5) Native Hawaiian and Other Pacific Islander alone.

21 (6) White alone.

22 (7) Some other race alone.

23 (8) Two or more races.

24 The Department may further define, by rule, the racial and

1 ethnic classifications provided in this Section.

2 (b) If a program administered by the Department is subject  
3 to federal reporting requirements that include the collection  
4 and public reporting of statistical data on the racial and  
5 ethnic demographics of program participants, the Department  
6 may maintain the same racial and ethnic classifications used  
7 under the federal requirements if such classifications differ  
8 from the classifications listed in subsection (a).

9 (c) The Department shall make all demographic information  
10 collected under this Section available to the public which at a  
11 minimum shall include posting the information for each program  
12 in a timely manner on the Department's official website. If the  
13 Department already has a mechanism or process in place to  
14 report information about program participation for any program  
15 administered by the Department, then the Department shall use  
16 that mechanism or process to include the demographic  
17 information collected under this Section. If the Department  
18 does not have a mechanism or process in place to report  
19 information about program participation for any program  
20 administered by the Department, then the Department shall  
21 create a mechanism or process to disseminate the demographic  
22 information collected under this Section.

23 (d) The Department shall submit to the General Assembly on  
24 or before December 1 of each year preceding a new General  
25 Assembly a report that contains the following:

26 (1) The racial and ethnic demographics of program



1 participants for each program administered by the  
2 Department, as required under this Section, during the  
3 prior 2 fiscal years.

4 (2) The most recent demographic information, including  
5 racial and ethnic data, on individuals residing in Illinois  
6 who are in need of or eligible for each of the programs  
7 detailed under paragraph (1) according to either  
8 eligibility guidelines or the best available information.

9 (3) Recommendations to eliminate any existing racial  
10 and ethnic disparities in program participation for each  
11 program administered by the Department as indicated by the  
12 demographic information collected under paragraphs (1) and  
13 (2).

14 (e) If the Department is unable to provide any item  
15 specified under subsection (d), the Department shall submit to  
16 the General Assembly on or before December 1 of each year  
17 preceding a new General Assembly the reason for the delay and  
18 the estimated date by which the Department will provide the  
19 specified information.

20 (f) The Governor may require the Department and other  
21 relevant State agencies that are required to report demographic  
22 information as provided by this amendatory Act of the 101st  
23 General Assembly to consolidate into a single report each  
24 agency's recommendations provided under paragraph (3) of  
25 subsection (d), including a detailed account of measures each  
26 agency plans to implement to eliminate existing racial and

1 ethnic disparities within any program administered by the  
2 agency. The provisions of this subsection shall not apply to  
3 the State Board of Education.

4 Section 20-40. The Department of Transportation Law of the  
5 Civil Administrative Code of Illinois is amended by adding  
6 Section 2705-620 as follows:

7 (20 ILCS 2705/2705-620 new)

8 Sec. 2705-620. Uniform demographic data collection.

9 (a) The Department shall collect and publicly report  
10 statistical data on the racial and ethnic demographics of  
11 program participants for each program administered by the  
12 Department. Except as provided in subsection (b), when  
13 collecting the data required under this Section, the Department  
14 shall use the same racial and ethnic classifications for each  
15 program, which shall include, but not be limited to, the  
16 following:

17 (1) American Indian and Alaska Native alone.

18 (2) Asian alone.

19 (3) Black or African American alone.

20 (4) Hispanic or Latino of any race.

21 (5) Native Hawaiian and Other Pacific Islander alone.

22 (6) White alone.

23 (7) Some other race alone.

24 (8) Two or more races.

1       The Department may further define, by rule, the racial and  
2 ethnic classifications provided in this Section.

3       (b) If a program administered by the Department is subject  
4 to federal reporting requirements that include the collection  
5 and public reporting of statistical data on the racial and  
6 ethnic demographics of program participants, the Department  
7 may maintain the same racial and ethnic classifications used  
8 under the federal requirements if such classifications differ  
9 from the classifications listed in subsection (a).

10       (c) The Department shall make all demographic information  
11 collected under this Section available to the public which at a  
12 minimum shall include posting the information for each program  
13 in a timely manner on the Department's official website. If the  
14 Department already has a mechanism or process in place to  
15 report information about program participation for any program  
16 administered by the Department, then the Department shall use  
17 that mechanism or process to include the demographic  
18 information collected under this Section. If the Department  
19 does not have a mechanism or process in place to report  
20 information about program participation for any program  
21 administered by the Department, then the Department shall  
22 create a mechanism or process to disseminate the demographic  
23 information collected under this Section.

24       (d) The Department shall submit to the General Assembly on  
25 or before December 1 of each year preceding a new General  
26 Assembly a report that contains the following:

1           (1) The racial and ethnic demographics of program  
2           participants for each program administered by the  
3           Department, as required under this Section, during the  
4           prior 2 fiscal years.

5           (2) The most recent demographic information, including  
6           racial and ethnic data, on individuals residing in Illinois  
7           who are in need of or eligible for each of the programs  
8           detailed under paragraph (1) according to either  
9           eligibility guidelines or the best available information.

10           (3) Recommendations to eliminate any existing racial  
11           and ethnic disparities in program participation for each  
12           program administered by the Department as indicated by the  
13           demographic information collected under paragraphs (1) and  
14           (2).

15           (e) If the Department is unable to provide any item  
16           specified under subsection (d), the Department shall submit to  
17           the General Assembly on or before December 1 of each year  
18           preceding a new General Assembly the reason for the delay and  
19           the estimated date by which the Department will provide the  
20           specified information.

21           (f) The Governor may require the Department and other  
22           relevant State agencies that are required to report demographic  
23           information as provided by this amendatory Act of the 101st  
24           General Assembly to consolidate into a single report each  
25           agency's recommendations provided under paragraph (3) of  
26           subsection (d), including a detailed account of measures each

1 agency plans to implement to eliminate existing racial and  
2 ethnic disparities within any program administered by the  
3 agency. The provisions of this subsection shall not apply to  
4 the State Board of Education.

5 Section 20-45. The School Code is amended by adding Section  
6 2-3.11e as follows:

7 (105 ILCS 5/2-3.11e new)

8 Sec. 2-3.11e. Uniform demographic data collection.

9 (a) The State Board of Education shall collect and publicly  
10 report statistical data on the racial and ethnic demographics  
11 of program participants for each program administered by the  
12 State Board of Education. Except as provided in subsection (b),  
13 when collecting the data required under this Section, the State  
14 Board of Education shall use the same racial and ethnic  
15 classifications for each program, which shall include, but not  
16 be limited to, the following:

17 (1) American Indian and Alaska Native alone.

18 (2) Asian alone.

19 (3) Black or African American alone.

20 (4) Hispanic or Latino of any race.

21 (5) Native Hawaiian and Other Pacific Islander alone.

22 (6) White alone.

23 (7) Some other race alone.

24 (8) Two or more races.

1       The State Board of Education may further define, by rule,  
2 the racial and ethnic classifications provided in this Section.

3       (b) If a program administered by the State Board of  
4 Education is subject to federal reporting requirements that  
5 include the collection and public reporting of statistical data  
6 on the racial and ethnic demographics of program participants,  
7 the State Board of Education may maintain the same racial and  
8 ethnic classifications used under the federal requirements if  
9 such classifications differ from the classifications listed in  
10 subsection (a).

11       (c) The State Board of Education shall make all demographic  
12 information collected under this Section available to the  
13 public which at a minimum shall include posting the information  
14 for each program in a timely manner on the State Board of  
15 Education's official website. If the State Board of Education  
16 already has a mechanism or process in place to report  
17 information about program participation for any program  
18 administered by the State Board of Education, then the State  
19 Board of Education shall use that mechanism or process to  
20 include the demographic information collected under this  
21 Section. If the State Board of Education does not have a  
22 mechanism or process in place to report information about  
23 program participation for any program administered by the State  
24 Board of Education, then the State Board of Education shall  
25 create a mechanism or process to disseminate the demographic  
26 information collected under this Section.

1       (d) The State Board of Education shall submit to the  
2 General Assembly on or before December 1 of each year preceding  
3 a new General Assembly a report that contains the following:

4           (1) The racial and ethnic demographics of program  
5 participants for each program administered by the State  
6 Board of Education, as required under this Section, during  
7 the prior 2 fiscal years.

8           (2) The most recent demographic information, including  
9 racial and ethnic data, on individuals residing in Illinois  
10 who are in need of or eligible for each of the programs  
11 detailed under paragraph (1) according to either  
12 eligibility guidelines or the best available information.

13           (3) Recommendations to eliminate any existing racial  
14 and ethnic disparities in program participation for each  
15 program administered by the State Board of Education as  
16 indicated by the demographic information collected under  
17 paragraphs (1) and (2).

18       (e) If the State Board of Education is unable to provide  
19 any item specified under subsection (d), the State Board of  
20 Education shall submit to the General Assembly on or before  
21 December 1 of each year preceding a new General Assembly the  
22 reason for the delay and the estimated date by which the  
23 Department will provide the specified information.

24       Section 20-50. The Unified Code of Corrections is amended  
25 by adding Sections 3-2-2.5 and 3-2.5-62 as follows:

1 (730 ILCS 5/3-2-2.5 new)

2 Sec. 3-2-2.5. Uniform demographic data collection.

3 (a) The Department of Corrections shall collect and  
4 publicly report statistical data on the racial and ethnic  
5 demographics of program participants for each program  
6 administered by the Department for inmates or parolees. Except  
7 as provided in subsection (b), when collecting the data  
8 required under this Section, the Department of Corrections  
9 shall use the same racial and ethnic classifications for each  
10 program, which shall include, but not be limited to, the  
11 following:

12 (1) American Indian and Alaska Native alone.

13 (2) Asian alone.

14 (3) Black or African American alone.

15 (4) Hispanic or Latino of any race.

16 (5) Native Hawaiian and Other Pacific Islander alone.

17 (6) White alone.

18 (7) Some other race alone.

19 (8) Two or more races.

20 The Department of Corrections may further define, by rule,  
21 the racial and ethnic classifications provided in this Section.

22 (b) If a program administered by the Department of  
23 Corrections is subject to federal reporting requirements that  
24 include the collection and public reporting of statistical data  
25 on the racial and ethnic demographics of program participants,



1 the Department may maintain the same racial and ethnic  
2 classifications used under the federal requirements if such  
3 classifications differ from the classifications listed in  
4 subsection (a).

5 (c) The Department of Corrections shall make all  
6 demographic information collected under this Section available  
7 to the public which at a minimum shall include posting the  
8 information for each program in a timely manner on the  
9 Department's official website. If the Department of  
10 Corrections already has a mechanism or process in place to  
11 report information about program participation for any program  
12 administered by the Department, then the Department shall use  
13 that mechanism or process to include the demographic  
14 information collected under this Section. If the Department of  
15 Corrections does not have a mechanism or process in place to  
16 report information about program participation for any program  
17 administered by the Department, then the Department shall  
18 create a mechanism or process to disseminate the demographic  
19 information collected under this Section.

20 (d) The Department of Corrections shall submit to the  
21 General Assembly on or before December 1 of each year preceding  
22 a new General Assembly a report that contains the following:

23 (1) The racial and ethnic demographics of program  
24 participants for each program administered by the  
25 Department of Corrections, as required under this Section,  
26 during the prior 2 fiscal years.

1           (2) The most recent demographic information, including  
2           racial and ethnic data, of inmates and parolees eligible  
3           for each of the programs detailed under paragraph (1)  
4           according to either eligibility guidelines or the best  
5           available information.

6           (3) Recommendations to eliminate any existing racial  
7           and ethnic disparities in program participation for each  
8           program administered by the Department of Corrections as  
9           indicated by the demographic information collected under  
10           paragraphs (1) and (2).

11           (e) If the Department of Corrections is unable to provide  
12           any item specified under subsection (d), the Department of  
13           Corrections shall submit to the General Assembly on or before  
14           December 1 of each year preceding a new General Assembly the  
15           reason for the delay and the estimated date by which the  
16           Department of Corrections will provide the specified  
17           information.

18           (f) The Governor may require the Department of Corrections  
19           and other relevant State agencies that are required to report  
20           demographic information as provided by this amendatory Act of  
21           the 101st General Assembly to consolidate into a single report  
22           each agency's recommendations provided under paragraph (3) of  
23           subsection (d), including a detailed account of measures each  
24           agency plans to implement to eliminate existing racial and  
25           ethnic disparities within any program administered by the  
26           agency. The provisions of this subsection shall not apply to

1 the State Board of Education.

2 (730 ILCS 5/3-2.5-62 new)

3 Sec. 3-2.5-62. Uniform demographic data collection.

4 (a) The Department of Juvenile Justice shall collect and  
5 publicly report statistical data on the racial and ethnic  
6 demographics of program participants for each program  
7 administered by the Department for youths in each of the  
8 Department's facilities and youths on aftercare. Except as  
9 provided in subsection (b), when collecting the data required  
10 under this Section, the Department of Juvenile Justice shall  
11 use the same racial and ethnic classifications for each  
12 program, which shall include, but not be limited to, the  
13 following:

14 (1) American Indian and Alaska Native alone.

15 (2) Asian alone.

16 (3) Black or African American alone.

17 (4) Hispanic or Latino of any race.

18 (5) Native Hawaiian and Other Pacific Islander alone.

19 (6) White alone.

20 (7) Some other race alone.

21 (8) Two or more races.

22 The Department of Juvenile Justice may further define, by  
23 rule, the racial and ethnic classifications provided in this  
24 Section.

25 (b) If a program administered by the Department of Juvenile

1 Justice is subject to federal reporting requirements that  
2 include the collection and public reporting of statistical data  
3 on the racial and ethnic demographics of program participants,  
4 the Department may maintain the same racial and ethnic  
5 classifications used under the federal requirements if such  
6 classifications differ from the classifications listed in  
7 subsection (a).

8 (c) The Department of Juvenile Justice shall make all  
9 demographic information collected under this Section available  
10 to the public which at a minimum shall include posting the  
11 information for each program in a timely manner on the  
12 Department's official website. If the Department of Juvenile  
13 Justice already has a mechanism or process in place to report  
14 information about program participation for any program  
15 administered by the Department, then the Department shall use  
16 that mechanism or process to include the demographic  
17 information collected under this Section. If the Department of  
18 Juvenile Justice does not have a mechanism or process in place  
19 to report information about program participation for any  
20 program administered by the Department, then the Department  
21 shall create a mechanism or process to disseminate the  
22 demographic information collected under this Section.

23 (d) The Department of Juvenile Justice shall submit to the  
24 General Assembly on or before December 1 of each year preceding  
25 a new General Assembly a report that contains the following:

26 (1) The racial and ethnic demographics of program

1 participants for each program administered by the  
2 Department of Juvenile Justice, as required under this  
3 Section, during the prior 2 fiscal years.

4 (2) The most recent demographic information, including  
5 racial and ethnic data, on individuals residing in  
6 Department facilities or who are in aftercare and who are  
7 in need of or eligible for each of the programs detailed  
8 under paragraph (1) according to either eligibility  
9 guidelines or the best available information.

10 (3) Recommendations to eliminate any existing racial  
11 and ethnic disparities in program participation for each  
12 program administered by the Department of Juvenile Justice  
13 as indicated by the demographic information collected  
14 under paragraphs (1) and (2).

15 (e) If the Department of Juvenile Justice is unable to  
16 provide any item specified under subsection (d), the Department  
17 of Juvenile Justice shall submit to the General Assembly on or  
18 before December 1 of each year preceding a new General Assembly  
19 the reason for the delay and the estimated date by which the  
20 Department of Juvenile Justice will provide the specified  
21 information.

22 (f) The Governor may require the Department of Juvenile  
23 Justice and other relevant State agencies that are required to  
24 report demographic information as provided by this amendatory  
25 Act of the 101st General Assembly to consolidate into a single  
26 report each agency's recommendations provided under paragraph

1 (3) of subsection (d), including a detailed account of measures  
2 each agency plans to implement to eliminate existing racial and  
3 ethnic disparities within any program administered by the  
4 agency. The provisions of this subsection shall not apply to  
5 the State Board of Education.

6 Article 25.

7 Section 22-5. The School Code is amended by adding Section  
8 22-90 as follows:

9 (105 ILCS 5/22-90 new)

10 Sec. 22-90. Whole Child Task Force.

11 (a) The General Assembly makes all of the following  
12 findings:

13 (1) The COVID-19 pandemic has exposed systemic  
14 inequities in American society. Students, educators, and  
15 families throughout this State have been deeply affected by  
16 the pandemic, and the impact of the pandemic will be felt  
17 for years to come. The negative consequences of the  
18 pandemic have impacted students and communities  
19 differently along the lines of race, income, language, and  
20 special needs. However, students in this State faced  
21 significant unmet physical health, mental health, and  
22 social and emotional needs even prior to the pandemic.

23 (2) The path to recovery requires a commitment from

1 adults in this State to address our students cultural,  
2 physical, emotional, and mental health needs and to provide  
3 them with stronger and increased systemic support and  
4 intervention.

5 (3) It is well documented that trauma and toxic stress  
6 diminish a child's ability to thrive. Forms of childhood  
7 trauma and toxic stress include adverse childhood  
8 experiences, systemic racism, poverty, and insecurity. The  
9 COVID-19 pandemic has exacerbated these issues and brought  
10 them into focus.

11 (4) It is estimated that, overall, approximately 40% of  
12 children in this State have experienced at least one  
13 adverse childhood experience and approximately 10% have  
14 experienced 3 or more adverse childhood experiences.  
15 However, the number of adverse childhood experiences is  
16 higher for Black and Hispanic children who are growing up  
17 in poverty. The COVID-19 pandemic has amplified the number  
18 of students who have experienced childhood trauma. Also,  
19 the COVID-19 pandemic has highlighted preexisting  
20 inequities in school disciplinary practices that  
21 disproportionately impact Black and Brown students.

22 (5) The cumulative effects of trauma and toxic stress  
23 adversely impact the physical health of students, as well  
24 as their ability to learn, form relationships, and  
25 self-regulate. If left unaddressed, these effects increase  
26 a student's risk for depression, alcoholism, anxiety,

1 asthma, smoking, and suicide, all of which are risks that  
2 disproportionately affect Black youth and may lead to a  
3 host of medical diseases as an adult. Access to infant and  
4 early childhood mental health services is critical to  
5 ensure the social and emotional well-being of this State's  
6 youngest children, particularly those children who have  
7 experienced trauma.

8 (6) Although this State enacted measures through  
9 Public Act -105 to address the high rate of early care and  
10 preschool expulsions of infants, toddlers, and  
11 preschoolers and the disproportionately higher rate of  
12 expulsion for Black and Hispanic children, a recent study  
13 found a wide variation in the awareness, understanding, and  
14 compliance with the law by providers of early childhood  
15 care. Further work is needed to implement the law, which  
16 includes providing training to early childhood care  
17 providers to increase their understanding of the law,  
18 increasing the availability and access to infant and early  
19 childhood mental health services, and building aligned  
20 data collection systems to better understand expulsion  
21 rates and to allow for accurate reporting as required by  
22 the law.

23 (7) Many educators and schools in this State have  
24 embraced and implemented evidenced-based restorative  
25 justice and trauma-responsive and culturally relevant  
26 practices and interventions. However, the use of these



1 interventions on students is often isolated or is  
2 implemented occasionally and only if the school has the  
3 appropriate leadership, resources, and partners available  
4 to engage seriously in this work. It would be malpractice  
5 to deny our students access to these practices and  
6 interventions, especially in the aftermath of a  
7 once-in-a-century pandemic.

8 (b) The Whole Child Task Force is created for the purpose  
9 of establishing an equitable, inclusive, safe, and supportive  
10 environment in all schools for every student in this State. The  
11 task force shall have all of the following goals, which means  
12 key steps have to be taken to ensure that every child in every  
13 school in this State has access to teachers, social workers,  
14 school leaders, support personnel, and others who have been  
15 trained in evidenced-based interventions and restorative  
16 practices:

17 (1) To create a common definition of a  
18 trauma-responsive school, a trauma-responsive district,  
19 and a trauma-responsive community.

20 (2) To outline the training and resources required to  
21 create and sustain a system of support for  
22 trauma-responsive schools, districts, and communities and  
23 to identify this State's role in that work, including  
24 recommendations concerning options for redirecting  
25 resources from school resource officers to classroom-based  
26 support.

1           (3) To identify or develop a process to conduct an  
2           analysis of the organizations that provide training in  
3           restorative practices, implicit bias, and  
4           trauma-responsive systems, mental health services, and  
5           social and emotional services to schools.

6           (4) To provide recommendations concerning the key data  
7           to be collected and reported to ensure that this State has  
8           a full and accurate understanding of the progress toward  
9           ensuring that all schools employ restorative, anti-racist,  
10           and trauma-responsive strategies and practices. The data  
11           collected must include information relating to  
12           disciplinary practices employed on a student in person or  
13           through other means and to support structures in schools,  
14           including school resource officers and the funding of other  
15           similar police personnel in school programs.

16           (5) To recommend an implementation timeline, including  
17           the key roles, responsibilities, and resources to advance  
18           this State toward a system in which every school, district,  
19           and community is progressing toward becoming  
20           trauma-responsive.

21           (6) To seek input and feedback from stakeholders,  
22           including parents, students, and educators, who reflect  
23           the diversity of this State.

24           (c) Members of the Whole Child Task Force shall be  
25           appointed by the State Superintendent of Education. Members of  
26           this task force must represent the diversity of this State and

1 possess the expertise needed to perform the work required to  
2 meet the goals of the task force set forth under subsection  
3 (a). Members of the task force shall include all of the  
4 following:

5 (1) One member of a statewide professional teachers'  
6 organization.

7 (2) One member of another statewide professional  
8 teachers' organization.

9 (3) One member who represents a school district serving  
10 a community with a population of 500,000 or more.

11 (4) One member of a statewide organization  
12 representing social workers.

13 (5) One member of an organization that has specific  
14 expertise in trauma-responsive school practices and  
15 experience in supporting schools in developing  
16 trauma-responsive and restorative practices.

17 (6) One member of another organization that has  
18 specific expertise in trauma-responsive school practices  
19 and experience in supporting schools in developing  
20 trauma-responsive and restorative practices.

21 (7) One member of a statewide organization that  
22 represents school administrators.

23 (8) One member of a statewide policy organization that  
24 works to build a healthy public education system that  
25 prepares all students for a successful college, career, and  
26 civic life.

1           (9) One member of a statewide organization that brings  
2 teachers together to identify and address issues critical  
3 to student success.

4           (10) One member of the General Assembly recommended by  
5 the President of the Senate.

6           (11) One member of the General Assembly recommended by  
7 the Speaker of the House of Representatives.

8           (12) One member of the General Assembly recommended by  
9 the Minority Leader of the Senate.

10           (13) One member of the General Assembly recommended by  
11 the Minority Leader of the House of Representatives.

12           (14) One member of a civil rights organization that  
13 works actively on issues regarding student support.

14           (15) One administrator from a school district that has  
15 actively worked to develop a system of student support that  
16 uses a trauma-informed lens.

17           (16) One educator from a school district that has  
18 actively worked to develop a system of student support that  
19 uses a trauma-informed lens.

20           (17) One member of a youth-led organization.

21           (18) One member of an organization that has  
22 demonstrated expertise in restorative practices.

23           (19) One member of a coalition of mental health and  
24 school practitioners who assist schools in developing and  
25 implementing trauma-informed and restorative strategies  
26 and systems.

1           (20) One member of an organization whose mission is to  
2           promote the safety, health, and economic success of  
3           children, youth, and families in this State.

4           (21) One member who works or has worked as a  
5           restorative justice coach or disciplinarian.

6           (22) One member who works or has worked as a social  
7           worker.

8           (23) One member of the State Board of Education.

9           (24) One member who represents a statewide principals'  
10          organization.

11          (25) One member who represents a statewide  
12          organization of school boards.

13          (d) The Whole Child Task Force shall meet initially at the  
14          call of the State Superintendent of Education, at which time  
15          the Governor shall select one member who holds a doctorate  
16          degree in whole-child research as the chairperson. The task  
17          force shall thereafter meet at the call of the chairperson. The  
18          State Board of Education shall provide administrative and other  
19          support to the task force. Members of the task force shall  
20          serve without compensation.

21          (e) The Whole Child Task Force shall submit a report of its  
22          findings and recommendations to the General Assembly, the  
23          Illinois Legislative Black Caucus, the State Board of  
24          Education, and the Governor on or before February 1, 2022. Upon  
25          submitting its report, the task force is dissolved.

26          (f) This Section is repealed on February 1, 2023.

1 Article 30.

2 Section 30-1. Short title. This Article may be cited as the  
3 Equity in Early Education Act. References in this Article to  
4 "this Act" mean this Article.

5 Section 30-5. Findings; legislative intent.

6 (a) The General Assembly makes all of the following  
7 findings:

8 (1) The 2019 Illinois Assessment of Readiness found  
9 that only 37% of students in third grade met or exceeded  
10 learning standards in English language arts and only 41% of  
11 the students met or exceeded mathematics learning  
12 standards.

13 (2) The 2017 National Assessment of Educational  
14 Progress similarly showed that only 35% of students in the  
15 fourth grade are proficient or advanced in English language  
16 arts while only 39% of the students are proficient or  
17 advanced in mathematics.

18 (3) Research from the Annie E. Casey Foundation found  
19 that students in the third grade who are not proficient  
20 readers are 4 times more likely to not finish high school.  
21 Moreover, students in the third grade from low-income  
22 families who are not proficient readers are more than 6  
23 times more likely to not finish high school.

1           (4) The Literacy Project Foundation estimates that 60%  
2 of individuals who are in prison are illiterate and 85% of  
3 juvenile offenders struggle with reading.

4           (5) Strengthening early literacy and numeracy  
5 instruction and support for students in this State will pay  
6 dividends in the future by empowering and providing  
7 students with the skills they need to graduate and the  
8 ability to find fulfilling careers and to be productive  
9 members of their communities.

10          (b) It is the intent of the General Assembly in enacting  
11 this Act that:

12           (1) every public school student in this State be  
13 provided with the high-quality instruction, support, and  
14 intervention he or she needs to become proficient in  
15 reading and math;

16           (2) the promotion of every public school student to the  
17 next higher grade level be based, in part, upon proficiency  
18 in reading and math;

19           (3) school board policies facilitate evidence-based  
20 reading instruction, math instruction, and intervention  
21 services to address the reading and math needs of students;

22           (4) each public school student's parent or guardian be  
23 informed regularly of the student's progress in reading and  
24 math; and

25           (5) ultimately, by the third grade, every public school  
26 student is able to demonstrate reading and math performance

1 at or above his or her grade level.

2 Section 30-10. Definitions. In this Act:

3 "Level I dyslexia screening" means a process, as determined  
4 by a school district, for gathering additional information to  
5 determine if the characteristics of dyslexia are present.

6 "Universal screener" means an assessment used to aid  
7 educators in understanding the causes for student performance,  
8 learning strengths, and the needs that underlie student  
9 performance. The assessment is conducted to identify or predict  
10 students who may be at risk for poor learning outcomes and is  
11 typically brief and conducted with all students at a particular  
12 grade level.

13 Section 30-15. Identifying deficiencies in literacy and  
14 math skills.

15 (a) Beginning no later than the 2022-2023 school year, a  
16 school district, within 45 days after the beginning of the  
17 school year, shall administer a valid and reliable universal  
18 screener to identify any deficiencies in reading or math skills  
19 to all students in the first and second grades. If a school  
20 district has been using a universal screener before the  
21 effective date of this Act that includes, as developmentally  
22 appropriate, all of the following, then the school district is  
23 not required to create an assessment process or administer  
24 different or additional universal screenings under this



1 Section:

2 (1) Phonological and phonemic awareness.

3 (2) Sound symbol recognition.

4 (3) Alphabet knowledge.

5 (4) Decoding skills.

6 (5) Rapid naming skills.

7 (6) Encoding skills.

8 (7) Oral reading fluency.

9 (b) If a student is determined to be at risk or at some  
10 risk for dyslexia after the universal screener has been  
11 administered, the school district must administer a Level 1  
12 dyslexia screening on the student.

13 (c) The State Board of Education shall create a process for  
14 reviewing and approving a list of reliable and valid universal  
15 screeners.

16 Section 30-20. Reading and math intervention. A school  
17 district shall offer appropriate evidence-based reading or  
18 math intervention using a multi-tiered system of support (MTSS)  
19 framework to address the needs of each student in grades  
20 kindergarten through 3 who exhibits a deficiency in reading or  
21 math skills, including those students who are referred for  
22 additional screening. A deficiency in reading or math skills  
23 shall be defined as a student who scores below his or her grade  
24 level or a student who is determined to be at-risk for reading  
25 or math failure based upon a screening assessment, a diagnostic

1 assessment, a standardized summative assessment, or progress  
2 monitoring. The reading or math intervention shall be provided  
3 in addition to the core reading or math instruction that is  
4 provided to all students as part of the general education  
5 curricula. The reading or math intervention shall:

6 (1) be provided to all students in grades kindergarten  
7 through 3 who are identified as having a deficiency in  
8 reading or math skills;

9 (2) regularly monitor throughout the school year the  
10 progress of all students in grades kindergarten through 3  
11 who are identified as having a deficiency in reading or  
12 math skills and to adjust instruction according to the  
13 needs of the student;

14 (3) provide a student who is identified as having a  
15 deficiency in reading with explicit and systematic  
16 instruction in each of the 5 essential components of  
17 reading, which are phonological awareness, phonics,  
18 fluency, vocabulary, and comprehension, in which the  
19 student has a deficiency;

20 (4) provide to a student who is identified as having a  
21 deficiency in math skills with explicit and systematic  
22 instruction in early numeracy skills, as applicable;

23 (5) be offered primarily during regular school hours,  
24 although the intervention may also be offered before or  
25 after regular school hours;

26 (6) be created in consultation with the student's

1 parent or guardian;

2 (7) remain in effect until the student is proficient in  
3 reading or math or until the student has an individualized  
4 education program in place with appropriate goals in  
5 reading or math; and

6 (8) provide, subject to appropriation, professional  
7 development for teachers in evidence-based practices in  
8 literacy and math instruction to students who lack  
9 proficiency in reading or math or both.

10 Section 30-25. Intervention programs. A school district  
11 may determine the appropriate intervention program for a  
12 student under this Act. A program may include any of the  
13 following:

14 (1) Summer reading and math camps that are available to  
15 students who have the most severe deficiencies in reading  
16 and math. The camps shall be staffed with highly effective  
17 teachers in reading and math who must provide explicit and  
18 systematic reading or math intervention services and  
19 support to correct a student's identified areas of reading  
20 or math deficiency. No less than 90 hours of instructional  
21 time in reading, math, or reading and math must be provided  
22 to a student.

23 (2) An intensive acceleration class that may be  
24 established by a school district for any student who is  
25 retained in grade 3 and who previously was retained in any

1 of grades kindergarten through 2. The intensive  
2 acceleration class shall have a reduced teacher-student  
3 ratio and shall provide to the student explicit and  
4 systematic reading or math instruction and intervention  
5 for the majority of the student's class attendance time  
6 each day.

7 (3) An extended-time reading and math intervention  
8 program that is available to students in grades  
9 kindergarten through 3 who lack proficiency in reading or  
10 math. The program must provide proven and effective,  
11 evidence-based, substantial intervention that includes  
12 basic mathematics, phonemic awareness, decoding,  
13 vocabulary, comprehension, and fluency, as appropriate for  
14 each student, and that is based on a formative assessment  
15 designed to, at a minimum, identify weaknesses in those  
16 areas of learning. The program may include online or  
17 digital instructional materials, programs, or library  
18 resources. A minimum of 60 hours of supplemental  
19 instruction for students who have severe deficiencies in  
20 reading and math may be provided or a minimum of 30 hours  
21 of supplemental instruction for students with less severe  
22 deficiencies may be provided.

23 Section 30-50. Rules; technical assistance.

24 (a) The State Board of Education may adopt any rules  
25 necessary to implement, administer, and enforce this Act.

1 (b) The State Board of Education may provide technical  
2 assistance to aid school districts in implementing this Act.

3 Section 30-90. The School Code is amended by adding  
4 Sections 2-3.51b, 2-3.161, 2-3.182, 10-20.9b, 10-20.73,  
5 10-20.74, 10-20.75, 34-18.51a, 34-18.67, 34-18.68, and  
6 34-18.69 and by changing Sections 10-20.9a, 21B-20, 21B-35, and  
7 34-18.51 as follows:

8 (105 ILCS 5/2-3.51b new)

9 Sec. 2-3.51b. Early literacy and numeracy grants.

10 (a) The State Board of Education shall implement and  
11 administer an early literacy and numeracy grant program to  
12 support school districts that serve students with deficiencies  
13 in reading or math skills or both to redesign school curricula,  
14 provide professional development for teachers, or hire  
15 literacy coaches.

16 (b) Subject to appropriation, the State Board shall  
17 distribute grants under the program to school districts based  
18 on the number of pupils in grade 3 who have been identified as  
19 needing reading or math intervention under Section 10-20.9b or  
20 34-18.51a. Grants shall be awarded on a non-competitive basis,  
21 but in order to be eligible to receive grant funds, a school  
22 district must submit to the State Board a high-quality plan  
23 that demonstrates how the school district intends to utilize  
24 the funding to improve literacy, numeracy instruction, or both

1 to students.

2 (c) The plan submitted by a school district under  
3 subsection (b) must include all of the following information:

4 (1) A description of the methods by which the school  
5 district will modify its whole-class instructional  
6 practices.

7 (2) The assessment tool or tools that will be used in  
8 grades kindergarten through 3.

9 (3) The intervention programs that will be provided to  
10 students who are identified as having a reading or math  
11 deficiency.

12 (4) The support that will be offered to teachers to  
13 implement these changes.

14 (d) If the amount appropriated in a given fiscal year is  
15 insufficient to provide a grant to all eligible school  
16 districts that request funding under the grant program, the  
17 State Board may develop equity-based criteria to determine the  
18 priority in which school districts receive grants under the  
19 program.

20 Each fiscal year, the State Board may withhold up to 2% of  
21 the amount appropriated for the grant program to administer the  
22 grant program.

23 (e) Three years after the first grants are awarded under  
24 this Section, the State Board shall submit a report to the  
25 General Assembly. The report shall include data on the number  
26 of students served, the change in the rates of proficiency in

1 reading and math in school districts that received a grant, and  
2 an assessment of the effectiveness of the grant program.

3 (f) The State Board may adopt any rules necessary to  
4 implement this Section.

5 (105 ILCS 5/2-3.161)

6 Sec. 2-3.161. Definition of dyslexia; reading instruction  
7 advisory group; handbook; screening rules.

8 (a) The State Board of Education shall incorporate, in both  
9 general education and special education, the following  
10 definition of dyslexia:

11 Dyslexia is a specific learning disability that is  
12 neurobiological in origin. Dyslexia is characterized by  
13 difficulties with accurate and/or fluent word recognition  
14 and by poor spelling and decoding abilities. These  
15 difficulties typically result from a deficit in the  
16 phonological component of language that is often  
17 unexpected in relation to other cognitive abilities and the  
18 provision of effective classroom instruction. Secondary  
19 consequences may include problems in reading comprehension  
20 and reduced reading experience that can impede growth of  
21 vocabulary and background knowledge.

22 (b) Subject to specific State appropriation or the  
23 availability of private donations, the State Board of Education  
24 shall establish an advisory group to develop a training module  
25 or training modules to provide education and professional

1 development to teachers, school administrators, and other  
2 education professionals regarding multi-sensory, systematic,  
3 and sequential instruction in reading. This advisory group  
4 shall complete its work before December 15, 2015 and is  
5 abolished on December 15, 2015. The State Board of Education  
6 shall reestablish the advisory group abolished on December 15,  
7 2015 to complete the abolished group's work. The reestablished  
8 advisory group shall complete its work before December 31, 2016  
9 and is abolished on December 31, 2016. The provisions of this  
10 subsection (b), other than this sentence, are inoperative after  
11 December 31, 2016.

12 (c) The State Board of Education shall develop and maintain  
13 a handbook to be made available on its Internet website that  
14 provides guidance for pupils, parents or guardians, and  
15 teachers on the subject of dyslexia. The handbook shall  
16 include, but is not limited to:

17 (1) guidelines for teachers and parents or guardians on  
18 how to identify signs of dyslexia;

19 (2) a description of educational strategies that have  
20 been shown to improve the academic performance of pupils  
21 with dyslexia; ~~and~~

22 (3) a description of resources and services available  
23 to pupils with dyslexia, parents or guardians of pupils  
24 with dyslexia, and teachers; ~~and-~~

25 (4) guidelines for (i) the administration of a  
26 universal screener and Level I dyslexia screening, as



1 defined in Sections 10-20.73 and 34-18.67, (ii) the  
2 interpretation of data from the screener or screening, and  
3 (iii) appropriate instruction within a multi-tiered system  
4 of support (MTSS) framework.

5 The State Board shall review the handbook once every 4  
6 years to update, if necessary, the guidelines, educational  
7 strategies, or resources and services made available in the  
8 handbook.

9 (d) The State Board of Education shall adopt any rules  
10 necessary to ensure that a student is screened as provided  
11 under Section 10-20.73 or 34-18.67 for the risk factors of  
12 dyslexia using a universal screener if:

13 (1) a student is in first or second grade in a public  
14 school;

15 (2) a student in first or second grade transfers to a  
16 new public school and has not been screened previously  
17 during the school year; and

18 (3) a student from another state enrolls for the first  
19 time in first or second grade in a school district in this  
20 State, unless the student presents documentation that the  
21 student had the dyslexia screening or a similar screening  
22 during the school year or is exempt from screening.

23 (e) The State Board of Education shall adopt any rules  
24 necessary to ensure that (i) a student is screened, as provided  
25 in Section 10-20.73 or 34-18.67, for the characteristics of  
26 dyslexia using a Level I dyslexia screening and (ii) a student

1 receives dyslexia intervention services under Section 10-20.73  
2 or 34-18.67.

3 (f) The State Board of Education shall provide technical  
4 assistance for specific learning disabilities to school  
5 districts, including assistance with universal screeners and  
6 dyslexia screenings.

7 The State Board shall review the handbook once every 4  
8 years to update, if necessary, the guidelines, educational  
9 strategies, or resources and services made available in the  
10 handbook.

11 (Source: P.A. 99-65, eff. 7-16-15; 99-78, eff. 7-20-15; 99-602,  
12 eff. 7-22-16; 99-603, eff. 7-22-16; 100-201, eff. 8-18-17;  
13 100-617, eff. 7-20-18.)

14 (105 ILCS 5/2-3.182 new)

15 Sec. 2-3.182. Report on reading and math intervention and  
16 support.

17 (a) The State Board of Education shall establish a uniform  
18 format for school districts to report the information required  
19 under subsection (c) of Section 10-20.9b and subsection (c) of  
20 Section 34-18.51a. The format may be developed with input from  
21 school boards and shall be provided to each school district no  
22 later than 90 days prior to the annual reporting due date.

23 (b) The State Board shall annually compile the information  
24 required under subsection (c) of Section 10-20.9b and  
25 subsection (c) of Section 34-18.51a, along with State-level

1 summary information, and publish the information on its  
2 Internet website. On or before October 31 of each year, the  
3 State Board shall make a report of its findings and compilation  
4 of information available to the public, the Governor, and the  
5 General Assembly, as provided under Section 3.1 of the General  
6 Assembly Organization Act.

7 (105 ILCS 5/10-20.9a) (from Ch. 122, par. 10-20.9a)

8 Sec. 10-20.9a. Final grade; promotion.

9 (a) Teachers shall administer the approved marking system  
10 or other approved means of evaluating pupil progress. The  
11 teacher shall maintain the responsibility and right to  
12 determine grades and other evaluations of students within the  
13 grading policies of the district based upon his or her  
14 professional judgment of available criteria pertinent to any  
15 given subject area or activity for which he or she is  
16 responsible. District policy shall provide the procedure and  
17 reasons by and for which a grade may be changed; provided that  
18 no grade or evaluation shall be changed without notification to  
19 the teacher concerning the nature and reasons for such change.  
20 If such a change is made, the person making the change shall  
21 assume such responsibility for determining the grade or  
22 evaluation, and shall initial such change.

23 (b) School districts shall not promote students to the next  
24 higher grade level based upon age or any other social reasons  
25 not related to the academic performance of the students. School

1 ~~On or before September 1, 1998, school~~ boards shall adopt and  
2 enforce a policy on promotion as they deem necessary to ensure  
3 that students meet local goals and objectives and can perform  
4 at the expected grade level prior to promotion. Decisions to  
5 promote or retain students in any classes shall be based on  
6 successful completion of the curriculum, attendance,  
7 performance based on the assessments required under Section  
8 2-3.64a-5 of this Code, ~~the Iowa Test of Basic Skills,~~ or other  
9 testing, or any other criteria established by the school board.  
10 Students determined by the local district to not qualify for  
11 promotion to the next higher grade shall be provided remedial  
12 assistance, which may include, but shall not be limited to, a  
13 summer bridge program of no less than 90 hours, tutorial  
14 sessions, increased or concentrated instructional time,  
15 modifications to instructional materials, and retention in  
16 grade. This subsection (b) is subject to Section 10-20.9b.

17 (Source: P.A. 98-972, eff. 8-15-14.)

18 (105 ILCS 5/10-20.9b new)

19 Sec. 10-20.9b. Reading and math intervention and support.

20 (a) A school board must notify, in writing, the parent or  
21 guardian of a student in any of grades kindergarten through 3  
22 who exhibits a deficiency in reading or math skills at any time  
23 during the school year no later than 30 days after the  
24 identification of the deficiency in reading or math. The  
25 written notification provided to the parent or guardian of the

1 student must include all of the following:

2 (1) Notification that the student has been identified  
3 as having a deficiency in reading or math and that  
4 additional support will be provided to the student.

5 (2) A description of the current services that are  
6 provided to the student.

7 (3) A description of the proposed evidence-based  
8 reading or math intervention services and supplemental  
9 instructional services and support that will be provided to  
10 the student and that are designed to remedy the identified  
11 areas of deficiency in reading or math.

12 (4) Notification that the parent or guardian will be  
13 informed in writing of the student's progress toward  
14 grade-level reading or math with each progress report or  
15 report card.

16 (5) Strategies for the parent or guardian to use at  
17 home to help the student succeed in reading or math.

18 (6) Notification that if the student's deficiency in  
19 reading or math is not corrected by the end of grade 3, the  
20 school will provide the student with intensive  
21 intervention and progress monitoring if the student is  
22 promoted to grade 4.

23 (b) Beginning with the 2022-2023 school year, a school  
24 district must provide to any student retained in a grade  
25 intensive reading or math intervention to remedy the student's  
26 specific deficiency in reading or math. The reading or math

1 intervention services must include effective instructional  
2 strategies to accelerate student progress. The school district  
3 may provide any of the following services to the retained  
4 student:

5 (1) A highly effective teacher of reading or math, as  
6 demonstrated by student reading or math performance data  
7 and teacher performance evaluations.

8 (2) The use of reading or math intervention services  
9 and support to correct the identified areas of deficiency  
10 in reading or math, which include, but are not limited to:

11 (A) dedicating more time than in the previous  
12 school year to providing to the student evidence-based  
13 reading or math instruction and intervention;

14 (B) using reading or math strategies or programs  
15 that are evidence-based and have proven results for  
16 accelerating student reading or math achievement  
17 within the same school year;

18 (C) daily targeted small group reading or math  
19 intervention based on student needs;

20 (D) explicit and systematic instruction with more  
21 detailed explanations, more extensive opportunities  
22 for guided practice, and more opportunities for error  
23 correction and feedback; and

24 (E) frequent monitoring of the reading or math  
25 progress of the student's reading or math skills  
26 throughout the school year and the adjustment of

1 instruction according to the student's needs.

2 (3) Before-school or after-school supplemental  
3 evidence-based reading or math intervention delivered by a  
4 teacher or tutor with specialized training in reading or  
5 math instruction.

6 (4) An at-home plan outlined in a parental contract  
7 that includes participation in parent-training workshops  
8 or regular parent-guided reading or math activities.

9 (c) On or before October 1 of each year, a school board  
10 must report, in writing, to the State Board of Education all of  
11 the following information for the prior school year, by grade  
12 and disaggregated by demographic group if applicable:

13 (1) The school board's policies and procedures on  
14 student grade-level retention and promotion.

15 (2) The number of students who were administered a  
16 universal screener, as defined in Section 10-20.73, during  
17 the school year.

18 (3) The number of students who were administered a  
19 Level I dyslexia screening, as defined in Section 10-20.73.

20 (4) The total number of students identified as having  
21 the characteristics of dyslexia during that school year.

22 (5) The number of students receiving reading or math  
23 intervention services, including those receiving dyslexia  
24 intervention services, under this Section.

25 (6) The number and percentage of all students in  
26 kindergarten through grade 3 performing below grade level

1 on local and statewide assessments.

2 (7) By grade and disaggregated by demographic group,  
3 the number and percentage of all students retained in  
4 kindergarten through grade 3.

5 (d) The State Board of Education shall provide technical  
6 assistance to aid school boards in implementing this Section.

7 (105 ILCS 5/10-20.73 new)

8 Sec. 10-20.73. Dyslexia screening and support.

9 (a) In this Section:

10 "Level I dyslexia screening" means a process, as determined  
11 by a school district, for gathering additional information to  
12 determine if the characteristics of dyslexia are present.

13 "Universal screener" means an assessment used to aid  
14 educators in understanding the causes for student performance,  
15 learning strengths, and the needs that underlie student  
16 performance. The assessment is conducted with all students at a  
17 particular grade level.

18 (b) Beginning with the 2022-2023 school year, a school  
19 district must screen students in the first and second grades  
20 for the risk factors of dyslexia using a universal screener  
21 appropriately designed for the educational context. Following  
22 the administration of the universal screener, if a student is  
23 determined to be at risk or at some risk for dyslexia, the  
24 school district must administer a Level I dyslexia screening of  
25 the student. Through the Level I dyslexia screening, the school



1 district must gather additional information to determine if the  
2 student has the characteristics of dyslexia. The additional  
3 information may include, but is not limited to, information  
4 from progress monitoring data, work samples, additional age and  
5 grade-appropriate assessments related to dyslexia, teacher  
6 questionnaires, parent interviews, and speech and language  
7 assessments and information regarding the student's family  
8 history related to dyslexia.

9 (c) If the universal screener or the Level I dyslexia  
10 screening indicates that a student has some risk factors for  
11 dyslexia or the characteristics of dyslexia, the school must  
12 use a multi-tiered system of support (MTSS) framework to  
13 address the needs of the student. A school district is not  
14 required to administer a Level I dyslexia screening to a  
15 student if the student is receiving dyslexia intervention  
16 services. If a student's performance on a Level I dyslexia  
17 screening indicates a need for dyslexia intervention services,  
18 the school district must notify the student's parent or  
19 guardian of the results of all screenings and provide to the  
20 parent or guardian, in addition to the information contained in  
21 the handbook developed under Section 2-3.161, all of the  
22 following information and resource material:

23 (1) The characteristics of dyslexia.

24 (2) The appropriate classroom interventions and  
25 accommodations for students with dyslexia.

26 (3) A statement that the parent or guardian may elect

1       to have the student receive an educational evaluation by  
2       the school.

3       (d) If the student's Level I dyslexia screening indicates  
4       that the student has the characteristics of dyslexia, the  
5       intervention services provided to the student pursuant to  
6       Section 10-20.9b must be implemented using diagnostic teaching  
7       guidelines described in the handbook developed under Section  
8       2-3.161.

9           (105 ILCS 5/10-20.74 new)

10       Sec. 10-20.74. Evidence-based reading instruction. By no  
11       later than the beginning of the 2023-2024 school year, the  
12       school board of each school district that maintains grades  
13       kindergarten through 3 shall develop a plan to ensure that  
14       within 3 school years all classroom teachers, resource  
15       teachers, and reading interventionists who work with students  
16       in grades kindergarten through 3 receive professional  
17       development, in-service training, or coaching in  
18       evidence-based reading instruction that has a focus on reading  
19       competency in the areas of phonemic awareness.

20       A teacher who provides satisfactory evidence to the school  
21       board that he or she has previously received explicit and  
22       repeated instruction in each of the 5 essential components of  
23       reading, which are phonemic awareness, phonics, fluency,  
24       comprehension, and vocabulary, through an educator preparation  
25       program or other accredited training program is exempt from the

1 requirements of this Section.

2 (105 ILCS 5/10-20.75 new)

3 Sec. 10-20.75. Early reading instruction. Each school  
4 district that maintains grades kindergarten through 3 shall  
5 provide students with instructional programming and services  
6 necessary to ensure, to the greatest extent possible, that as a  
7 student progresses from kindergarten through grade 3, the  
8 student develops the necessary reading skills to enable him or  
9 her to master the academic standards and expectations  
10 applicable to grade 4 and higher grade levels. The  
11 instructional programming and services for teaching students  
12 to read must be evidence-based and must focus on reading  
13 competency in the areas of phonemic awareness, phonics,  
14 vocabulary development, fluency, and comprehension.

15 (105 ILCS 5/21B-20)

16 Sec. 21B-20. Types of licenses. The State Board of  
17 Education shall implement a system of educator licensure,  
18 whereby individuals employed in school districts who are  
19 required to be licensed must have one of the following  
20 licenses: (i) a professional educator license; (ii) an educator  
21 license with stipulations; (iii) a substitute teaching  
22 license; or (iv) until June 30, 2023, a short-term substitute  
23 teaching license. References in law regarding individuals  
24 certified or certificated or required to be certified or

1 certificated under Article 21 of this Code shall also include  
2 individuals licensed or required to be licensed under this  
3 Article. The first year of all licenses ends on June 30  
4 following one full year of the license being issued.

5 The State Board of Education, in consultation with the  
6 State Educator Preparation and Licensure Board, may adopt such  
7 rules as may be necessary to govern the requirements for  
8 licenses and endorsements under this Section.

9 (1) Professional Educator License. Persons who (i)  
10 have successfully completed an approved educator  
11 preparation program and are recommended for licensure by  
12 the Illinois institution offering the educator preparation  
13 program, (ii) have successfully completed the required  
14 testing under Section 21B-30 of this Code, (iii) have  
15 successfully completed coursework on the psychology of,  
16 the identification of, and the methods of instruction for  
17 the exceptional child, including without limitation  
18 children with learning disabilities, (iv) have  
19 successfully completed coursework in methods of reading  
20 and reading in the content area<sup>7</sup> and, beginning on July 1,  
21 2024, have successfully completed and received explicit  
22 and repeated instruction in each of the 5 essential  
23 components of reading, which are phonemic awareness,  
24 phonics, fluency, comprehension, and vocabulary, and (v)  
25 have met all other criteria established by rule of the  
26 State Board of Education shall be issued a Professional

1 Educator License. All Professional Educator Licenses are  
2 valid until June 30 immediately following 5 years of the  
3 license being issued. The Professional Educator License  
4 shall be endorsed with specific areas and grade levels in  
5 which the individual is eligible to practice. For an early  
6 childhood education endorsement, an individual may satisfy  
7 the student teaching requirement of his or her early  
8 childhood teacher preparation program through placement in  
9 a setting with children from birth through grade 2, and the  
10 individual may be paid and receive credit while student  
11 teaching. The student teaching experience must meet the  
12 requirements of and be approved by the individual's early  
13 childhood teacher preparation program.

14 Individuals can receive subsequent endorsements on the  
15 Professional Educator License. Subsequent endorsements  
16 shall require a minimum of 24 semester hours of coursework  
17 in the endorsement area and passage of the applicable  
18 content area test, unless otherwise specified by rule.

19 (2) Educator License with Stipulations. An Educator  
20 License with Stipulations shall be issued an endorsement  
21 that limits the license holder to one particular position  
22 or does not require completion of an approved educator  
23 program or both.

24 An individual with an Educator License with  
25 Stipulations must not be employed by a school district or  
26 any other entity to replace any presently employed teacher

1 who otherwise would not be replaced for any reason.

2 An Educator License with Stipulations may be issued  
3 with the following endorsements:

4 (A) (Blank).

5 (B) Alternative provisional educator. An  
6 alternative provisional educator endorsement on an  
7 Educator License with Stipulations may be issued to an  
8 applicant who, at the time of applying for the  
9 endorsement, has done all of the following:

10 (i) Graduated from a regionally accredited  
11 college or university with a minimum of a  
12 bachelor's degree.

13 (ii) Successfully completed the first phase of  
14 the Alternative Educator Licensure Program for  
15 Teachers, as described in Section 21B-50 of this  
16 Code.

17 (iii) Passed a content area test, as required  
18 under Section 21B-30 of this Code.

19 The alternative provisional educator endorsement is  
20 valid for 2 years of teaching and may be renewed for a  
21 third year by an individual meeting the requirements set  
22 forth in Section 21B-50 of this Code.

23 (C) Alternative provisional superintendent. An  
24 alternative provisional superintendent endorsement on  
25 an Educator License with Stipulations entitles the  
26 holder to serve only as a superintendent or assistant

1 superintendent in a school district's central office.  
2 This endorsement may only be issued to an applicant  
3 who, at the time of applying for the endorsement, has  
4 done all of the following:

5 (i) Graduated from a regionally accredited  
6 college or university with a minimum of a master's  
7 degree in a management field other than education.

8 (ii) Been employed for a period of at least 5  
9 years in a management level position in a field  
10 other than education.

11 (iii) Successfully completed the first phase  
12 of an alternative route to superintendent  
13 endorsement program, as provided in Section 21B-55  
14 of this Code.

15 (iv) Passed a content area test required under  
16 Section 21B-30 of this Code.

17 The endorsement is valid for 2 fiscal years in  
18 order to complete one full year of serving as a  
19 superintendent or assistant superintendent.

20 (D) (Blank).

21 (E) Career and technical educator. A career and  
22 technical educator endorsement on an Educator License  
23 with Stipulations may be issued to an applicant who has  
24 a minimum of 60 semester hours of coursework from a  
25 regionally accredited institution of higher education  
26 or an accredited trade and technical institution and

1 has a minimum of 2,000 hours of experience outside of  
2 education in each area to be taught.

3 The career and technical educator endorsement on  
4 an Educator License with Stipulations is valid until  
5 June 30 immediately following 5 years of the  
6 endorsement being issued and may be renewed.

7 An individual who holds a valid career and  
8 technical educator endorsement on an Educator License  
9 with Stipulations but does not hold a bachelor's degree  
10 may substitute teach in career and technical education  
11 classrooms.

12 (F) Part-time provisional career and technical  
13 educator or provisional career and technical educator.  
14 A part-time provisional career and technical educator  
15 endorsement or a provisional career and technical  
16 educator endorsement on an Educator License with  
17 Stipulations may be issued to an applicant who has a  
18 minimum of 8,000 hours of work experience in the skill  
19 for which the applicant is seeking the endorsement. It  
20 is the responsibility of each employing school board  
21 and regional office of education to provide  
22 verification, in writing, to the State Superintendent  
23 of Education at the time the application is submitted  
24 that no qualified teacher holding a Professional  
25 Educator License or an Educator License with  
26 Stipulations with a career and technical educator



1 endorsement is available and that actual circumstances  
2 require such issuance.

3 The provisional career and technical educator  
4 endorsement on an Educator License with Stipulations  
5 is valid until June 30 immediately following 5 years of  
6 the endorsement being issued and may be renewed for 5  
7 years.

8 A part-time provisional career and technical  
9 educator endorsement on an Educator License with  
10 Stipulations may be issued for teaching no more than 2  
11 courses of study for grades 6 through 12. The part-time  
12 provisional career and technical educator endorsement  
13 on an Educator License with Stipulations is valid until  
14 June 30 immediately following 5 years of the  
15 endorsement being issued and may be renewed for 5 years  
16 if the individual makes application for renewal.

17 An individual who holds a provisional or part-time  
18 provisional career and technical educator endorsement  
19 on an Educator License with Stipulations but does not  
20 hold a bachelor's degree may substitute teach in career  
21 and technical education classrooms.

22 (G) Transitional bilingual educator. A  
23 transitional bilingual educator endorsement on an  
24 Educator License with Stipulations may be issued for  
25 the purpose of providing instruction in accordance  
26 with Article 14C of this Code to an applicant who

1 provides satisfactory evidence that he or she meets all  
2 of the following requirements:

3 (i) Possesses adequate speaking, reading, and  
4 writing ability in the language other than English  
5 in which transitional bilingual education is  
6 offered.

7 (ii) Has the ability to successfully  
8 communicate in English.

9 (iii) Either possessed, within 5 years  
10 previous to his or her applying for a transitional  
11 bilingual educator endorsement, a valid and  
12 comparable teaching certificate or comparable  
13 authorization issued by a foreign country or holds  
14 a degree from an institution of higher learning in  
15 a foreign country that the State Educator  
16 Preparation and Licensure Board determines to be  
17 the equivalent of a bachelor's degree from a  
18 regionally accredited institution of higher  
19 learning in the United States.

20 A transitional bilingual educator endorsement  
21 shall be valid for prekindergarten through grade 12, is  
22 valid until June 30 immediately following 5 years of  
23 the endorsement being issued, and shall not be renewed.

24 Persons holding a transitional bilingual educator  
25 endorsement shall not be employed to replace any  
26 presently employed teacher who otherwise would not be

1 replaced for any reason.

2 (H) Language endorsement. In an effort to  
3 alleviate the shortage of teachers speaking a language  
4 other than English in the public schools, an individual  
5 who holds an Educator License with Stipulations may  
6 also apply for a language endorsement, provided that  
7 the applicant provides satisfactory evidence that he  
8 or she meets all of the following requirements:

9 (i) Holds a transitional bilingual  
10 endorsement.

11 (ii) Has demonstrated proficiency in the  
12 language for which the endorsement is to be issued  
13 by passing the applicable language content test  
14 required by the State Board of Education.

15 (iii) Holds a bachelor's degree or higher from  
16 a regionally accredited institution of higher  
17 education or, for individuals educated in a  
18 country other than the United States, holds a  
19 degree from an institution of higher learning in a  
20 foreign country that the State Educator  
21 Preparation and Licensure Board determines to be  
22 the equivalent of a bachelor's degree from a  
23 regionally accredited institution of higher  
24 learning in the United States.

25 (iv) (Blank).

26 A language endorsement on an Educator License with

1           Stipulations is valid for prekindergarten through  
2           grade 12 for the same validity period as the  
3           individual's transitional bilingual educator  
4           endorsement on the Educator License with Stipulations  
5           and shall not be renewed.

6           (I) Visiting international educator. A visiting  
7           international educator endorsement on an Educator  
8           License with Stipulations may be issued to an  
9           individual who is being recruited by a particular  
10          school district that conducts formal recruitment  
11          programs outside of the United States to secure the  
12          services of qualified teachers and who meets all of the  
13          following requirements:

14                 (i) Holds the equivalent of a minimum of a  
15                 bachelor's degree issued in the United States.

16                 (ii) Has been prepared as a teacher at the  
17                 grade level for which he or she will be employed.

18                 (iii) Has adequate content knowledge in the  
19                 subject to be taught.

20                 (iv) Has an adequate command of the English  
21                 language.

22          A holder of a visiting international educator  
23          endorsement on an Educator License with Stipulations  
24          shall be permitted to teach in bilingual education  
25          programs in the language that was the medium of  
26          instruction in his or her teacher preparation program,

1 provided that he or she passes the English Language  
2 Proficiency Examination or another test of writing  
3 skills in English identified by the State Board of  
4 Education, in consultation with the State Educator  
5 Preparation and Licensure Board.

6 A visiting international educator endorsement on  
7 an Educator License with Stipulations is valid for 5  
8 years and shall not be renewed.

9 (J) Paraprofessional educator. A paraprofessional  
10 educator endorsement on an Educator License with  
11 Stipulations may be issued to an applicant who holds a  
12 high school diploma or its recognized equivalent and  
13 either holds an associate's degree or a minimum of 60  
14 semester hours of credit from a regionally accredited  
15 institution of higher education or has passed a  
16 paraprofessional competency test under subsection  
17 (c-5) of Section 21B-30. The paraprofessional educator  
18 endorsement is valid until June 30 immediately  
19 following 5 years of the endorsement being issued and  
20 may be renewed through application and payment of the  
21 appropriate fee, as required under Section 21B-40 of  
22 this Code. An individual who holds only a  
23 paraprofessional educator endorsement is not subject  
24 to additional requirements in order to renew the  
25 endorsement.

26 (K) Chief school business official. A chief school

1 business official endorsement on an Educator License  
2 with Stipulations may be issued to an applicant who  
3 qualifies by having a master's degree or higher, 2  
4 years of full-time administrative experience in school  
5 business management or 2 years of university-approved  
6 practical experience, and a minimum of 24 semester  
7 hours of graduate credit in a program approved by the  
8 State Board of Education for the preparation of school  
9 business administrators and by passage of the  
10 applicable State tests, including an applicable  
11 content area test.

12 The chief school business official endorsement may  
13 also be affixed to the Educator License with  
14 Stipulations of any holder who qualifies by having a  
15 master's degree in business administration, finance,  
16 accounting, or public administration and who completes  
17 an additional 6 semester hours of internship in school  
18 business management from a regionally accredited  
19 institution of higher education and passes the  
20 applicable State tests, including an applicable  
21 content area test. This endorsement shall be required  
22 for any individual employed as a chief school business  
23 official.

24 The chief school business official endorsement on  
25 an Educator License with Stipulations is valid until  
26 June 30 immediately following 5 years of the

1 endorsement being issued and may be renewed if the  
2 license holder completes renewal requirements as  
3 required for individuals who hold a Professional  
4 Educator License endorsed for chief school business  
5 official under Section 21B-45 of this Code and such  
6 rules as may be adopted by the State Board of  
7 Education.

8 The State Board of Education shall adopt any rules  
9 necessary to implement Public Act 100-288.

10 (L) Provisional in-state educator. A provisional  
11 in-state educator endorsement on an Educator License  
12 with Stipulations may be issued to a candidate who has  
13 completed an Illinois-approved educator preparation  
14 program at an Illinois institution of higher education  
15 and who has not successfully completed an  
16 evidence-based assessment of teacher effectiveness but  
17 who meets all of the following requirements:

18 (i) Holds at least a bachelor's degree.

19 (ii) Has completed an approved educator  
20 preparation program at an Illinois institution.

21 (iii) Has passed an applicable content area  
22 test, as required by Section 21B-30 of this Code.

23 (iv) Has attempted an evidence-based  
24 assessment of teacher effectiveness and received a  
25 minimum score on that assessment, as established  
26 by the State Board of Education in consultation

1 with the State Educator Preparation and Licensure  
2 Board.

3 A provisional in-state educator endorsement on an  
4 Educator License with Stipulations is valid for one  
5 full fiscal year after the date of issuance and may not  
6 be renewed.

7 (M) (Blank).

8 (N) Specialized services. A specialized services  
9 endorsement on an Educator License with Stipulations  
10 may be issued as defined and specified by rule.

11 (3) Substitute Teaching License. A Substitute Teaching  
12 License may be issued to qualified applicants for  
13 substitute teaching in all grades of the public schools,  
14 prekindergarten through grade 12. Substitute Teaching  
15 Licenses are not eligible for endorsements. Applicants for  
16 a Substitute Teaching License must hold a bachelor's degree  
17 or higher from a regionally accredited institution of  
18 higher education.

19 Substitute Teaching Licenses are valid for 5 years.

20 Substitute Teaching Licenses are valid for substitute  
21 teaching in every county of this State. If an individual  
22 has had his or her Professional Educator License or  
23 Educator License with Stipulations suspended or revoked,  
24 then that individual is not eligible to obtain a Substitute  
25 Teaching License.

26 A substitute teacher may only teach in the place of a



1 licensed teacher who is under contract with the employing  
2 board. If, however, there is no licensed teacher under  
3 contract because of an emergency situation, then a district  
4 may employ a substitute teacher for no longer than 30  
5 calendar days per each vacant position in the district if  
6 the district notifies the appropriate regional office of  
7 education within 5 business days after the employment of  
8 the substitute teacher in the emergency situation. An  
9 emergency situation is one in which an unforeseen vacancy  
10 has occurred and (i) a teacher is unable to fulfill his or  
11 her contractual duties or (ii) teacher capacity needs of  
12 the district exceed previous indications, and the district  
13 is actively engaged in advertising to hire a fully licensed  
14 teacher for the vacant position.

15 There is no limit on the number of days that a  
16 substitute teacher may teach in a single school district,  
17 provided that no substitute teacher may teach for longer  
18 than 90 school days for any one licensed teacher under  
19 contract in the same school year. A substitute teacher who  
20 holds a Professional Educator License or Educator License  
21 with Stipulations shall not teach for more than 120 school  
22 days for any one licensed teacher under contract in the  
23 same school year. The limitations in this paragraph (3) on  
24 the number of days a substitute teacher may be employed do  
25 not apply to any school district operating under Article 34  
26 of this Code.

1           A school district may not require an individual who  
2 holds a valid Professional Educator License or Educator  
3 License with Stipulations to seek or hold a Substitute  
4 Teaching License to teach as a substitute teacher.

5           (4) Short-Term Substitute Teaching License. Beginning  
6 on July 1, 2018 and until June 30, 2023, the State Board of  
7 Education may issue a Short-Term Substitute Teaching  
8 License. A Short-Term Substitute Teaching License may be  
9 issued to a qualified applicant for substitute teaching in  
10 all grades of the public schools, prekindergarten through  
11 grade 12. Short-Term Substitute Teaching Licenses are not  
12 eligible for endorsements. Applicants for a Short-Term  
13 Substitute Teaching License must hold an associate's  
14 degree or have completed at least 60 credit hours from a  
15 regionally accredited institution of higher education.

16           Short-Term Substitute Teaching Licenses are valid for  
17 substitute teaching in every county of this State. If an  
18 individual has had his or her Professional Educator License  
19 or Educator License with Stipulations suspended or  
20 revoked, then that individual is not eligible to obtain a  
21 Short-Term Substitute Teaching License.

22           The provisions of Sections 10-21.9 and 34-18.5 of this  
23 Code apply to short-term substitute teachers.

24           An individual holding a Short-Term Substitute Teaching  
25 License may teach no more than 5 consecutive days per  
26 licensed teacher who is under contract. For teacher

1 absences lasting 6 or more days per licensed teacher who is  
2 under contract, a school district may not hire an  
3 individual holding a Short-Term Substitute Teaching  
4 License. An individual holding a Short-Term Substitute  
5 Teaching License must complete the training program under  
6 Section 10-20.67 or 34-18.60 of this Code to be eligible to  
7 teach at a public school. This paragraph (4) is inoperative  
8 on and after July 1, 2023.

9 (Source: P.A. 100-8, eff. 7-1-17; 100-13, eff. 7-1-17; 100-288,  
10 eff. 8-24-17; 100-596, eff. 7-1-18; 100-821, eff. 9-3-18;  
11 100-863, eff. 8-14-18; 101-81, eff. 7-12-19; 101-220, eff.  
12 8-7-19; 101-594, eff. 12-5-19; 101-643, eff. 6-18-20.)

13 (105 ILCS 5/21B-35)

14 Sec. 21B-35. Minimum requirements for educators trained in  
15 other states or countries.

16 (a) Any applicant who has not been entitled by an  
17 Illinois-approved educator preparation program at an Illinois  
18 institution of higher education applying for a Professional  
19 Educator License endorsed in a teaching field or school support  
20 personnel area must meet the following requirements:

21 (1) the applicant must:

22 (A) hold a comparable and valid educator license or  
23 certificate, as defined by rule, with similar grade  
24 level and content area credentials from another state,  
25 with the State Board of Education having the authority

1 to determine what constitutes similar grade level and  
2 content area credentials from another state;

3 (B) have a bachelor's degree from a regionally  
4 accredited institution of higher education; and

5 (C) have demonstrated proficiency in the English  
6 language by either passing the English language  
7 proficiency test required by the State Board of  
8 Education or providing evidence of completing a  
9 postsecondary degree at an institution in which the  
10 mode of instruction was English; or

11 (2) the applicant must:

12 (A) have completed a state-approved program for  
13 the licensure area sought, including coursework  
14 concerning methods of instruction of the exceptional  
15 child, methods of reading and reading in the content  
16 area, and instructional strategies for English  
17 learners, and, beginning on July 1, 2024, have  
18 completed and received explicit and repeated  
19 instruction in each of the 5 essential components of  
20 reading, which are phonemic awareness, phonics,  
21 fluency, comprehension, and vocabulary;

22 (B) have a bachelor's degree from a regionally  
23 accredited institution of higher education;

24 (C) have successfully met all Illinois examination  
25 requirements, except that:

26 (i) (blank);

1           (ii) an applicant who has successfully  
2           completed a test of content, as defined by rules,  
3           at the time of initial licensure in another state  
4           is not required to complete a test of content; and

5           (iii) an applicant for a teaching endorsement  
6           who has successfully completed an evidence-based  
7           assessment of teacher effectiveness, as defined by  
8           rules, at the time of initial licensure in another  
9           state is not required to complete an  
10          evidence-based assessment of teacher  
11          effectiveness; and

12          (D) for an applicant for a teaching endorsement,  
13          have completed student teaching or an equivalent  
14          experience or, for an applicant for a school service  
15          personnel endorsement, have completed an internship or  
16          an equivalent experience.

17          (b) In order to receive a Professional Educator License  
18          endorsed in a teaching field or school support personnel area,  
19          applicants trained in another country must meet all of the  
20          following requirements:

21               (1) Have completed a comparable education program in  
22               another country.

23               (2) Have had transcripts evaluated by an evaluation  
24               service approved by the State Superintendent of Education.

25               (3) Have a degree comparable to a degree from a  
26               regionally accredited institution of higher education.

1           (4) Have completed coursework aligned to standards  
2 concerning methods of instruction of the exceptional  
3 child, methods of reading and reading in the content area,  
4 and instructional strategies for English learners.

5           (5) (Blank).

6           (6) (Blank).

7           (7) Have successfully met all State licensure  
8 examination requirements. Applicants who have successfully  
9 completed a test of content, as defined by rules, at the  
10 time of initial licensure in another country shall not be  
11 required to complete a test of content. Applicants for a  
12 teaching endorsement who have successfully completed an  
13 evidence-based assessment of teacher effectiveness, as  
14 defined by rules, at the time of initial licensure in  
15 another country shall not be required to complete an  
16 evidence-based assessment of teacher effectiveness.

17           (8) Have completed student teaching or an equivalent  
18 experience.

19           (9) Have demonstrated proficiency in the English  
20 language by either passing the English language  
21 proficiency test required by the State Board of Education  
22 or providing evidence of completing a postsecondary degree  
23 at an institution in which the mode of instruction was  
24 English.

25           (b-5) All applicants who have not been entitled by an  
26 Illinois-approved educator preparation program at an Illinois

1 institution of higher education and applicants trained in  
2 another country applying for a Professional Educator License  
3 endorsed for principal or superintendent must hold a master's  
4 degree from a regionally accredited institution of higher  
5 education, pass the English language proficiency test required  
6 by the State Board of Education, and hold a comparable and  
7 valid educator license or certificate with similar grade level  
8 and subject matter credentials, with the State Board of  
9 Education having the authority to determine what constitutes  
10 similar grade level and subject matter credentials from another  
11 state, or must meet all of the following requirements:

12 (1) Have completed an educator preparation program  
13 approved by another state or comparable educator program in  
14 another country leading to the receipt of a license or  
15 certificate for the Illinois endorsement sought.

16 (2) Have successfully met all State licensure  
17 examination requirements, as required by Section 21B-30 of  
18 this Code. Applicants who have successfully completed a  
19 test of content, as defined by rules, at the time of  
20 initial licensure in another state or country shall not be  
21 required to complete a test of content.

22 (2.5) Have completed an internship, as defined by rule.

23 (3) (Blank).

24 (4) Have completed coursework aligned to standards  
25 concerning methods of instruction of the exceptional  
26 child, methods of reading and reading in the content area,

1 and instructional strategies for English learners and,  
2 beginning on July 1, 2024, have completed and received  
3 explicit and repeated instruction in each of the 5  
4 essential components of reading, which are phonemic  
5 awareness, phonics, fluency, comprehension, and  
6 vocabulary.

7 (4.5) Have demonstrated proficiency in the English  
8 language by either passing the English language  
9 proficiency test required by the State Board of Education  
10 or providing evidence of completing a postsecondary degree  
11 at an institution in which the mode of instruction was  
12 English.

13 (5) Have completed a master's degree.

14 (6) Have successfully completed teaching, school  
15 support, or administrative experience as defined by rule.

16 (b-7) All applicants who have not been entitled by an  
17 Illinois-approved educator preparation program at an Illinois  
18 institution of higher education applying for a Professional  
19 Educator License endorsed for Director of Special Education  
20 must hold a master's degree from a regionally accredited  
21 institution of higher education and must hold a comparable and  
22 valid educator license or certificate with similar grade level  
23 and subject matter credentials, with the State Board of  
24 Education having the authority to determine what constitutes  
25 similar grade level and subject matter credentials from another  
26 state, or must meet all of the following requirements:



1 (1) Have completed a master's degree.

2 (2) Have 2 years of full-time experience providing  
3 special education services.

4 (3) Have successfully completed all examination  
5 requirements, as required by Section 21B-30 of this Code.  
6 Applicants who have successfully completed a test of  
7 content, as identified by rules, at the time of initial  
8 licensure in another state or country shall not be required  
9 to complete a test of content.

10 (4) Have completed coursework aligned to standards  
11 concerning methods of instruction of the exceptional  
12 child, methods of reading and reading in the content area,  
13 and instructional strategies for English learners.

14 (b-10) All applicants who have not been entitled by an  
15 Illinois-approved educator preparation program at an Illinois  
16 institution of higher education applying for a Professional  
17 Educator License endorsed for chief school business official  
18 must hold a master's degree from a regionally accredited  
19 institution of higher education and must hold a comparable and  
20 valid educator license or certificate with similar grade level  
21 and subject matter credentials, with the State Board of  
22 Education having the authority to determine what constitutes  
23 similar grade level and subject matter credentials from another  
24 state, or must meet all of the following requirements:

25 (1) Have completed a master's degree in school business  
26 management, finance, or accounting.

1           (2) Have successfully completed an internship in  
2 school business management or have 2 years of experience as  
3 a school business administrator.

4           (3) Have successfully met all State examination  
5 requirements, as required by Section 21B-30 of this Code.  
6 Applicants who have successfully completed a test of  
7 content, as identified by rules, at the time of initial  
8 licensure in another state or country shall not be required  
9 to complete a test of content.

10           (4) Have completed modules aligned to standards  
11 concerning methods of instruction of the exceptional  
12 child, methods of reading and reading in the content area,  
13 and instructional strategies for English learners and,  
14 beginning on July 1, 2024, have completed and received  
15 explicit and repeated instruction in each of the 5  
16 essential components of reading, which are phonemic  
17 awareness, phonics, fluency, comprehension, and  
18 vocabulary.

19           (c) The State Board of Education, in consultation with the  
20 State Educator Preparation and Licensure Board, may adopt such  
21 rules as may be necessary to implement this Section.

22           (Source: P.A. 100-13, eff. 7-1-17; 100-584, eff. 4-6-18;  
23 100-596, eff. 7-1-18; 101-220, eff. 8-7-19; 101-643, eff.  
24 6-18-20.)

1           Sec. 34-18.51. Committee on the retention of students.

2           (a) The board may create a committee on the retention of  
3 students. The committee shall consist of the general  
4 superintendent of schools or his or her designee, a district  
5 administrator who directs student instruction and curriculum,  
6 a principal from a school of the district, and a teacher from a  
7 school of the district.

8           (b) Prior to retention in a grade, a school may submit, by  
9 a date as set by the committee on the retention of students,  
10 the names of all students determined by the school to not  
11 qualify for promotion to the next higher grade and the reason  
12 for that determination. Subject to Section 34-18.51a, the ~~The~~  
13 committee shall review the school's decision to retain with  
14 respect to each student and shall make a final decision  
15 regarding whether or not to retain a particular student. The  
16 committee shall take into consideration the relevant data and  
17 evidence gathered during the Response to Intervention process.  
18 The committee may vote to overturn a retention decision if the  
19 committee determines that the student should be promoted after  
20 examining the student's access to remedial assistance,  
21 performance, attendance, and participation and the resources  
22 and facilities provided by the school district or due to the  
23 student having an undiagnosed learning disability.

24           (Source: P.A. 99-592, eff. 7-22-16; 100-201, eff. 8-18-17.)

25           (105 ILCS 5/34-18.51a new)

1       Sec. 34-18.51a. Reading and math intervention and support.

2       (a) The board must notify, in writing, the parent or  
3 guardian of a student in any of grades kindergarten through 3  
4 who exhibits a deficiency in reading or math skills at any time  
5 during the school year no later than 30 days after the  
6 identification of the deficiency in reading or math. The  
7 written notification provided to the parent or guardian of the  
8 student must include all of the following:

9           (1) Notification that the student has been identified  
10 as having a deficiency in reading or math and that  
11 additional support will be provided to the student.

12           (2) A description of the current services that are  
13 provided to the student.

14           (3) A description of the proposed evidence-based  
15 reading or math intervention services and supplemental  
16 instructional services and support that will be provided to  
17 the student and that are designed to remedy the identified  
18 areas of deficiency in reading or math.

19           (4) Notification that the parent or guardian will be  
20 informed in writing of the student's progress toward  
21 grade-level reading or math with each progress report or  
22 report card.

23           (5) Strategies for the parent or guardian to use at  
24 home to help the student succeed in reading or math.

25           (6) Notification that if the student's deficiency in  
26 reading or math is not corrected by the end of grade 3, the

1 school will provide the student with intensive  
2 intervention and progress monitoring if the student is  
3 promoted to grade 4.

4 (b) Beginning with the 2022-2023 school year, the school  
5 district must provide to any student retained in a grade  
6 intensive reading or math intervention to remedy the student's  
7 specific deficiency in reading or math. The reading or math  
8 intervention services must include effective instructional  
9 strategies to accelerate student progress. The school district  
10 may provide any of the following services to the retained  
11 student:

12 (1) A highly effective teacher of reading or math, as  
13 demonstrated by student reading or math performance data  
14 and teacher performance evaluations.

15 (2) The use of reading or math intervention services  
16 and support to correct the identified areas of deficiency  
17 in reading or math, which include, but are not limited to:

18 (A) dedicating more time than in the previous  
19 school year to providing to the student evidence-based  
20 reading or math instruction and intervention;

21 (B) using reading or math strategies or programs  
22 that are evidence-based and have proven results for  
23 accelerating student reading or math achievement  
24 within the same school year;

25 (C) daily targeted small group reading or math  
26 intervention based on student needs;

1           (D) explicit and systematic instruction with more  
2           detailed explanations, more extensive opportunities  
3           for guided practice, and more opportunities for error  
4           correction and feedback; and

5           (E) frequent monitoring of the reading or math  
6           progress of the student's reading or math skills  
7           throughout the school year and the adjustment of  
8           instruction according to the student's needs.

9           (3) Before-school or after-school supplemental  
10          evidence-based reading or math intervention delivered by a  
11          teacher or tutor with specialized training in reading or  
12          math instruction.

13          (4) An at-home plan outlined in a parental contract  
14          that includes participation in parent-training workshops  
15          or regular parent-guided reading or math activities.

16          (c) On or before October 1 of each year, the board must  
17          report, in writing, to the State Board of Education all of the  
18          following information for the prior school year, by grade and  
19          disaggregated by demographic group if applicable:

20               (1) The board's policies and procedures on student  
21               grade-level retention and promotion.

22               (2) The number of students who were administered a  
23               universal screener, as defined in Section 34-18.67, during  
24               the school year.

25               (3) The number of students who were administered a  
26               Level I dyslexia screening, as defined in Section 34-18.67.

1           (4) The total number of students identified as having  
2           the characteristics of dyslexia during that school year.

3           (5) The number of students receiving reading or math  
4           intervention services, including those receiving dyslexia  
5           intervention services, under this Section.

6           (6) The number and percentage of all students in  
7           kindergarten through grade 3 performing below grade level  
8           on local and statewide assessments.

9           (7) By grade and disaggregated by demographic group,  
10          the number and percentage of all students retained in  
11          kindergarten through grade 3.

12          (d) The State Board of Education shall provide technical  
13          assistance to aid the board in implementing this Section.

14           (105 ILCS 5/34-18.67 new)

15          Sec. 34-18.67. Dyslexia screening and support.

16          (a) In this Section:

17          "Level I dyslexia screening" means a process, as determined  
18          by the school district, for gathering additional information to  
19          determine if the characteristics of dyslexia are present.

20          "Universal screener" means an assessment used to aid  
21          educators in understanding the causes for student performance,  
22          learning strengths, and the needs that underlie student  
23          performance. The assessment is conducted with all students at a  
24          particular grade level.

25          (b) Beginning with the 2022-2023 school year, the school

1 district must screen students in the first and second grades  
2 for the risk factors of dyslexia using a universal screener  
3 appropriately designed for the educational context. Following  
4 the administration of the universal screener, if a student is  
5 determined to be at risk or at some risk for dyslexia, the  
6 school district must administer a Level I dyslexia screening of  
7 the student. Through the Level I dyslexia screening, the school  
8 district must gather additional information to determine if the  
9 student has the characteristics of dyslexia. The additional  
10 information may include, but is not limited to, information  
11 from progress monitoring data, work samples, additional age and  
12 grade-appropriate assessments related to dyslexia, teacher  
13 questionnaires, parent interviews, and speech and language  
14 assessments and information regarding the student's family  
15 history related to dyslexia.

16 (c) If the universal screener or the Level I dyslexia  
17 screening indicates that a student has some risk factors for  
18 dyslexia or the characteristics of dyslexia, the school must  
19 use a multi-tiered system of support (MTSS) framework to  
20 address the needs of the student. The school district is not  
21 required to administer a Level I dyslexia screening to a  
22 student if the student is receiving dyslexia intervention  
23 services. If a student's performance on a Level I dyslexia  
24 screening indicates a need for dyslexia intervention services,  
25 the school district must notify the student's parent or  
26 guardian of the results of all screenings and provide to the



1 parent or guardian, in addition to the information contained in  
2 the handbook developed under Section 2-3.161, all of the  
3 following information and resource material:

4 (1) The characteristics of dyslexia.

5 (2) The appropriate classroom interventions and  
6 accommodations for students with dyslexia.

7 (3) A statement that the parent or guardian may elect  
8 to have the student receive an educational evaluation by  
9 the school.

10 (d) If the student's Level I dyslexia screening indicates  
11 that the student has the characteristics of dyslexia, the  
12 intervention services provided to the student pursuant to  
13 Section 34-18.51a must be implemented using diagnostic  
14 teaching guidelines described in the handbook developed under  
15 Section 2-3.161.

16 (105 ILCS 5/34-18.68 new)

17 Sec. 34-18.68. Evidence-based reading instruction. By no  
18 later than the beginning of the 2023-2024 school year, the  
19 board shall develop a plan to ensure that within 3 school years  
20 all classroom teachers, resource teachers, and reading  
21 interventionists who work with students in grades kindergarten  
22 through 3 receive professional development, in-service  
23 training, or coaching in evidence-based reading instruction  
24 that has a focus on reading competency in the areas of phonemic  
25 awareness.

1           A teacher who provides satisfactory evidence to the board  
2 that he or she has previously received explicit and repeated  
3 instruction in each of the 5 essential components of reading,  
4 which are phonemic awareness, phonics, fluency, comprehension,  
5 and vocabulary, through an educator preparation program or  
6 other accredited training program is exempt from the  
7 requirements of this Section.

8           (105 ILCS 5/34-18.69 new)

9           Sec. 34-18.69. Early reading instruction. The school  
10 district shall provide students with instructional programming  
11 and services necessary to ensure, to the greatest extent  
12 possible, that as a student progresses from kindergarten  
13 through grade 3, the student develops the necessary reading  
14 skills to enable him or her to master the academic standards  
15 and expectations applicable to grade 4 and higher grade levels.  
16 The instructional programming and services for teaching  
17 students to read must be evidence-based and must focus on  
18 reading competency in the areas of phonemic awareness, phonics,  
19 vocabulary development, fluency, and comprehension.

20   Article 35.

21           Section 35-1. Short title. This Article may be cited as the  
22 Infant/Early Childhood Mental Health Consultations Act.  
23 References in this Article to "this Act" mean this Article.

1 Section 35-5. Findings; policies.

2 (a) The General Assembly finds the following:

3 (1) Social and emotional development is a core  
4 developmental domain in young children and is codified in  
5 the Illinois Early Learning Standards.

6 (2) Fostering social and emotional development in  
7 early childhood means both providing the supportive  
8 settings and interactions to maximize healthy social and  
9 emotional development for all children, as well as  
10 providing communities, programs, and providers with  
11 systems of tiered supports with training to respond to more  
12 significant social and emotional challenges or where  
13 experiences of trauma may be more prevalent.

14 (3) Early care and education programs and providers,  
15 across a range of settings, have an important role to play  
16 in supporting young children and families, especially  
17 those who face greater challenges, such as trauma exposure,  
18 social isolation, pervasive poverty, and toxic stress; if  
19 programs, teaching staff, caregivers, and providers are  
20 not provided with the support, services, and training  
21 needed to accomplish these goals, it can lead to children  
22 and families being asked to leave programs, particularly  
23 without connection to more appropriate services, thereby  
24 creating a disruption in learning and social-emotional  
25 development; investments in reflective supervision,

1 professional development specific to diversity, equity and  
2 inclusion practice, culturally responsive training,  
3 implicit bias training, and how trauma experienced during  
4 the early years can manifest in challenging behaviors will  
5 create systems for serving children that are informed in  
6 developmentally appropriate and responsive supports.

7 (4) Studies have shown that the expulsion of infants,  
8 toddlers, and young children in early care and education  
9 settings is occurring at alarmingly high rates, more than 3  
10 times that of students in K-12; further, expulsion occurs  
11 more frequently for Black children and Latinx children and  
12 more frequently for boys than for girls, with Black boys  
13 being most frequently expelled; there is evidence to show  
14 that the expulsion of Black girls is occurring with  
15 increasing frequency.

16 (5) Illinois took its first steps toward addressing  
17 this disparity through Public Act 100-105 to prohibit  
18 expulsion due to child behavior in early care and education  
19 settings, but further work is needed to implement this law,  
20 including strengthening provider understanding of a  
21 successful transition and beginning to identify strategies  
22 to reduce "soft expulsions" and to ensure more young  
23 children and their teachers, providers, and caregivers, in  
24 a range of early care and education settings, can benefit  
25 from services, such as Infant/Early Childhood Mental  
26 Health Consultations (I/ECMHC) and positive behavior

1 interventions and supports such as the Pyramid Model.

2 (6) I/ECMHC is a critical component needed to align  
3 social-emotional well-being with the public health model  
4 of promotion, prevention, and intervention across early  
5 care and education systems.

6 (b) The General Assembly encourages that all of the  
7 following actions be taken by:

8 (1) the State to increase the availability of  
9 Infant/Early Childhood Mental Health Consultations  
10 (I/ECMHC) through increased funding in early childhood  
11 programs and sustainable funding for coordination of  
12 I/ECMHC and other social and emotional support at the State  
13 level;

14 (2) the Department of Human Services (IDHS), the  
15 Illinois State Board of Education (ISBE), the Governor's  
16 Office of Early Childhood Development (GOECD), and other  
17 relevant agencies to develop and promote  
18 provider-accessible and parent-accessible materials on the  
19 role and value of I/ECMHC, including targeted promotion in  
20 underserved communities, and promote the use of existing  
21 I/ECMHCs, the I/ECMHC consultant database, or other  
22 existing services;

23 (3) the State to increase funding to promote and  
24 provide training and implementation support for systems of  
25 tiered support, such as the Pyramid Model, across early  
26 childhood settings and urge DHS, ISBE, GOECD, and other

1 relevant State agencies to coordinate efforts and develop  
2 strategies to provide outreach to and support providers in  
3 underserved communities and communities with fewer  
4 programmatic resources; and

5 (4) ISBE and DCFS to provide the data required by  
6 Public Act 100-105, even if the data is incomplete at the  
7 time due to data system challenges.

8 Article 40.

9 Section 40-5. The Illinois Public Aid Code is amended by  
10 adding Section 5-39 as follows:

11 (305 ILCS 5/5-39 new)

12 Sec. 5-39. Behavioral health services for children;  
13 diagnostic assessment system. Beginning on July 1, 2022, if it  
14 is necessary to provide a diagnostic code for behavioral health  
15 services for children ages 5 and under, providers shall utilize  
16 a developmentally appropriate and age-appropriate diagnostic  
17 assessment system, such as the Diagnostic Classification of  
18 Mental Health and Developmental Disorders of Infancy and Early  
19 Childhood-Revised (DC:0-5), for diagnosis and treatment  
20 planning. If necessary for billing purposes, the provider,  
21 managed care organization, or Department shall utilize the  
22 existing crosswalk tool to convert the developmentally  
23 appropriate and age-appropriate diagnosis code to the relevant

1 code available in the State system.

2 By no later than July 1, 2021, the Department shall make  
3 recommendations to the General Assembly on the resources needed  
4 to integrate developmentally appropriate and age-appropriate  
5 diagnostic codes into the State system. The Department shall  
6 have in place all necessary resources needed to integrate  
7 developmentally appropriate and age-appropriate diagnostic  
8 codes by no later than January 1, 2023.

9 Article 45.

10 Section 45-1. Short title. This Article may be cited as the  
11 Early Childhood Workforce Act. References in this Article to  
12 "this Act" mean this Article.

13 Section 45-5. Findings; policies.

14 (a) The General Assembly finds the following:

15 (1) Research shows that early childhood teacher  
16 effectiveness is a predictor for positive developmental  
17 and academic outcomes for children.

18 (2) The work of early childhood educators is  
19 sophisticated and central to the healthy learning and  
20 development of young children and takes place in a range of  
21 settings, including schools, community-based centers, and  
22 homes.

23 (3) It is critically important for children's outcomes

1 to have educators that reflect the diversity of the  
2 families and communities they serve.

3 (4) The early childhood workforce is more racially  
4 diverse than the K-12 workforce, and its members hold  
5 degrees, have earned credentials, and have years of  
6 experience in the field.

7 (5) The early childhood workforce, particularly those  
8 working in community-based settings and those working with  
9 infants and toddlers, often are not paid wages aligned to  
10 the sophistication of their work and level of education.

11 (6) All regions and settings have difficulty finding  
12 qualified teachers.

13 (7) A disproportionate number of Black and Latinx women  
14 serve in essential, frontline positions but are  
15 underrepresented as lead teachers and in program  
16 leadership where credentials and degrees are required.

17 (8) The early childhood workforce faces multiple  
18 barriers to additional credential and degree attainment  
19 that lead to career advancement and higher levels of  
20 compensation.

21 (b) The General Assembly encourages all of the following:

22 (1) The Department of Human Services to undertake an  
23 analysis of teacher data in the Gateways Registry to  
24 determine those individuals who are close to their next  
25 credential or degree, including information where  
26 available in the Registry such as their geographic



1 location, demographics, work setting, and age groups of  
2 children for whom they are responsible.

3 (2) The Department of Human Services to conduct  
4 outreach and provide targeted coaching and access to  
5 financial supports, including, but not limited to,  
6 scholarships and debt relief, in a way that prioritizes  
7 increasing the diversity of the teacher pipeline, regions  
8 of the State with the highest need, and children in age  
9 groups with the greatest teacher shortages.

10 (3) The State Board of Education to provide additional  
11 financial support to candidates and provide this support to  
12 all candidates regardless of the setting in which they work  
13 and the credentials they are currently seeking,  
14 prioritizing those by greatest need in the early childhood  
15 field.

16 (4) The Department of Human Services to provide annual  
17 reports on who receives these and other scholarships or  
18 other financial support administered by the Department or  
19 the State Board of Education by geographic location,  
20 demographics, work setting, age groups of children served,  
21 and credential/degree attainment as available.

22 (5) The Board of Higher Education, in the course of  
23 their strategic planning process, to review the barriers  
24 experienced by the early childhood workforce and by  
25 teachers of color, in particular in accessing and  
26 completing the needed coursework to attain additional

1 credentials and degrees, and to recommend policy or  
2 practice changes to better meet the needs of this  
3 workforce, which is largely comprised of non-traditional  
4 students and women of color.

5 (6) The State Board of Education and the Department of  
6 Human Services to prioritize reducing compensation  
7 disparities between the early childhood workforce and  
8 their K-12 counterparts and disparities within the early  
9 childhood workforce between setting and age groups in which  
10 they work, as funding becomes available.

11 Article 50.

12 Section 50-5. The School Code is amended by adding Section  
13 2-3.183 and by changing Section 27-22 as follows:

14 (105 ILCS 5/2-3.183 new)

15 Sec. 2-3.183. Review of university admission coursework.

16 (a) On or before February 1, 2021 and each February 1  
17 thereafter, the State Board of Education and the Board of  
18 Higher Education shall jointly compile a review that  
19 identifies, for each public university in this State, the  
20 courses the university requires or recommends a high school  
21 student take to be admitted to the university as an  
22 undergraduate student. The review shall also include any  
23 additional coursework requirements or recommendations for

1 undergraduate admission into a specific academic major,  
2 college, or department of the university. The courses that are  
3 identified in the review as recommended must include, at a  
4 minimum, those courses that the university describes in its  
5 promotional materials as being recommended.

6 (b) The State Board of Education shall make the review  
7 compiled under subsection (a) available to the public on its  
8 Internet website.

9 (c) To ensure that a public high school student is not  
10 excluded from enrolling in a public university in this State  
11 because of a lack of access to required or recommended  
12 coursework, every public high school must provide access to  
13 each course identified in the review compiled under subsection  
14 (a) to any of its students who request to enroll in the course.  
15 If the high school is unable to offer the course through the  
16 school district, the high school must find an alternative way  
17 to offer the course to the student, which may include  
18 partnering with another school district, a community college  
19 district, or some other course provider, and the student's  
20 school district shall cover any portion of the cost of the  
21 course that is not covered by State or other public or private  
22 funding.

23 (d) To ensure that every public high school student  
24 understands the course expectations for admission into a public  
25 university in this State, a school district must make available  
26 to students in grades 8 through 12 and their parents or

1 guardians the review compiled under subsection (a) before the  
2 student's course schedule is finalized for the student's  
3 particular grade level.

4 (e) The State Board of Education may adopt any rules  
5 necessary to implement this Section.

6 (105 ILCS 5/27-22) (from Ch. 122, par. 27-22)

7 Sec. 27-22. Required high school courses.

8 (a) (Blank).

9 (b) (Blank).

10 (c) (Blank).

11 (d) (Blank).

12 (e) Through the 2023-2024 school year, as ~~As~~ a prerequisite  
13 to receiving a high school diploma, each pupil entering the 9th  
14 grade must, in addition to other course requirements,  
15 successfully complete all of the following courses:

16 (1) Four years of language arts.

17 (2) Two years of writing intensive courses, one of  
18 which must be English and the other of which may be English  
19 or any other subject. When applicable, writing-intensive  
20 courses may be counted towards the fulfillment of other  
21 graduation requirements.

22 (3) Three years of mathematics, one of which must be  
23 Algebra I, one of which must include geometry content, and  
24 one of which may be an Advanced Placement computer science  
25 course. A mathematics course that includes geometry

1 content may be offered as an integrated, applied,  
2 interdisciplinary, or career and technical education  
3 course that prepares a student for a career readiness path.

4 (4) Two years of science.

5 (5) Two years of social studies, of which at least one  
6 year must be history of the United States or a combination  
7 of history of the United States and American government  
8 and, beginning with pupils entering the 9th grade in the  
9 2016-2017 school year and each school year thereafter, at  
10 least one semester must be civics, which shall help young  
11 people acquire and learn to use the skills, knowledge, and  
12 attitudes that will prepare them to be competent and  
13 responsible citizens throughout their lives. Civics course  
14 content shall focus on government institutions, the  
15 discussion of current and controversial issues, service  
16 learning, and simulations of the democratic process.  
17 School districts may utilize private funding available for  
18 the purposes of offering civics education.

19 (6) One year chosen from (A) music, (B) art, (C)  
20 foreign language, which shall be deemed to include American  
21 Sign Language, or (D) vocational education.

22 (e-5) Beginning with the 2024-2025 school year, as a  
23 prerequisite to receiving a high school diploma, each pupil  
24 entering the 9th grade must, in addition to other course  
25 requirements, successfully complete all of the following  
26 courses:

1           (1) Four years of language arts.

2           (2) Two years of writing intensive courses, one of  
3 which must be English and the other of which may be English  
4 or any other subject. If applicable, writing-intensive  
5 courses may be counted toward the fulfillment of other  
6 graduation requirements.

7           (3) Three years of mathematics, one of which must be  
8 Algebra I, one of which must include geometry content, and  
9 one of which may be an Advanced Placement computer science  
10 course. A mathematics course that includes geometry  
11 content may be offered as an integrated, applied,  
12 interdisciplinary, or career and technical education  
13 course that prepares a student for a career readiness path.

14           (4) Two years of laboratory science.

15           (5) Two years of social studies, of which at least one  
16 year must be history of the United States or a combination  
17 of history of the United States and American government and  
18 at least one semester must be civics, which shall help  
19 young people acquire and learn to use the skills,  
20 knowledge, and attitudes that will prepare them to be  
21 competent and responsible citizens throughout their lives.  
22 Civics course content shall focus on government  
23 institutions, the discussion of current and controversial  
24 issues, service learning, and simulations of the  
25 democratic process. School districts may utilize private  
26 funding available for the purposes of offering civics

1       education.

2           (6) Two years of foreign language, which shall be  
3       deemed to include American Sign Language.

4           (7) One year chosen from (A) music, (B) art, (C)  
5       foreign language that is in addition to the 2 years under  
6       paragraph (6), which shall be deemed to include American  
7       Sign Language, or (D) vocational education.

8       (f) The State Board of Education shall develop and inform  
9       school districts of standards for writing-intensive  
10      coursework.

11       (f-5) If a school district offers an Advanced Placement  
12      computer science course to high school students, then the  
13      school board must designate that course as equivalent to a high  
14      school mathematics course and must denote on the student's  
15      transcript that the Advanced Placement computer science course  
16      qualifies as a mathematics-based, quantitative course for  
17      students in accordance with subdivision (3) of subsection (e)  
18      of this Section.

19       (g) This amendatory Act of 1983 does not apply to pupils  
20      entering the 9th grade in 1983-1984 school year and prior  
21      school years or to students with disabilities whose course of  
22      study is determined by an individualized education program.

23       This amendatory Act of the 94th General Assembly does not  
24      apply to pupils entering the 9th grade in the 2004-2005 school  
25      year or a prior school year or to students with disabilities  
26      whose course of study is determined by an individualized

1 education program.

2 This amendatory Act of the 101st General Assembly does not  
3 apply to pupils entering the 9th grade in the 2023-2024 school  
4 year or a prior school year or to students with disabilities  
5 whose course of study is determined by an individualized  
6 education program.

7 (h) The provisions of this Section are subject to the  
8 provisions of Section 27-22.05 of this Code and the  
9 Postsecondary and Workforce Readiness Act.

10 (i) The State Board of Education may adopt rules to modify  
11 the requirements of this Section for any students enrolled in  
12 grades 9 through 12 if the Governor has declared a disaster due  
13 to a public health emergency pursuant to Section 7 of the  
14 Illinois Emergency Management Agency Act.

15 (Source: P.A. 100-443, eff. 8-25-17; 101-464, eff. 1-1-20;  
16 101-643, eff. 6-18-20.)

17 Section 50-10. The Board of Higher Education Act is amended  
18 by adding Section 9.40 as follows:

19 (110 ILCS 205/9.40 new)

20 Sec. 9.40. Review of university admission coursework.

21 (a) On or before February 1, 2021 and each February 1  
22 thereafter, the State Board of Education and the Board of  
23 Higher Education shall jointly compile a review as provided  
24 under Section 2-3.183 of the School Code.



1           (b) The Board of Higher Education may adopt any rules  
2 necessary to implement this Section.

3                                   Article 55.

4           Section 55-5. The School Code is amended by adding Section  
5 2-3.184 and by changing Section 18-8.15 as follows:

6           (105 ILCS 5/2-3.184 new)

7           Sec. 2-3.184. Approved anti-racism initiatives;  
8 anti-racism investment funding.

9           (a) In this Section, "approved anti-racism initiatives"  
10 means evidence-based or research-based practices approved by  
11 the State Board of Education that are shown to reduce the gaps  
12 and disparities experienced by African American students in  
13 academic achievement and educational performance and includes  
14 practices that have been shown to reduce disparities in  
15 disciplinary rates, drop-out rates, graduation rates, college  
16 matriculation rates, and college completion rates.

17           (b) No later than January 30, 2021, the State Board shall  
18 create a list of approved anti-racism initiatives that may be  
19 implemented by school districts to enhance the educational  
20 performance of African American students. Approved anti-racism  
21 initiatives may include, but are not limited to, all of the  
22 following:

23           (1) A reduction in class sizes in grades kindergarten

1 through 3.

2 (2) The implementation of culturally appropriate  
3 curriculum and associated professional development.

4 (3) The implementation of project-based learning and  
5 associated professional development.

6 (4) The implementation of a Universal Design for  
7 Learning framework and associated professional  
8 development.

9 (5) The implementation of research-based and on-going  
10 professional development for school faculty,  
11 administrators, and staff to identify and counter implicit  
12 bias.

13 No later than January 30, 2021, the State Board shall make  
14 the list available to school districts by posting the list on  
15 the State Board's Internet website. No later than January 30th  
16 of each year thereafter, the State Board shall update the list  
17 and post the updated list on the State Board's Internet  
18 website.

19 (c) Funding received by a school district pursuant to  
20 subparagraph (Y) of paragraph (2) of subsection (b) of Section  
21 18-8.15 of this Code shall be utilized for the implementation  
22 of one or more approved anti-racism initiatives listed by the  
23 State Board under subsection (b) of this Section. However, a  
24 school district may utilize a specified amount of that funding  
25 for a purpose other than to implement one or more of the  
26 approved anti-racism initiatives if the school district, upon

1 application, obtains written consent from the State Board to  
2 utilize the specified amount for another purpose. The  
3 application for consent shall be in such form as the State  
4 Board prescribes. The State Board shall grant or deny consent  
5 within 60 days after receipt of the application. The granting  
6 or denial of consent shall be final, binding, and  
7 non-appealable.

8 (d) For each school year in which a school district  
9 receives funding pursuant to subparagraph (Y) of paragraph (2)  
10 of subsection (b) of Section 18-8.15 of this Code, the school  
11 district shall report to the State Board on how the school  
12 district utilized all of the funding it received under  
13 subparagraph (Y) of paragraph (2) of subsection (b) of Section  
14 18-8.15 of this Code. The report shall be in such form as the  
15 State Board prescribes on the State Board's website.

16 (105 ILCS 5/18-8.15)

17 Sec. 18-8.15. Evidence-Based Funding for student success  
18 for the 2017-2018 and subsequent school years.

19 (a) General provisions.

20 (1) The purpose of this Section is to ensure that, by  
21 June 30, 2027 and beyond, this State has a kindergarten  
22 through grade 12 public education system with the capacity  
23 to ensure the educational development of all persons to the  
24 limits of their capacities in accordance with Section 1 of  
25 Article X of the Constitution of the State of Illinois. To

1 accomplish that objective, this Section creates a method of  
2 funding public education that is evidence-based; is  
3 sufficient to ensure every student receives a meaningful  
4 opportunity to learn irrespective of race, ethnicity,  
5 sexual orientation, gender, or community-income level; and  
6 is sustainable and predictable. When fully funded under  
7 this Section, every school shall have the resources, based  
8 on what the evidence indicates is needed, to:

9 (A) provide all students with a high quality  
10 education that offers the academic, enrichment, social  
11 and emotional support, technical, and career-focused  
12 programs that will allow them to become competitive  
13 workers, responsible parents, productive citizens of  
14 this State, and active members of our national  
15 democracy;

16 (B) ensure all students receive the education they  
17 need to graduate from high school with the skills  
18 required to pursue post-secondary education and  
19 training for a rewarding career;

20 (C) reduce, with a goal of eliminating, the  
21 achievement gap between at-risk and non-at-risk  
22 students by raising the performance of at-risk  
23 students and not by reducing standards; and

24 (D) ensure this State satisfies its obligation to  
25 assume the primary responsibility to fund public  
26 education and simultaneously relieve the

1           disproportionate burden placed on local property taxes  
2           to fund schools.

3           (2) The Evidence-Based Funding formula under this  
4           Section shall be applied to all Organizational Units in  
5           this State. The Evidence-Based Funding formula outlined in  
6           this Act is based on the formula outlined in Senate Bill 1  
7           of the 100th General Assembly, as passed by both  
8           legislative chambers. As further defined and described in  
9           this Section, there are 4 major components of the  
10          Evidence-Based Funding model:

11                 (A) First, the model calculates a unique Adequacy  
12                 Target for each Organizational Unit in this State that  
13                 considers the costs to implement research-based  
14                 activities, the unit's student demographics, and  
15                 regional wage differences.

16                 (B) Second, the model calculates each  
17                 Organizational Unit's Local Capacity, or the amount  
18                 each Organizational Unit is assumed to contribute  
19                 toward its Adequacy Target from local resources.

20                 (C) Third, the model calculates how much funding  
21                 the State currently contributes to the Organizational  
22                 Unit and adds that to the unit's Local Capacity to  
23                 determine the unit's overall current adequacy of  
24                 funding.

25                 (D) Finally, the model's distribution method  
26                 allocates new State funding to those Organizational

1           Units that are least well-funded, considering both  
2           Local Capacity and State funding, in relation to their  
3           Adequacy Target.

4           (3) An Organizational Unit receiving any funding under  
5           this Section may apply those funds to any fund so received  
6           for which that Organizational Unit is authorized to make  
7           expenditures by law.

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

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

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

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

16           "Adjusted Operating Tax Rate" means a tax rate for all  
17           Organizational Units, for which the State Superintendent  
18           shall calculate and subtract for the Operating Tax Rate a  
19           transportation rate based on total expenses for  
20           transportation services under this Code, as reported on the  
21           most recent Annual Financial Report in Pupil  
22           Transportation Services, function 2550 in both the  
23           Education and Transportation funds and functions 4110 and  
24           4120 in the Transportation fund, less any corresponding  
25           fiscal year State of Illinois scheduled payments excluding  
26           net adjustments for prior years for regular, vocational, or

1 special education transportation reimbursement pursuant to  
2 Section 29-5 or subsection (b) of Section 14-13.01 of this  
3 Code divided by the Adjusted EAV. If an Organizational  
4 Unit's corresponding fiscal year State of Illinois  
5 scheduled payments excluding net adjustments for prior  
6 years for regular, vocational, or special education  
7 transportation reimbursement pursuant to Section 29-5 or  
8 subsection (b) of Section 14-13.01 of this Code exceed the  
9 total transportation expenses, as defined in this  
10 paragraph, no transportation rate shall be subtracted from  
11 the Operating Tax Rate.

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

14 "Alternative School" means a public school that is  
15 created and operated by a regional superintendent of  
16 schools and approved by the State Board.

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

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

24 "Assistant principal" means a school administrator  
25 duly endorsed to be employed as an assistant principal in  
26 this State.

1            "At-risk student" means a student who is at risk of not  
2 meeting the Illinois Learning Standards or not graduating  
3 from elementary or high school and who demonstrates a need  
4 for vocational support or social services beyond that  
5 provided by the regular school program. All students  
6 included in an Organizational Unit's Low-Income Count, as  
7 well as all English learner and disabled students attending  
8 the Organizational Unit, shall be considered at-risk  
9 students under this Section.

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



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

1 Education the intent to implement full-day kindergarten  
2 district-wide for all students, then all students  
3 attending kindergarten shall be counted as 1.0. Special  
4 education pre-kindergarten students shall be counted as  
5 0.5 each. If the State Board does not collect or has not  
6 collected both an October 1 and March 1 enrollment count by  
7 grade or a December 1 collection of special education  
8 pre-kindergarten students as of August 31, 2017 (the  
9 effective date of Public Act 100-465), it shall establish  
10 such collection for all future years. For any year in which  
11 a count by grade level was collected only once, that count  
12 shall be used as the single count available for computing a  
13 3-year average ASE. Funding for programs operated by a  
14 regional office of education or an intermediate service  
15 center must be calculated using the Evidence-Based Funding  
16 formula under this Section for the 2019-2020 school year  
17 and each subsequent school year until separate adequacy  
18 formulas are developed and adopted for each type of  
19 program. ASE for a program operated by a regional office of  
20 education or an intermediate service center must be  
21 determined by the March 1 enrollment for the program. For  
22 the 2019-2020 school year, the ASE used in the calculation  
23 must be the first-year ASE and, in that year only, the  
24 assignment of students served by a regional office of  
25 education or intermediate service center shall not result  
26 in a reduction of the March enrollment for any school

1 district. For the 2020-2021 school year, the ASE must be  
2 the greater of the current-year ASE or the 2-year average  
3 ASE. Beginning with the 2021-2022 school year, the ASE must  
4 be the greater of the current-year ASE or the 3-year  
5 average ASE. School districts shall submit the data for the  
6 ASE calculation to the State Board within 45 days of the  
7 dates required in this Section for submission of enrollment  
8 data in order for it to be included in the ASE calculation.  
9 For fiscal year 2018 only, the ASE calculation shall  
10 include only enrollment taken on October 1.

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

13 "Base Funding Minimum" is defined in subsection (e) of  
14 this Section.

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

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

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

1 received pursuant to this Section. An Organizational  
2 Unit's final Adequacy Target attributable to bilingual  
3 education shall include all additional investments in  
4 English learner students' adequacy elements.

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

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

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

24 "Computer technology and equipment" means computers  
25 servers, notebooks, network equipment, copiers, printers,  
26 instructional software, security software, curriculum

1 management courseware, and other similar materials and  
2 equipment.

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

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

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

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

26 "CPPRT" means corporate personal property replacement

1 tax funds paid to an Organizational Unit during the  
2 calendar year one year before the calendar year in which a  
3 school year begins, pursuant to "An Act in relation to the  
4 abolition of ad valorem personal property tax and the  
5 replacement of revenues lost thereby, and amending and  
6 repealing certain Acts and parts of Acts in connection  
7 therewith", certified August 14, 1979, as amended (Public  
8 Act 81-1st S.S.-1).

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

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

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

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

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

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

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

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

1           "Extension Limitation Ratio" means a numerical ratio  
2           in which the numerator is the Base Tax Year's Extension and  
3           the denominator is the Preceding Tax Year's Extension.

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

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

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

11          "Funding Gap" is defined in paragraph (1) of subsection  
12          (g).

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

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

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

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



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

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

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

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

20 "Limiting rate for Hybrid Districts" means the  
21 combined elementary school and high school limiting rates.

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

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

26 "Local Capacity Ratio" is defined in subparagraph (B)

1 of paragraph (2) of subsection (c) of this Section.

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

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

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

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

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

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

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

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

24 "Nurse" means an individual licensed as a certified  
25 school nurse, in accordance with the rules established for  
26 nursing services by the State Board, who is an employee of

1 and is available to provide health care-related services  
2 for students of an Organizational Unit.

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

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

24 "Organizational Unit CWI" is determined by calculating  
25 the CWI in the region and original county in which an  
26 Organizational Unit's primary administrative office is

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

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

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

1 Tax Rate.

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

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

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

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

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

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

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

1 "Pupil support staff" means a nurse, psychologist,  
2 social worker, family liaison personnel, or other staff  
3 member who provides support to at-risk or struggling  
4 students.

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

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

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

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

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

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

1 education, and such other subject areas as may be mandated  
2 by State law or provided by an Organizational Unit.

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

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

17 "State Adequacy Level" is the sum of the Adequacy  
18 Targets of all Organizational Units.

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

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

22 "Statewide Weighted CWI" means a figure determined by  
23 multiplying each Organizational Unit CWI times the ASE for  
24 that Organizational Unit creating a weighted value,  
25 summing all Organizational Units' weighted values, and  
26 dividing by the total ASE of all Organizational Units,



1           thereby creating an average weighted index.

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

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

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

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

21           "Target Ratio" is defined in paragraph (4) of  
22 subsection (g).

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

25           "Tier 1 Aggregate Funding", "Tier 2 Aggregate  
26 Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate

1 Funding" are defined in paragraph (1) of subsection (g).

2 (b) Adequacy Target calculation.

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

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

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

22 (i) For grades kindergarten through 3, the  
23 Organizational Unit shall receive funding required  
24 to support one FTE core teacher position for every  
25 15 Low-Income Count students in those grades and  
26 one FTE core teacher position for every 20

1 non-Low-Income Count students in those grades.

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

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

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

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

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

25 (C) Instructional facilitator investments. Each  
26 Organizational Unit shall receive the funding needed

1 to cover one FTE instructional facilitator position  
2 for every 200 combined ASE of pre-kindergarten  
3 children with disabilities and all kindergarten  
4 through grade 12 students of the Organizational Unit.

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

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

23 (F) Core guidance counselor investments. Each  
24 Organizational Unit shall receive the funding needed  
25 to cover one FTE guidance counselor for each 450  
26 combined ASE of pre-kindergarten children with

1 disabilities and all kindergarten through grade 5  
2 students, plus one FTE guidance counselor for each 250  
3 grades 6 through 8 ASE middle school students, plus one  
4 FTE guidance counselor for each 250 grades 9 through 12  
5 ASE high school students.

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

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

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

25 (J) Principal investments. Each Organizational  
26 Unit shall receive the funding needed to cover one FTE

1 principal position for each prototypical elementary  
2 school, plus one FTE principal position for each  
3 prototypical middle school, plus one FTE principal  
4 position for each prototypical high school.

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

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

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

22 (N) Professional development investments. Each  
23 Organizational Unit shall receive \$125 per student of  
24 the combined ASE of pre-kindergarten children with  
25 disabilities and all kindergarten through grade 12  
26 students for trainers and other professional

1 development-related expenses for supplies and  
2 materials.

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

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

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

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

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

16 (S) Maintenance and operations investments. Each  
17 Organizational Unit shall receive \$1,038 per student  
18 of the combined ASE of pre-kindergarten children with  
19 disabilities and all kindergarten through grade 12  
20 students for day-to-day maintenance and operations  
21 expenditures, including salary, supplies, and  
22 materials, as well as purchased services, but  
23 excluding employee benefits. The proportion of salary  
24 for the application of a Regionalization Factor and the  
25 calculation of benefits is equal to \$352.92.

26 (T) Central office investments. Each



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

11 (U) Employee benefit investments. Each  
12 Organizational Unit shall receive 30% of the total of  
13 all salary-calculated elements of the Adequacy Target,  
14 excluding substitute teachers and student activities  
15 investments, to cover benefit costs. For central  
16 office and maintenance and operations investments, the  
17 benefit calculation shall be based upon the salary  
18 proportion of each investment. If at any time the  
19 responsibility for funding the employer normal cost of  
20 teacher pensions is assigned to school districts, then  
21 that amount certified by the Teachers' Retirement  
22 System of the State of Illinois to be paid by the  
23 Organizational Unit for the preceding school year  
24 shall be added to the benefit investment. For any  
25 fiscal year in which a school district organized under  
26 Article 34 of this Code is responsible for paying the

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

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

- 20 (i) one FTE intervention teacher (tutor)  
21 position for every 125 Low-Income Count students;  
22 (ii) one FTE pupil support staff position for  
23 every 125 Low-Income Count students;  
24 (iii) one FTE extended day teacher position  
25 for every 120 Low-Income Count students; and  
26 (iv) one FTE summer school teacher position

1 for every 120 Low-Income Count students.

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

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

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

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

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

15 (v) one FTE core teacher position for every 100  
16 English learner students.

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

21 (i) one FTE teacher position for every 141  
22 combined ASE of pre-kindergarten children with  
23 disabilities and all kindergarten through grade 12  
24 students;

25 (ii) one FTE instructional assistant for every  
26 141 combined ASE of pre-kindergarten children with

1 disabilities and all kindergarten through grade 12  
2 students; and

3 (iii) one FTE psychologist position for every  
4 1,000 combined ASE of pre-kindergarten children  
5 with disabilities and all kindergarten through  
6 grade 12 students.

7 (Y) Anti-racism investment. In addition to and not  
8 in lieu of all other funding under this paragraph (2),  
9 an Organizational Unit shall receive funding in the  
10 amount of \$250 per African American student enrolled in  
11 the Organizational Unit if 15% or more of the students  
12 enrolled in the Organizational Unit are African  
13 American. Funds received pursuant to this subparagraph  
14 (Y) shall be utilized as set forth in Section 2-3.184  
15 of this Code.

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

24 (A) Teacher for grades K through 8.

25 (B) Teacher for grades 9 through 12.

26 (C) Teacher for grades K through 12.

- 1 (D) Guidance counselor for grades K through 8.  
2 (E) Guidance counselor for grades 9 through 12.  
3 (F) Guidance counselor for grades K through 12.  
4 (G) Social worker.  
5 (H) Psychologist.  
6 (I) Librarian.  
7 (J) Nurse.  
8 (K) Principal.  
9 (L) Assistant principal.

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

19 For calculating the salaries included within the  
20 Essential Elements for positions not included within EIS  
21 Data, the following salaries shall be used in the first  
22 year of implementation of Evidence-Based Funding:

- 23 (i) school site staff, \$30,000; and  
24 (ii) non-instructional assistant, instructional  
25 assistant, library aide, library media tech, or  
26 supervisory aide: \$25,000.

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

4           The salary amounts for the Essential Elements  
5 determined pursuant to subparagraphs (A) through (L), (S)  
6 and (T), and (V) through (X) of paragraph (2) of subsection  
7 (b) of this Section shall be multiplied by a  
8 Regionalization Factor.

9           (c) Local Capacity calculation.

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

22           (2) "Local Capacity Target" means, for an  
23 Organizational Unit, that dollar amount that is obtained by  
24 multiplying its Adequacy Target by its Local Capacity  
25 Ratio.

26           (A) An Organizational Unit's Local Capacity

1 Percentage is the conversion of the Organizational  
2 Unit's Local Capacity Ratio, as such ratio is  
3 determined in accordance with subparagraph (B) of this  
4 paragraph (2), into a cumulative distribution  
5 resulting in a percentile ranking to determine each  
6 Organizational Unit's relative position to all other  
7 Organizational Units in this State. The calculation of  
8 Local Capacity Percentage is described in subparagraph  
9 (C) of this paragraph (2).

10 (B) An Organizational Unit's Local Capacity Ratio  
11 in a given year is the percentage obtained by dividing  
12 its Adjusted EAV or PTELL EAV, whichever is less, by  
13 its Adequacy Target, with the resulting ratio further  
14 adjusted as follows:

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

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

21 (iii) for Organizational Units serving grades  
22 9 through 12, the Local Capacity Ratio shall be  
23 multiplied by 4/13; and

24 (iv) for an Organizational Unit with a  
25 different grade configuration than those specified  
26 in items (i) through (iii) of this subparagraph

1 (B), the State Superintendent shall determine a  
2 comparable adjustment based on the grades served.

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



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

16           (D)     For any Organizational Unit, the  
17           Organizational Unit's Adjusted Local Capacity Target  
18           shall be reduced by either (i) the school board's  
19           remaining contribution pursuant to paragraph (ii) of  
20           subsection (b-4) of Section 16-158 of the Illinois  
21           Pension Code in a given year or (ii) the board of  
22           education's remaining contribution pursuant to  
23           paragraph (iv) of subsection (b) of Section 17-129 of  
24           the Illinois Pension Code absent the employer normal  
25           cost portion of the required contribution and amount  
26           allowed pursuant to subdivision (3) of Section

1 17-142.1 of the Illinois Pension Code in a given year.  
2 In the preceding sentence, item (i) shall be certified  
3 to the State Board of Education by the Teachers'  
4 Retirement System of the State of Illinois and item  
5 (ii) shall be certified to the State Board of Education  
6 by the Public School Teachers' Pension and Retirement  
7 Fund of the City of Chicago.

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

18 As used in this paragraph (3), "Real Percent of  
19 Adequacy" means the sum of an Organizational Unit's Real  
20 Receipts, CPPRT, and Base Funding Minimum, with the  
21 resulting figure divided by the Organizational Unit's  
22 Adequacy Target.

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

25 (1) An Organizational Unit's Real Receipts are the  
26 product of its Applicable Tax Rate and its Adjusted EAV. An

1 Organizational Unit's Applicable Tax Rate is its Adjusted  
2 Operating Tax Rate for property within the Organizational  
3 Unit.

4 (2) The State Superintendent shall calculate the  
5 equalized assessed valuation, or EAV, of all taxable  
6 property of each Organizational Unit as of September 30 of  
7 the previous year in accordance with paragraph (3) of this  
8 subsection (d). The State Superintendent shall then  
9 determine the Adjusted EAV of each Organizational Unit in  
10 accordance with paragraph (4) of this subsection (d), which  
11 Adjusted EAV figure shall be used for the purposes of  
12 calculating Local Capacity.

13 (3) To calculate Real Receipts and EAV, the Department  
14 of Revenue shall supply to the State Superintendent the  
15 value as equalized or assessed by the Department of Revenue  
16 of all taxable property of every Organizational Unit,  
17 together with (i) the applicable tax rate used in extending  
18 taxes for the funds of the Organizational Unit as of  
19 September 30 of the previous year and (ii) the limiting  
20 rate for all Organizational Units subject to property tax  
21 extension limitations as imposed under PTELL.

22 (A) The Department of Revenue shall add to the  
23 equalized assessed value of all taxable property of  
24 each Organizational Unit situated entirely or  
25 partially within a county that is or was subject to the  
26 provisions of Section 15-176 or 15-177 of the Property

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

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

14                 (B) With respect to any part of an Organizational  
15          Unit within a redevelopment project area in respect to  
16          which a municipality has adopted tax increment  
17          allocation financing pursuant to the Tax Increment  
18          Allocation Redevelopment Act, Division 74.4 of Article  
19          11 of the Illinois Municipal Code, or the Industrial  
20          Jobs Recovery Law, Division 74.6 of Article 11 of the  
21          Illinois Municipal Code, no part of the current EAV of  
22          real property located in any such project area that is  
23          attributable to an increase above the total initial EAV  
24          of such property shall be used as part of the EAV of  
25          the Organizational Unit, until such time as all  
26          redevelopment project costs have been paid, as

1 provided in Section 11-74.4-8 of the Tax Increment  
2 Allocation Redevelopment Act or in Section 11-74.6-35  
3 of the Industrial Jobs Recovery Law. For the purpose of  
4 the EAV of the Organizational Unit, the total initial  
5 EAV or the current EAV, whichever is lower, shall be  
6 used until such time as all redevelopment project costs  
7 have been paid.

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

23 (C) For Organizational Units that are Hybrid  
24 Districts, the State Superintendent shall use the  
25 lesser of the adjusted equalized assessed valuation  
26 for property within the partial elementary unit

1 district for elementary purposes, as defined in  
2 Article 11E of this Code, or the adjusted equalized  
3 assessed valuation for property within the partial  
4 elementary unit district for high school purposes, as  
5 defined in Article 11E of this Code.

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

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

26           As used in this paragraph (4), "new property" and



1 "recovered tax increment value" shall have the meanings set  
2 forth in the Property Tax Extension Limitation Law.

3 (e) Base Funding Minimum calculation.

4 (1) For the 2017-2018 school year, the Base Funding  
5 Minimum of an Organizational Unit or a Specially Funded  
6 Unit shall be the amount of State funds distributed to the  
7 Organizational Unit or Specially Funded Unit during the  
8 2016-2017 school year prior to any adjustments and  
9 specified appropriation amounts described in this  
10 paragraph (1) from the following Sections, as calculated by  
11 the State Superintendent: Section 18-8.05 of this Code (now  
12 repealed); Section 5 of Article 224 of Public Act 99-524  
13 (equity grants); Section 14-7.02b of this Code (funding for  
14 children requiring special education services); Section  
15 14-13.01 of this Code (special education facilities and  
16 staffing), except for reimbursement of the cost of  
17 transportation pursuant to Section 14-13.01; Section  
18 14C-12 of this Code (English learners); and Section 18-4.3  
19 of this Code (summer school), based on an appropriation  
20 level of \$13,121,600. For a school district organized under  
21 Article 34 of this Code, the Base Funding Minimum also  
22 includes (i) the funds allocated to the school district  
23 pursuant to Section 1D-1 of this Code attributable to  
24 funding programs authorized by the Sections of this Code  
25 listed in the preceding sentence and (ii) the difference  
26 between (I) the funds allocated to the school district

1       pursuant to Section 1D-1 of this Code attributable to the  
2       funding programs authorized by Section 14-7.02 (non-public  
3       special education reimbursement), subsection (b) of  
4       Section 14-13.01 (special education transportation),  
5       Section 29-5 (transportation), Section 2-3.80  
6       (agricultural education), Section 2-3.66 (truants'  
7       alternative education), Section 2-3.62 (educational  
8       service centers), and Section 14-7.03 (special education -  
9       orphanage) of this Code and Section 15 of the Childhood  
10      Hunger Relief Act (free breakfast program) and (II) the  
11      school district's actual expenditures for its non-public  
12      special education, special education transportation,  
13      transportation programs, agricultural education, truants'  
14      alternative education, services that would otherwise be  
15      performed by a regional office of education, special  
16      education orphanage expenditures, and free breakfast, as  
17      most recently calculated and reported pursuant to  
18      subsection (f) of Section 1D-1 of this Code. The Base  
19      Funding Minimum for Glenwood Academy shall be \$625,500. For  
20      programs operated by a regional office of education or an  
21      intermediate service center, the Base Funding Minimum must  
22      be the total amount of State funds allocated to those  
23      programs in the 2018-2019 school year and amounts provided  
24      pursuant to Article 34 of Public Act 100-586 and Section  
25      3-16 of this Code. All programs established after June 5,  
26      2019 (the effective date of Public Act 101-10) and

1 administered by a regional office of education or an  
2 intermediate service center must have an initial Base  
3 Funding Minimum set to an amount equal to the first-year  
4 ASE multiplied by the amount of per pupil funding received  
5 in the previous school year by the lowest funded similar  
6 existing program type. If the enrollment for a program  
7 operated by a regional office of education or an  
8 intermediate service center is zero, then it may not  
9 receive Base Funding Minimum funds for that program in the  
10 next fiscal year, and those funds must be distributed to  
11 Organizational Units under subsection (g).

12 (2) For the 2018-2019 and subsequent school years, the  
13 Base Funding Minimum of Organizational Units and Specially  
14 Funded Units shall be the sum of (i) the amount of  
15 Evidence-Based Funding for the prior school year, (ii) the  
16 Base Funding Minimum for the prior school year, and (iii)  
17 any amount received by a school district pursuant to  
18 Section 7 of Article 97 of Public Act 100-21.

19 (3) Subject to approval by the General Assembly as  
20 provided in this paragraph (3), an Organizational Unit that  
21 meets all of the following criteria, as determined by the  
22 State Board, shall have District Intervention Money added  
23 to its Base Funding Minimum at the time the Base Funding  
24 Minimum is calculated by the State Board:

25 (A) The Organizational Unit is operating under an  
26 Independent Authority under Section 2-3.25f-5 of this

1 Code for a minimum of 4 school years or is subject to  
2 the control of the State Board pursuant to a court  
3 order for a minimum of 4 school years.

4 (B) The Organizational Unit was designated as a  
5 Tier 1 or Tier 2 Organizational Unit in the previous  
6 school year under paragraph (3) of subsection (g) of  
7 this Section.

8 (C) The Organizational Unit demonstrates  
9 sustainability through a 5-year financial and  
10 strategic plan.

11 (D) The Organizational Unit has made sufficient  
12 progress and achieved sufficient stability in the  
13 areas of governance, academic growth, and finances.

14 As part of its determination under this paragraph (3),  
15 the State Board may consider the Organizational Unit's  
16 summative designation, any accreditations of the  
17 Organizational Unit, or the Organizational Unit's  
18 financial profile, as calculated by the State Board.

19 If the State Board determines that an Organizational  
20 Unit has met the criteria set forth in this paragraph (3),  
21 it must submit a report to the General Assembly, no later  
22 than January 2 of the fiscal year in which the State Board  
23 makes its determination, on the amount of District  
24 Intervention Money to add to the Organizational Unit's Base  
25 Funding Minimum. The General Assembly must review the State  
26 Board's report and may approve or disapprove, by joint

1 resolution, the addition of District Intervention Money.  
2 If the General Assembly fails to act on the report within  
3 40 calendar days from the receipt of the report, the  
4 addition of District Intervention Money is deemed  
5 approved. If the General Assembly approves the amount of  
6 District Intervention Money to be added to the  
7 Organizational Unit's Base Funding Minimum, the District  
8 Intervention Money must be added to the Base Funding  
9 Minimum annually thereafter.

10 For the first 4 years following the initial year that  
11 the State Board determines that an Organizational Unit has  
12 met the criteria set forth in this paragraph (3) and has  
13 received funding under this Section, the Organizational  
14 Unit must annually submit to the State Board, on or before  
15 November 30, a progress report regarding its financial and  
16 strategic plan under subparagraph (C) of this paragraph  
17 (3). The plan shall include the financial data from the  
18 past 4 annual financial reports or financial audits that  
19 must be presented to the State Board by November 15 of each  
20 year and the approved budget financial data for the current  
21 year. The plan shall be developed according to the  
22 guidelines presented to the Organizational Unit by the  
23 State Board. The plan shall further include financial  
24 projections for the next 3 fiscal years and include a  
25 discussion and financial summary of the Organizational  
26 Unit's facility needs. If the Organizational Unit does not

1 demonstrate sufficient progress toward its 5-year plan or  
2 if it has failed to file an annual financial report, an  
3 annual budget, a financial plan, a deficit reduction plan,  
4 or other financial information as required by law, the  
5 State Board may establish a Financial Oversight Panel under  
6 Article 1H of this Code. However, if the Organizational  
7 Unit already has a Financial Oversight Panel, the State  
8 Board may extend the duration of the Panel.

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

10 (1) The Evidence-Based Funding formula establishes a  
11 Percent of Adequacy for each Organizational Unit in order  
12 to place such units into tiers for the purposes of the  
13 funding distribution system described in subsection (g) of  
14 this Section. Initially, an Organizational Unit's  
15 Preliminary Resources and Preliminary Percent of Adequacy  
16 are calculated pursuant to paragraph (2) of this subsection  
17 (f). Then, an Organizational Unit's Final Resources and  
18 Final Percent of Adequacy are calculated to account for the  
19 Organizational Unit's poverty concentration levels  
20 pursuant to paragraphs (3) and (4) of this subsection (f).

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

26 (3) Except for Specially Funded Units, an

1 Organizational Unit's Final Resources are equal to the sum  
2 of its Local Capacity, CPPRT, and Adjusted Base Funding  
3 Minimum. The Base Funding Minimum of each Specially Funded  
4 Unit shall serve as its Final Resources, except that the  
5 Base Funding Minimum for State-approved charter schools  
6 shall not include any portion of general State aid  
7 allocated in the prior year based on the per capita tuition  
8 charge times the charter school enrollment.

9 (4) An Organizational Unit's Final Percent of Adequacy  
10 is its Final Resources divided by its Adequacy Target. An  
11 Organizational Unit's Adjusted Base Funding Minimum is  
12 equal to its Base Funding Minimum less its Supplemental  
13 Grant Funding, with the resulting figure added to the  
14 product of its Supplemental Grant Funding and Preliminary  
15 Percent of Adequacy.

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

17 (1) In each school year under the Evidence-Based  
18 Funding formula, each Organizational Unit receives funding  
19 equal to the sum of its Base Funding Minimum and the unit's  
20 allocation of New State Funds determined pursuant to this  
21 subsection (g). To allocate New State Funds, the  
22 Evidence-Based Funding formula distribution system first  
23 places all Organizational Units into one of 4 tiers in  
24 accordance with paragraph (3) of this subsection (g), based  
25 on the Organizational Unit's Final Percent of Adequacy. New  
26 State Funds are allocated to each of the 4 tiers as

1 follows: Tier 1 Aggregate Funding equals 50% of all New  
2 State Funds, Tier 2 Aggregate Funding equals 49% of all New  
3 State Funds, Tier 3 Aggregate Funding equals 0.9% of all  
4 New State Funds, and Tier 4 Aggregate Funding equals 0.1%  
5 of all New State Funds. Each Organizational Unit within  
6 Tier 1 or Tier 2 receives an allocation of New State Funds  
7 equal to its tier Funding Gap, as defined in the following  
8 sentence, multiplied by the tier's Allocation Rate  
9 determined pursuant to paragraph (4) of this subsection  
10 (g). For Tier 1, an Organizational Unit's Funding Gap  
11 equals the tier's Target Ratio, as specified in paragraph  
12 (5) of this subsection (g), multiplied by the  
13 Organizational Unit's Adequacy Target, with the resulting  
14 amount reduced by the Organizational Unit's Final  
15 Resources. For Tier 2, an Organizational Unit's Funding Gap  
16 equals the tier's Target Ratio, as described in paragraph  
17 (5) of this subsection (g), multiplied by the  
18 Organizational Unit's Adequacy Target, with the resulting  
19 amount reduced by the Organizational Unit's Final  
20 Resources and its Tier 1 funding allocation. To determine  
21 the Organizational Unit's Funding Gap, the resulting  
22 amount is then multiplied by a factor equal to one minus  
23 the Organizational Unit's Local Capacity Target  
24 percentage. Each Organizational Unit within Tier 3 or Tier  
25 4 receives an allocation of New State Funds equal to the  
26 product of its Adequacy Target and the tier's Allocation



1 Rate, as specified in paragraph (4) of this subsection (g).

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

17 (3) Organizational Units are placed into one of 4 tiers  
18 as follows:

19 (A) Tier 1 consists of all Organizational Units,  
20 except for Specially Funded Units, with a Percent of  
21 Adequacy less than the Tier 1 Target Ratio. The Tier 1  
22 Target Ratio is the ratio level that allows for Tier 1  
23 Aggregate Funding to be distributed, with the Tier 1  
24 Allocation Rate determined pursuant to paragraph (4)  
25 of this subsection (g).

26 (B) Tier 2 consists of all Tier 1 Units and all

1 other Organizational Units, except for Specially  
2 Funded Units, with a Percent of Adequacy of less than  
3 0.90.

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

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

9 (4) The Allocation Rates for Tiers 1 through 4 are  
10 determined as follows:

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

12 (B) The Tier 2 Allocation Rate is the result of the  
13 following equation: Tier 2 Aggregate Funding, divided  
14 by the sum of the Funding Gaps for all Tier 2  
15 Organizational Units, unless the result of such  
16 equation is higher than 1.0. If the result of such  
17 equation is higher than 1.0, then the Tier 2 Allocation  
18 Rate is 1.0.

19 (C) The Tier 3 Allocation Rate is the result of the  
20 following equation: Tier 3 Aggregate Funding, divided  
21 by the sum of the Adequacy Targets of all Tier 3  
22 Organizational Units.

23 (D) The Tier 4 Allocation Rate is the result of the  
24 following equation: Tier 4 Aggregate Funding, divided  
25 by the sum of the Adequacy Targets of all Tier 4  
26 Organizational Units.

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

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

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

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

7 (6) If, at any point, the Tier 1 Target Ratio is  
8 greater than 90%, then ~~than~~ all Tier 1 funding shall be  
9 allocated to Tier 2 and no Tier 1 Organizational Unit's  
10 funding may be identified.

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

15 (8) If any Specially Funded Units, excluding Glenwood  
16 Academy, recognized by the State Board do not qualify for  
17 direct funding following the implementation of Public Act  
18 100-465 from any of the funding sources included within the  
19 definition of Base Funding Minimum, the unqualified  
20 portion of the Base Funding Minimum shall be transferred to  
21 one or more appropriate Organizational Units as determined  
22 by the State Superintendent based on the prior year ASE of  
23 the Organizational Units.

24 (8.5) If a school district withdraws from a special  
25 education cooperative, the portion of the Base Funding  
26 Minimum that is attributable to the school district may be

1           redistributed to the school district upon withdrawal. The  
2           school district and the cooperative must include the amount  
3           of the Base Funding Minimum that is to be reapportioned in  
4           their withdrawal agreement and notify the State Board of  
5           the change with a copy of the agreement upon withdrawal.

6           (9) The Minimum Funding Level is intended to establish  
7           a target for State funding that will keep pace with  
8           inflation and continue to advance equity through the  
9           Evidence-Based Funding formula. The target for State  
10          funding of New Property Tax Relief Pool Funds is  
11          \$50,000,000 for State fiscal year 2019 and subsequent State  
12          fiscal years. The Minimum Funding Level is equal to  
13          \$350,000,000 through State fiscal year 2021. The Minimum  
14          Funding Level is equal to \$420,000,000 for State fiscal  
15          year 2022 and subsequent State fiscal years. In addition to  
16          any New State Funds, no more than \$50,000,000 New Property  
17          Tax Relief Pool Funds may be counted toward the Minimum  
18          Funding Level. If the sum of New State Funds and applicable  
19          New Property Tax Relief Pool Funds are less than the  
20          Minimum Funding Level, than funding for tiers shall be  
21          reduced in the following manner:

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

26                 (B) Next, Tier 3 funding shall be reduced by an

1 amount equal to the difference between the Minimum  
2 Funding Level and New State Funds and the reduction in  
3 Tier 4 funding until such time as Tier 3 funding is  
4 exhausted.

5 (C) Next, Tier 2 funding shall be reduced by an  
6 amount equal to the difference between the Minimum  
7 Funding Level and New State Funds and the reduction in  
8 Tier 4 and Tier 3.

9 (D) Finally, Tier 1 funding shall be reduced by an  
10 amount equal to the difference between the Minimum  
11 Funding level and New State Funds and the reduction in  
12 Tier 2, 3, and 4 funding. In addition, the Allocation  
13 Rate for Tier 1 shall be reduced to a percentage equal  
14 to the Tier 1 Allocation Rate set by paragraph (4) of  
15 this subsection (g), multiplied by the result of New  
16 State Funds divided by the Minimum Funding Level.

17 (9.5) For State fiscal year 2019 through State fiscal  
18 year 2021 and subsequent State fiscal years, if New State  
19 Funds exceed \$300,000,000, then any amount in excess of  
20 \$300,000,000 shall be dedicated for purposes of Section  
21 2-3.170 of this Code up to a maximum of \$50,000,000. For  
22 State fiscal year 2022 and subsequent State fiscal years,  
23 if New State Funds exceed \$370,000,000, then any amount in  
24 excess of \$370,000,000 shall be dedicated for purposes of  
25 Section 2-3.170 of this Code up to a maximum of  
26 \$50,000,000.

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

25          (11) The State Superintendent shall make minor  
26          adjustments to the distribution formula set forth in this

1 subsection (g) to account for the rounding of percentages  
2 to the nearest tenth of a percentage and dollar amounts to  
3 the nearest whole dollar.

4 (h) State Superintendent administration of funding and  
5 district submission requirements.

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

9 (2) The State Superintendent shall calculate the  
10 Adequacy Target for each Organizational Unit and Net State  
11 Contribution Target for each Organizational Unit under  
12 this Section. No Evidence-Based Funding shall be  
13 distributed within an Organizational Unit without the  
14 approval of the unit's school board.

15 (3) Annually, the State Superintendent shall calculate  
16 and report to each Organizational Unit the unit's aggregate  
17 financial adequacy amount, which shall be the sum of the  
18 Adequacy Target for each Organizational Unit. The State  
19 Superintendent shall calculate and report separately for  
20 each Organizational Unit the unit's total State funds  
21 allocated for its students with disabilities. The State  
22 Superintendent shall calculate and report separately for  
23 each Organizational Unit the amount of funding and  
24 applicable FTE calculated for each Essential Element of the  
25 unit's Adequacy Target.

26 (4) Annually, the State Superintendent shall calculate

1 and report to each Organizational Unit the amount the unit  
2 must expend on special education, ~~and~~ bilingual education,  
3 anti-racism initiatives approved under Section 2-3.184 of  
4 this Code, and computer technology and equipment for  
5 Organizational Units assigned to Tier 1 or Tier 2 that  
6 received an additional \$285.50 per student computer  
7 technology and equipment investment grant to their  
8 Adequacy Target pursuant to the unit's Base Funding  
9 Minimum, Special Education Allocation, Bilingual Education  
10 Allocation, anti-racism investment allocation, and  
11 computer technology and equipment investment allocation.

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

21 (6) Any school district that fails, for any given  
22 school year, to maintain school as required by law or to  
23 maintain a recognized school is not eligible to receive  
24 Evidence-Based Funding. In case of non-recognition of one  
25 or more attendance centers in a school district otherwise  
26 operating recognized schools, the claim of the district



1 shall be reduced in the proportion that the enrollment in  
2 the attendance center or centers bears to the enrollment of  
3 the school district. "Recognized school" means any public  
4 school that meets the standards for recognition by the  
5 State Board. A school district or attendance center not  
6 having recognition status at the end of a school term is  
7 entitled to receive State aid payments due upon a legal  
8 claim that was filed while it was recognized.

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

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

25 (9) All Organizational Units in this State must submit  
26 annual spending plans by the end of September of each year

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

20 (10) No later than January 1, 2018, the State  
21 Superintendent shall develop a 5-year strategic plan for  
22 all Organizational Units to help in planning for adequacy  
23 funding under this Section. The State Superintendent shall  
24 submit the plan to the Governor and the General Assembly,  
25 as provided in Section 3.1 of the General Assembly  
26 Organization Act. The plan shall include recommendations

1 for:

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

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

7 (C) application and enhancement of the current  
8 financial accountability measures, the approved State  
9 plan to comply with the federal Every Student Succeeds  
10 Act, and the Illinois Balanced Accountability Measures  
11 in relation to student growth and elements of the  
12 Evidence-Based Funding model; and

13 (D) implementation of an effective school adequacy  
14 funding system based on projected and recommended  
15 funding levels from the General Assembly.

16 (11) On an annual basis, the State Superintendent must  
17 recalibrate all of the following per pupil elements of the  
18 Adequacy Target and applied to the formulas, based on the  
19 study of average expenses and as reported in the most  
20 recent annual financial report:

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

23 (B) Instructional materials under subparagraph (O)  
24 of paragraph (2) of subsection (b).

25 (C) Assessment under subparagraph (P) of paragraph  
26 (2) of subsection (b).

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

3           (E) Maintenance and operations under subparagraph  
4 (S) of paragraph (2) of subsection (b).

5           (F) Central office under subparagraph (T) of  
6 paragraph (2) of subsection (b).

7           (i) Professional Review Panel.

8           (1) A Professional Review Panel is created to study and  
9 review topics related to the implementation and effect of  
10 Evidence-Based Funding, as assigned by a joint resolution  
11 or Public Act of the General Assembly or a motion passed by  
12 the State Board of Education. The Panel must provide  
13 recommendations to and serve the Governor, the General  
14 Assembly, and the State Board. The State Superintendent or  
15 his or her designee must serve as a voting member and  
16 chairperson of the Panel. The State Superintendent must  
17 appoint a vice chairperson from the membership of the  
18 Panel. The Panel must advance recommendations based on a  
19 three-fifths majority vote of Panel members present and  
20 voting. A minority opinion may also accompany any  
21 recommendation of the Panel. The Panel shall be appointed  
22 by the State Superintendent, except as otherwise provided  
23 in paragraph (2) of this subsection (i) and include the  
24 following members:

25           (A) Two appointees that represent district  
26 superintendents, recommended by a statewide

1 organization that represents district superintendents.

2 (B) Two appointees that represent school boards,  
3 recommended by a statewide organization that  
4 represents school boards.

5 (C) Two appointees from districts that represent  
6 school business officials, recommended by a statewide  
7 organization that represents school business  
8 officials.

9 (D) Two appointees that represent school  
10 principals, recommended by a statewide organization  
11 that represents school principals.

12 (E) Two appointees that represent teachers,  
13 recommended by a statewide organization that  
14 represents teachers.

15 (F) Two appointees that represent teachers,  
16 recommended by another statewide organization that  
17 represents teachers.

18 (G) Two appointees that represent regional  
19 superintendents of schools, recommended by  
20 organizations that represent regional superintendents.

21 (H) Two independent experts selected solely by the  
22 State Superintendent.

23 (I) Two independent experts recommended by public  
24 universities in this State.

25 (J) One member recommended by a statewide  
26 organization that represents parents.

1           (K) Two representatives recommended by collective  
2           impact organizations that represent major metropolitan  
3           areas or geographic areas in Illinois.

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

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

10          The State Superintendent shall ensure that the  
11          membership of the Panel includes representatives from  
12          school districts and communities reflecting the  
13          geographic, socio-economic, racial, and ethnic diversity  
14          of this State. The State Superintendent shall additionally  
15          ensure that the membership of the Panel includes  
16          representatives with expertise in bilingual education and  
17          special education. Staff from the State Board shall staff  
18          the Panel.

19          (2) In addition to those Panel members appointed by the  
20          State Superintendent, 4 members of the General Assembly  
21          shall be appointed as follows: one member of the House of  
22          Representatives appointed by the Speaker of the House of  
23          Representatives, one member of the Senate appointed by the  
24          President of the Senate, one member of the House of  
25          Representatives appointed by the Minority Leader of the  
26          House of Representatives, and one member of the Senate

1 appointed by the Minority Leader of the Senate. There shall  
2 be one additional member appointed by the Governor. All  
3 members appointed by legislative leaders or the Governor  
4 shall be non-voting, ex officio members.

5 (3) The Panel must study topics at the direction of the  
6 General Assembly or State Board of Education, as provided  
7 under paragraph (1). The Panel may also study the following  
8 topics at the direction of the chairperson:

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

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

13 (C) Maintenance and operations, including capital  
14 maintenance and construction costs.

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

16 (E) Benefits.

17 (F) Technology.

18 (G) Local Capacity Target.

19 (H) Funding for Alternative Schools, Laboratory  
20 Schools, safe schools, and alternative learning  
21 opportunities programs.

22 (I) Funding for college and career acceleration  
23 strategies.

24 (J) Special education investments.

25 (K) Early childhood investments, in collaboration  
26 with the Illinois Early Learning Council.





1       Sec. 2-3.185. Computer science standards and courses. On or  
2 before December 1, 2021, the State Board of Education shall:

3           (1) develop or adopt rigorous learning standards in the  
4 area of computer science; and

5           (2) analyze and revise, if appropriate, existing  
6 course titles dedicated to computer science or develop a  
7 short list of existing course titles that are recommended  
8 for computer science courses.

9           (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

10       Sec. 10-17a. State, school district, and school report  
11 cards.

12       (1) By October 31, 2013 and October 31 of each subsequent  
13 school year, the State Board of Education, through the State  
14 Superintendent of Education, shall prepare a State report card,  
15 school district report cards, and school report cards, and  
16 shall by the most economic means provide to each school  
17 district in this State, including special charter districts and  
18 districts subject to the provisions of Article 34, the report  
19 cards for the school district and each of its schools.

20       (2) In addition to any information required by federal law,  
21 the State Superintendent shall determine the indicators and  
22 presentation of the school report card, which must include, at  
23 a minimum, the most current data collected and maintained by  
24 the State Board of Education related to the following:

25           (A) school characteristics and student demographics,

1 including average class size, average teaching experience,  
2 student racial/ethnic breakdown, and the percentage of  
3 students classified as low-income; the percentage of  
4 students classified as English learners; the percentage of  
5 students who have individualized education plans or 504  
6 plans that provide for special education services; the  
7 number and percentage of all students who have been  
8 assessed for placement in a gifted education or advanced  
9 academic program and, of those students: (i) the racial and  
10 ethnic breakdown, (ii) the percentage who are classified as  
11 low-income, and (iii) the number and percentage of students  
12 who received direct instruction from a teacher who holds a  
13 gifted education endorsement and, of those students, the  
14 percentage who are classified as low-income; the  
15 percentage of students scoring at the "exceeds  
16 expectations" level on the assessments required under  
17 Section 2-3.64a-5 of this Code; the percentage of students  
18 who annually transferred in or out of the school district;  
19 average daily attendance; the per-pupil operating  
20 expenditure of the school district; and the per-pupil State  
21 average operating expenditure for the district type  
22 (elementary, high school, or unit);

23 (B) curriculum information, including, where  
24 applicable, Advanced Placement, International  
25 Baccalaureate or equivalent courses, dual enrollment  
26 courses, foreign language classes, computer science

1        courses, school personnel resources (including Career  
2        Technical Education teachers), before and after school  
3        programs, extracurricular activities, subjects in which  
4        elective classes are offered, health and wellness  
5        initiatives (including the average number of days of  
6        Physical Education per week per student), approved  
7        programs of study, awards received, community  
8        partnerships, and special programs such as programming for  
9        the gifted and talented, students with disabilities, and  
10       work-study students;

11        (C) student outcomes, including, where applicable, the  
12        percentage of students deemed proficient on assessments of  
13        State standards, the percentage of students in the eighth  
14        grade who pass Algebra, the percentage of students who  
15        participated in workplace learning experiences, the  
16        percentage of students enrolled in post-secondary  
17        institutions (including colleges, universities, community  
18        colleges, trade/vocational schools, and training programs  
19        leading to career certification within 2 semesters of high  
20        school graduation), the percentage of students graduating  
21        from high school who are college and career ready, and the  
22        percentage of graduates enrolled in community colleges,  
23        colleges, and universities who are in one or more courses  
24        that the community college, college, or university  
25        identifies as a developmental course;

26        (D) student progress, including, where applicable, the

1 percentage of students in the ninth grade who have earned 5  
2 credits or more without failing more than one core class, a  
3 measure of students entering kindergarten ready to learn, a  
4 measure of growth, and the percentage of students who enter  
5 high school on track for college and career readiness;

6 (E) the school environment, including, where  
7 applicable, the percentage of students with less than 10  
8 absences in a school year, the percentage of teachers with  
9 less than 10 absences in a school year for reasons other  
10 than professional development, leaves taken pursuant to  
11 the federal Family Medical Leave Act of 1993, long-term  
12 disability, or parental leaves, the 3-year average of the  
13 percentage of teachers returning to the school from the  
14 previous year, the number of different principals at the  
15 school in the last 6 years, the number of teachers who hold  
16 a gifted education endorsement, the process and criteria  
17 used by the district to determine whether a student is  
18 eligible for participation in a gifted education program or  
19 advanced academic program and the manner in which parents  
20 and guardians are made aware of the process and criteria, 2  
21 or more indicators from any school climate survey selected  
22 or approved by the State and administered pursuant to  
23 Section 2-3.153 of this Code, with the same or similar  
24 indicators included on school report cards for all surveys  
25 selected or approved by the State pursuant to Section  
26 2-3.153 of this Code, and the combined percentage of

1 teachers rated as proficient or excellent in their most  
2 recent evaluation;

3 (F) a school district's and its individual schools'  
4 balanced accountability measure, in accordance with  
5 Section 2-3.25a of this Code;

6 (G) the total and per pupil normal cost amount the  
7 State contributed to the Teachers' Retirement System of the  
8 State of Illinois in the prior fiscal year for the school's  
9 employees, which shall be reported to the State Board of  
10 Education by the Teachers' Retirement System of the State  
11 of Illinois;

12 (H) for a school district organized under Article 34 of  
13 this Code only, State contributions to the Public School  
14 Teachers' Pension and Retirement Fund of Chicago and State  
15 contributions for health care for employees of that school  
16 district;

17 (I) a school district's Final Percent of Adequacy, as  
18 defined in paragraph (4) of subsection (f) of Section  
19 18-8.15 of this Code;

20 (J) a school district's Local Capacity Target, as  
21 defined in paragraph (2) of subsection (c) of Section  
22 18-8.15 of this Code, displayed as a percentage amount;

23 (K) a school district's Real Receipts, as defined in  
24 paragraph (1) of subsection (d) of Section 18-8.15 of this  
25 Code, divided by a school district's Adequacy Target, as  
26 defined in paragraph (1) of subsection (b) of Section

1 18-8.15 of this Code, displayed as a percentage amount;

2 (L) a school district's administrative costs; ~~and~~

3 (M) whether or not the school has participated in the  
4 Illinois Youth Survey. In this paragraph (M), "Illinois  
5 Youth Survey" means a self-report survey, administered in  
6 school settings every 2 years, designed to gather  
7 information about health and social indicators, including  
8 substance abuse patterns and the attitudes of students in  
9 grades 8, 10, and 12; and

10 (N) whether the school offered its students career and  
11 technical education opportunities.

12 The school report card shall also provide information that  
13 allows for comparing the current outcome, progress, and  
14 environment data to the State average, to the school data from  
15 the past 5 years, and to the outcomes, progress, and  
16 environment of similar schools based on the type of school and  
17 enrollment of low-income students, special education students,  
18 and English learners.

19 As used in this subsection (2):

20 "Administrative costs" means costs associated with  
21 executive, administrative, or managerial functions within the  
22 school district that involve planning, organizing, managing,  
23 or directing the school district.

24 "Advanced academic program" means a course of study to  
25 which students are assigned based on advanced cognitive ability  
26 or advanced academic achievement compared to local age peers

1 and in which the curriculum is substantially differentiated  
2 from the general curriculum to provide appropriate challenge  
3 and pace.

4 "Computer science" means the study of computers and  
5 algorithms, including their principles, their hardware and  
6 software designs, their implementation, and their impact on  
7 society. "Computer science" does not include the study of  
8 everyday uses of computers and computer applications, such as  
9 keyboarding or accessing the Internet.

10 "Gifted education" means educational services, including  
11 differentiated curricula and instructional methods, designed  
12 to meet the needs of gifted children as defined in Article 14A  
13 of this Code.

14 For the purposes of paragraph (A) of this subsection (2),  
15 "average daily attendance" means the average of the actual  
16 number of attendance days during the previous school year for  
17 any enrolled student who is subject to compulsory attendance by  
18 Section 26-1 of this Code at each school and charter school.

19 (3) At the discretion of the State Superintendent, the  
20 school district report card shall include a subset of the  
21 information identified in paragraphs (A) through (E) of  
22 subsection (2) of this Section, as well as information relating  
23 to the operating expense per pupil and other finances of the  
24 school district, and the State report card shall include a  
25 subset of the information identified in paragraphs (A) through  
26 (E) and paragraph (N) of subsection (2) of this Section. The

1 school district report card shall include the average daily  
2 attendance, as that term is defined in subsection (2) of this  
3 Section, of students who have individualized education  
4 programs and students who have 504 plans that provide for  
5 special education services within the school district.

6 (4) Notwithstanding anything to the contrary in this  
7 Section, in consultation with key education stakeholders, the  
8 State Superintendent shall at any time have the discretion to  
9 amend or update any and all metrics on the school, district, or  
10 State report card.

11 (5) Annually, no more than 30 calendar days after receipt  
12 of the school district and school report cards from the State  
13 Superintendent of Education, each school district, including  
14 special charter districts and districts subject to the  
15 provisions of Article 34, shall present such report cards at a  
16 regular school board meeting subject to applicable notice  
17 requirements, post the report cards on the school district's  
18 Internet web site, if the district maintains an Internet web  
19 site, make the report cards available to a newspaper of general  
20 circulation serving the district, and, upon request, send the  
21 report cards home to a parent (unless the district does not  
22 maintain an Internet web site, in which case the report card  
23 shall be sent home to parents without request). If the district  
24 posts the report card on its Internet web site, the district  
25 shall send a written notice home to parents stating (i) that  
26 the report card is available on the web site, (ii) the address



1 of the web site, (iii) that a printed copy of the report card  
2 will be sent to parents upon request, and (iv) the telephone  
3 number that parents may call to request a printed copy of the  
4 report card.

5 (6) Nothing contained in Public Act 98-648 repeals,  
6 supersedes, invalidates, or nullifies final decisions in  
7 lawsuits pending on July 1, 2014 (the effective date of Public  
8 Act 98-648) in Illinois courts involving the interpretation of  
9 Public Act 97-8.

10 (Source: P.A. 100-227, eff. 8-18-17; 100-364, eff. 1-1-18;  
11 100-448, eff. 7-1-19; 100-465, eff. 8-31-17; 100-807, eff.  
12 8-10-18; 100-863, eff. 8-14-18; 100-1121, eff. 1-1-19; 101-68,  
13 eff. 1-1-20; 101-81, eff. 7-12-19; revised 9-9-19.)

14 (105 ILCS 5/18-8.15)

15 Sec. 18-8.15. Evidence-Based Funding for student success  
16 for the 2017-2018 and subsequent school years.

17 (a) General provisions.

18 (1) The purpose of this Section is to ensure that, by  
19 June 30, 2027 and beyond, this State has a kindergarten  
20 through grade 12 public education system with the capacity  
21 to ensure the educational development of all persons to the  
22 limits of their capacities in accordance with Section 1 of  
23 Article X of the Constitution of the State of Illinois. To  
24 accomplish that objective, this Section creates a method of  
25 funding public education that is evidence-based; is

1 sufficient to ensure every student receives a meaningful  
2 opportunity to learn irrespective of race, ethnicity,  
3 sexual orientation, gender, or community-income level; and  
4 is sustainable and predictable. When fully funded under  
5 this Section, every school shall have the resources, based  
6 on what the evidence indicates is needed, to:

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

14 (B) ensure all students receive the education they  
15 need to graduate from high school with the skills  
16 required to pursue post-secondary education and  
17 training for a rewarding career;

18 (C) reduce, with a goal of eliminating, the  
19 achievement gap between at-risk and non-at-risk  
20 students by raising the performance of at-risk  
21 students and not by reducing standards; and

22 (D) ensure this State satisfies its obligation to  
23 assume the primary responsibility to fund public  
24 education and simultaneously relieve the  
25 disproportionate burden placed on local property taxes  
26 to fund schools.

1           (2) The Evidence-Based Funding formula under this  
2 Section shall be applied to all Organizational Units in  
3 this State. The Evidence-Based Funding formula outlined in  
4 this Act is based on the formula outlined in Senate Bill 1  
5 of the 100th General Assembly, as passed by both  
6 legislative chambers. As further defined and described in  
7 this Section, there are 4 major components of the  
8 Evidence-Based Funding model:

9           (A) First, the model calculates a unique Adequacy  
10 Target for each Organizational Unit in this State that  
11 considers the costs to implement research-based  
12 activities, the unit's student demographics, and  
13 regional wage differences.

14           (B) Second, the model calculates each  
15 Organizational Unit's Local Capacity, or the amount  
16 each Organizational Unit is assumed to contribute  
17 toward its Adequacy Target from local resources.

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

23           (D) Finally, the model's distribution method  
24 allocates new State funding to those Organizational  
25 Units that are least well-funded, considering both  
26 Local Capacity and State funding, in relation to their

1 Adequacy Target.

2 (3) An Organizational Unit receiving any funding under  
3 this Section may apply those funds to any fund so received  
4 for which that Organizational Unit is authorized to make  
5 expenditures by law.

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

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

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

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

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

1 Code divided by the Adjusted EAV. If an Organizational  
2 Unit's corresponding fiscal year State of Illinois  
3 scheduled payments excluding net adjustments for prior  
4 years for regular, vocational, or special education  
5 transportation reimbursement pursuant to Section 29-5 or  
6 subsection (b) of Section 14-13.01 of this Code exceed the  
7 total transportation expenses, as defined in this  
8 paragraph, no transportation rate shall be subtracted from  
9 the Operating Tax Rate.

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

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

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

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

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

25 "At-risk student" means a student who is at risk of not  
26 meeting the Illinois Learning Standards or not graduating

1 from elementary or high school and who demonstrates a need  
2 for vocational support or social services beyond that  
3 provided by the regular school program. All students  
4 included in an Organizational Unit's Low-Income Count, as  
5 well as all English learner and disabled students attending  
6 the Organizational Unit, shall be considered at-risk  
7 students under this Section.

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

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

1 attending kindergarten shall be counted as 1.0. Special  
2 education pre-kindergarten students shall be counted as  
3 0.5 each. If the State Board does not collect or has not  
4 collected both an October 1 and March 1 enrollment count by  
5 grade or a December 1 collection of special education  
6 pre-kindergarten students as of August 31, 2017 (the  
7 effective date of Public Act 100-465), it shall establish  
8 such collection for all future years. For any year in which  
9 a count by grade level was collected only once, that count  
10 shall be used as the single count available for computing a  
11 3-year average ASE. Funding for programs operated by a  
12 regional office of education or an intermediate service  
13 center must be calculated using the Evidence-Based Funding  
14 formula under this Section for the 2019-2020 school year  
15 and each subsequent school year until separate adequacy  
16 formulas are developed and adopted for each type of  
17 program. ASE for a program operated by a regional office of  
18 education or an intermediate service center must be  
19 determined by the March 1 enrollment for the program. For  
20 the 2019-2020 school year, the ASE used in the calculation  
21 must be the first-year ASE and, in that year only, the  
22 assignment of students served by a regional office of  
23 education or intermediate service center shall not result  
24 in a reduction of the March enrollment for any school  
25 district. For the 2020-2021 school year, the ASE must be  
26 the greater of the current-year ASE or the 2-year average



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 "Local Capacity Target" is defined in paragraph (2) of

1 subsection (c) of this Section.

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



1 Average Student Enrollment, summarizing those products and  
2 dividing the total by the total Average Student Enrollment  
3 for the service region.

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

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

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

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

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

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

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

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

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

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

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

22 "Preceding Tax Year's Extension" means 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.

26 "Preliminary Percent of Adequacy" is defined in

1 paragraph (2) of subsection (f) of this Section.

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

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

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

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

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

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

25 "Pupil support staff" means a nurse, psychologist,  
26 social worker, family liaison personnel, or other staff

1 member who provides support to at-risk or struggling  
2 students.

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

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

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

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

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

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

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

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

15 "State Adequacy Level" is the sum of the Adequacy  
16 Targets of all Organizational Units.

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

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

20 "Statewide Weighted CWI" means a figure determined by  
21 multiplying each Organizational Unit CWI times the ASE for  
22 that Organizational Unit creating a weighted value,  
23 summing all Organizational Units' weighted values, and  
24 dividing by the total ASE of all Organizational Units,  
25 thereby creating an average weighted index.

26 "Student activities" means non-credit producing

1 after-school programs, including, but not limited to,  
2 clubs, bands, sports, and other activities authorized by  
3 the school board of the Organizational Unit.

4 "Substitute teacher" means an individual teacher or  
5 teaching assistant who is employed by an Organizational  
6 Unit and is temporarily serving the Organizational Unit on  
7 a per diem or per period-assignment basis to replace  
8 another staff member.

9 "Summer school" means academic and enrichment programs  
10 provided to students during the summer months outside of  
11 the regular school year.

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

19 "Target Ratio" is defined in paragraph (4) of  
20 subsection (g).

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

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

26 (b) Adequacy Target calculation.

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

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

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

20                       (i) For grades kindergarten through 3, the  
21                       Organizational Unit shall receive funding required  
22                       to support one FTE core teacher position for every  
23                       15 Low-Income Count students in those grades and  
24                       one FTE core teacher position for every 20  
25                       non-Low-Income Count students in those grades.

26                       (ii) For grades 4 through 12, the



1 Organizational Unit shall receive funding required  
2 to support one FTE core teacher position for every  
3 20 Low-Income Count students in those grades and  
4 one FTE core teacher position for every 25  
5 non-Low-Income Count students in those grades.

6 The number of non-Low-Income Count students in a  
7 grade shall be determined by subtracting the  
8 Low-Income students in that grade from the ASE of the  
9 Organizational Unit for that grade.

10 (B) Specialist teacher investments. Each  
11 Organizational Unit shall receive the funding needed  
12 to cover that number of FTE specialist teacher  
13 positions that correspond to the following  
14 percentages:

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

20 (ii) if such Organizational Unit operates a  
21 high school, then 33.33% of the number of the  
22 Organizational Unit's core teachers.

23 (C) Instructional facilitator investments. Each  
24 Organizational Unit shall receive the funding needed  
25 to cover one FTE instructional facilitator position  
26 for every 200 combined ASE of pre-kindergarten

1 children with disabilities and all kindergarten  
2 through grade 12 students of the Organizational Unit.

3 (D) Core intervention teacher (tutor) investments.  
4 Each Organizational Unit shall receive the funding  
5 needed to cover one FTE teacher position for each  
6 prototypical elementary, middle, and high school.

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

21 (F) Core guidance counselor investments. Each  
22 Organizational Unit shall receive the funding needed  
23 to cover one FTE guidance counselor for each 450  
24 combined ASE of pre-kindergarten children with  
25 disabilities and all kindergarten through grade 5  
26 students, plus one FTE guidance counselor for each 250

1 grades 6 through 8 ASE middle school students, plus one  
2 FTE guidance counselor for each 250 grades 9 through 12  
3 ASE high school students.

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

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

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

23 (J) Principal investments. Each Organizational  
24 Unit shall receive the funding needed to cover one FTE  
25 principal position for each prototypical elementary  
26 school, plus one FTE principal position for each

1 prototypical middle school, plus one FTE principal  
2 position for each prototypical high school.

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

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

17 (M) Gifted investments. Each Organizational Unit  
18 shall receive \$40 per kindergarten through grade 12  
19 ASE.

20 (N) Professional development investments. Each  
21 Organizational Unit shall receive \$125 per student of  
22 the combined ASE of pre-kindergarten children with  
23 disabilities and all kindergarten through grade 12  
24 students for trainers and other professional  
25 development-related expenses for supplies and  
26 materials.

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

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

11          (Q) Computer technology and equipment investments.  
12          Each Organizational Unit shall receive \$285.50 per  
13          student of the combined ASE of pre-kindergarten  
14          children with disabilities and all kindergarten  
15          through grade 12 students to cover computer technology  
16          and equipment costs. For the 2018-2019 school year and  
17          subsequent school years, Organizational Units assigned  
18          to Tier 1 and Tier 2 in the prior school year shall  
19          receive an additional \$285.50 per student of the  
20          combined ASE of pre-kindergarten children with  
21          disabilities and all kindergarten through grade 12  
22          students to cover computer technology and equipment  
23          costs in the Organizational Unit's Adequacy Target.  
24          The State Board may establish additional requirements  
25          for Organizational Unit expenditures of funds received  
26          pursuant to this subparagraph (Q), including a

1 requirement that funds received pursuant to this  
2 subparagraph (Q) may be used only for serving the  
3 technology needs of the district. It is the intent of  
4 Public Act 100-465 that all Tier 1 and Tier 2 districts  
5 receive the addition to their Adequacy Target in the  
6 following year, subject to compliance with the  
7 requirements of the State Board, which shall include,  
8 at a minimum, a requirement that each district submit  
9 documentation on how developmentally appropriate  
10 computer literacy instruction is embedded in the  
11 district's curriculum at each grade level.

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

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

1 calculation of benefits is equal to \$352.92.

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

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

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

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

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

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

26 (iii) one FTE extended day teacher position



1 for every 120 Low-Income Count students; and

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

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

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

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

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

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

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

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

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

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

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

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

17                (A) Teacher for grades K through 8.

18                (B) Teacher for grades 9 through 12.

19                (C) Teacher for grades K through 12.

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

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

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

23                (G) Social worker.

24                (H) Psychologist.

25                (I) Librarian.

26                (J) Nurse.

1 (K) Principal.

2 (L) Assistant principal.

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

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

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

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

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

23 The salary amounts for the Essential Elements  
24 determined pursuant to subparagraphs (A) through (L), (S)  
25 and (T), and (V) through (X) of paragraph (2) of subsection  
26 (b) of this Section shall be multiplied by a

1 Regionalization Factor.

2 (c) Local Capacity calculation.

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

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

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

1 Local Capacity Percentage is described in subparagraph  
2 (C) of this paragraph (2).

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

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

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

14 (iii) for Organizational Units serving grades  
15 9 through 12, the Local Capacity Ratio shall be  
16 multiplied by 4/13; and

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

22 (C) The Local Capacity Percentage is equal to the  
23 percentile ranking of the district. Local Capacity  
24 Percentage converts each Organizational Unit's Local  
25 Capacity Ratio to a cumulative distribution resulting  
26 in a percentile ranking to determine each

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

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

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

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

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

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

18           (1) An Organizational Unit's Real Receipts are the  
19 product of its Applicable Tax Rate and its Adjusted EAV. An  
20 Organizational Unit's Applicable Tax Rate is its Adjusted  
21 Operating Tax Rate for property within the Organizational  
22 Unit.

23           (2) The State Superintendent shall calculate the  
24 equalized assessed valuation, or EAV, of all taxable  
25 property of each Organizational Unit as of September 30 of  
26 the previous year in accordance with paragraph (3) of this



1 subsection (d). The State Superintendent shall then  
2 determine the Adjusted EAV of each Organizational Unit in  
3 accordance with paragraph (4) of this subsection (d), which  
4 Adjusted EAV figure shall be used for the purposes of  
5 calculating Local Capacity.

6 (3) To calculate Real Receipts and EAV, the Department  
7 of Revenue shall supply to the State Superintendent the  
8 value as equalized or assessed by the Department of Revenue  
9 of all taxable property of every Organizational Unit,  
10 together with (i) the applicable tax rate used in extending  
11 taxes for the funds of the Organizational Unit as of  
12 September 30 of the previous year and (ii) the limiting  
13 rate for all Organizational Units subject to property tax  
14 extension limitations as imposed under PTELL.

15 (A) The Department of Revenue shall add to the  
16 equalized assessed value of all taxable property of  
17 each Organizational Unit situated entirely or  
18 partially within a county that is or was subject to the  
19 provisions of Section 15-176 or 15-177 of the Property  
20 Tax Code (i) an amount equal to the total amount by  
21 which the homestead exemption allowed under Section  
22 15-176 or 15-177 of the Property Tax Code for real  
23 property situated in that Organizational Unit exceeds  
24 the total amount that would have been allowed in that  
25 Organizational Unit if the maximum reduction under  
26 Section 15-176 was (I) \$4,500 in Cook County or \$3,500

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

1           subparagraph (A) that if additional exemptions are  
2           allowed under Section 15-175 of the Property Tax Code  
3           for owners with a household income of less than  
4           \$30,000, then the calculation of EAV shall not be  
5           affected by the difference, if any, because of those  
6           additional exemptions.

7           (B) With respect to any part of an Organizational  
8           Unit within a redevelopment project area in respect to  
9           which a municipality has adopted tax increment  
10          allocation financing pursuant to the Tax Increment  
11          Allocation Redevelopment Act, Division 74.4 of Article  
12          11 of the Illinois Municipal Code, or the Industrial  
13          Jobs Recovery Law, Division 74.6 of Article 11 of the  
14          Illinois Municipal Code, no part of the current EAV of  
15          real property located in any such project area that is  
16          attributable to an increase above the total initial EAV  
17          of such property shall be used as part of the EAV of  
18          the Organizational Unit, until such time as all  
19          redevelopment project costs have been paid, as  
20          provided in Section 11-74.4-8 of the Tax Increment  
21          Allocation Redevelopment Act or in Section 11-74.6-35  
22          of the Industrial Jobs Recovery Law. For the purpose of  
23          the EAV of the Organizational Unit, the total initial  
24          EAV or the current EAV, whichever is lower, shall be  
25          used until such time as all redevelopment project costs  
26          have been paid.

1           (B-5) The real property equalized assessed  
2 valuation for a school district shall be adjusted by  
3 subtracting from the real property value, as equalized  
4 or assessed by the Department of Revenue, for the  
5 district an amount computed by dividing the amount of  
6 any abatement of taxes under Section 18-170 of the  
7 Property Tax Code by 3.00% for a district maintaining  
8 grades kindergarten through 12, by 2.30% for a district  
9 maintaining grades kindergarten through 8, or by 1.05%  
10 for a district maintaining grades 9 through 12 and  
11 adjusted by an amount computed by dividing the amount  
12 of any abatement of taxes under subsection (a) of  
13 Section 18-165 of the Property Tax Code by the same  
14 percentage rates for district type as specified in this  
15 subparagraph (B-5).

16           (C) For Organizational Units that are Hybrid  
17 Districts, the State Superintendent shall use the  
18 lesser of the adjusted equalized assessed valuation  
19 for property within the partial elementary unit  
20 district for elementary purposes, as defined in  
21 Article 11E of this Code, or the adjusted equalized  
22 assessed valuation for property within the partial  
23 elementary unit district for high school purposes, as  
24 defined in Article 11E of this Code.

25           (4) An Organizational Unit's Adjusted EAV shall be the  
26 average of its EAV over the immediately preceding 3 years

1 or its EAV in the immediately preceding year if the EAV in  
2 the immediately preceding year has declined by 10% or more  
3 compared to the 3-year average. In the event of  
4 Organizational Unit reorganization, consolidation, or  
5 annexation, the Organizational Unit's Adjusted EAV for the  
6 first 3 years after such change shall be as follows: the  
7 most current EAV shall be used in the first year, the  
8 average of a 2-year EAV or its EAV in the immediately  
9 preceding year if the EAV declines by 10% or more compared  
10 to the 2-year average for the second year, and a 3-year  
11 average EAV or its EAV in the immediately preceding year if  
12 the Adjusted EAV declines by 10% or more compared to the  
13 3-year average for the third year. For any school district  
14 whose EAV in the immediately preceding year is used in  
15 calculations, in the following year, the Adjusted EAV shall  
16 be the average of its EAV over the immediately preceding 2  
17 years or the immediately preceding year if that year  
18 represents a decline of 10% or more compared to the 2-year  
19 average.

20 "PTELL EAV" means a figure calculated by the State  
21 Board for Organizational Units subject to PTELL as  
22 described in this paragraph (4) for the purposes of  
23 calculating an Organizational Unit's Local Capacity Ratio.  
24 Except as otherwise provided in this paragraph (4), the  
25 PTELL EAV of an Organizational Unit shall be equal to the  
26 product of the equalized assessed valuation last used in

1 the calculation of general State aid under Section 18-8.05  
2 of this Code (now repealed) or Evidence-Based Funding under  
3 this Section and the Organizational Unit's Extension  
4 Limitation Ratio. If an Organizational Unit has approved or  
5 does approve an increase in its limiting rate, pursuant to  
6 Section 18-190 of the Property Tax Code, affecting the Base  
7 Tax Year, the PTELL EAV shall be equal to the product of  
8 the equalized assessed valuation last used in the  
9 calculation of general State aid under Section 18-8.05 of  
10 this Code (now repealed) or Evidence-Based Funding under  
11 this Section multiplied by an amount equal to one plus the  
12 percentage increase, if any, in the Consumer Price Index  
13 for All Urban Consumers for all items published by the  
14 United States Department of Labor for the 12-month calendar  
15 year preceding the Base Tax Year, plus the equalized  
16 assessed valuation of new property, annexed property, and  
17 recovered tax increment value and minus the equalized  
18 assessed valuation of disconnected property.

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

22 (e) Base Funding Minimum calculation.

23 (1) For the 2017-2018 school year, the Base Funding  
24 Minimum of an Organizational Unit or a Specially Funded  
25 Unit shall be the amount of State funds distributed to the  
26 Organizational Unit or Specially Funded Unit during the

1 2016-2017 school year prior to any adjustments and  
2 specified appropriation amounts described in this  
3 paragraph (1) from the following Sections, as calculated by  
4 the State Superintendent: Section 18-8.05 of this Code (now  
5 repealed); Section 5 of Article 224 of Public Act 99-524  
6 (equity grants); Section 14-7.02b of this Code (funding for  
7 children requiring special education services); Section  
8 14-13.01 of this Code (special education facilities and  
9 staffing), except for reimbursement of the cost of  
10 transportation pursuant to Section 14-13.01; Section  
11 14C-12 of this Code (English learners); and Section 18-4.3  
12 of this Code (summer school), based on an appropriation  
13 level of \$13,121,600. For a school district organized under  
14 Article 34 of this Code, the Base Funding Minimum also  
15 includes (i) the funds allocated to the school district  
16 pursuant to Section 1D-1 of this Code attributable to  
17 funding programs authorized by the Sections of this Code  
18 listed in the preceding sentence and (ii) the difference  
19 between (I) the funds allocated to the school district  
20 pursuant to Section 1D-1 of this Code attributable to the  
21 funding programs authorized by Section 14-7.02 (non-public  
22 special education reimbursement), subsection (b) of  
23 Section 14-13.01 (special education transportation),  
24 Section 29-5 (transportation), Section 2-3.80  
25 (agricultural education), Section 2-3.66 (truants'  
26 alternative education), Section 2-3.62 (educational

1 service centers), and Section 14-7.03 (special education -  
2 orphanage) of this Code and Section 15 of the Childhood  
3 Hunger Relief Act (free breakfast program) and (II) the  
4 school district's actual expenditures for its non-public  
5 special education, special education transportation,  
6 transportation programs, agricultural education, truants'  
7 alternative education, services that would otherwise be  
8 performed by a regional office of education, special  
9 education orphanage expenditures, and free breakfast, as  
10 most recently calculated and reported pursuant to  
11 subsection (f) of Section 1D-1 of this Code. The Base  
12 Funding Minimum for Glenwood Academy shall be \$625,500. For  
13 programs operated by a regional office of education or an  
14 intermediate service center, the Base Funding Minimum must  
15 be the total amount of State funds allocated to those  
16 programs in the 2018-2019 school year and amounts provided  
17 pursuant to Article 34 of Public Act 100-586 and Section  
18 3-16 of this Code. All programs established after June 5,  
19 2019 (the effective date of Public Act 101-10) and  
20 administered by a regional office of education or an  
21 intermediate service center must have an initial Base  
22 Funding Minimum set to an amount equal to the first-year  
23 ASE multiplied by the amount of per pupil funding received  
24 in the previous school year by the lowest funded similar  
25 existing program type. If the enrollment for a program  
26 operated by a regional office of education or an



1 intermediate service center is zero, then it may not  
2 receive Base Funding Minimum funds for that program in the  
3 next fiscal year, and those funds must be distributed to  
4 Organizational Units under subsection (g).

5 (2) For the 2018-2019 and subsequent school years, the  
6 Base Funding Minimum of Organizational Units and Specially  
7 Funded Units shall be the sum of (i) the amount of  
8 Evidence-Based Funding for the prior school year, (ii) the  
9 Base Funding Minimum for the prior school year, and (iii)  
10 any amount received by a school district pursuant to  
11 Section 7 of Article 97 of Public Act 100-21.

12 (3) Subject to approval by the General Assembly as  
13 provided in this paragraph (3), an Organizational Unit that  
14 meets all of the following criteria, as determined by the  
15 State Board, shall have District Intervention Money added  
16 to its Base Funding Minimum at the time the Base Funding  
17 Minimum is calculated by the State Board:

18 (A) The Organizational Unit is operating under an  
19 Independent Authority under Section 2-3.25f-5 of this  
20 Code for a minimum of 4 school years or is subject to  
21 the control of the State Board pursuant to a court  
22 order for a minimum of 4 school years.

23 (B) The Organizational Unit was designated as a  
24 Tier 1 or Tier 2 Organizational Unit in the previous  
25 school year under paragraph (3) of subsection (g) of  
26 this Section.

1           (C)     The     Organizational     Unit     demonstrates  
2     sustainability     through     a     5-year     financial     and  
3     strategic plan.

4           (D)     The     Organizational     Unit     has     made     sufficient  
5     progress     and     achieved     sufficient     stability     in     the  
6     areas of governance, academic growth, and finances.

7           As part of its determination under this paragraph (3),  
8     the State Board may consider the Organizational Unit's  
9     summative designation, any accreditations of the  
10    Organizational Unit, or the Organizational Unit's  
11    financial profile, as calculated by the State Board.

12          If the State Board determines that an Organizational  
13    Unit has met the criteria set forth in this paragraph (3),  
14    it must submit a report to the General Assembly, no later  
15    than January 2 of the fiscal year in which the State Board  
16    makes its determination, on the amount of District  
17    Intervention Money to add to the Organizational Unit's Base  
18    Funding Minimum. The General Assembly must review the State  
19    Board's report and may approve or disapprove, by joint  
20    resolution, the addition of District Intervention Money.  
21    If the General Assembly fails to act on the report within  
22    40 calendar days from the receipt of the report, the  
23    addition of District Intervention Money is deemed  
24    approved. If the General Assembly approves the amount of  
25    District Intervention Money to be added to the  
26    Organizational Unit's Base Funding Minimum, the District

1 Intervention Money must be added to the Base Funding  
2 Minimum annually thereafter.

3 For the first 4 years following the initial year that  
4 the State Board determines that an Organizational Unit has  
5 met the criteria set forth in this paragraph (3) and has  
6 received funding under this Section, the Organizational  
7 Unit must annually submit to the State Board, on or before  
8 November 30, a progress report regarding its financial and  
9 strategic plan under subparagraph (C) of this paragraph  
10 (3). The plan shall include the financial data from the  
11 past 4 annual financial reports or financial audits that  
12 must be presented to the State Board by November 15 of each  
13 year and the approved budget financial data for the current  
14 year. The plan shall be developed according to the  
15 guidelines presented to the Organizational Unit by the  
16 State Board. The plan shall further include financial  
17 projections for the next 3 fiscal years and include a  
18 discussion and financial summary of the Organizational  
19 Unit's facility needs. If the Organizational Unit does not  
20 demonstrate sufficient progress toward its 5-year plan or  
21 if it has failed to file an annual financial report, an  
22 annual budget, a financial plan, a deficit reduction plan,  
23 or other financial information as required by law, the  
24 State Board may establish a Financial Oversight Panel under  
25 Article 1H of this Code. However, if the Organizational  
26 Unit already has a Financial Oversight Panel, the State

1 Board may extend the duration of the Panel.

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

3 (1) The Evidence-Based Funding formula establishes a  
4 Percent of Adequacy for each Organizational Unit in order  
5 to place such units into tiers for the purposes of the  
6 funding distribution system described in subsection (g) of  
7 this Section. Initially, an Organizational Unit's  
8 Preliminary Resources and Preliminary Percent of Adequacy  
9 are calculated pursuant to paragraph (2) of this subsection  
10 (f). Then, an Organizational Unit's Final Resources and  
11 Final Percent of Adequacy are calculated to account for the  
12 Organizational Unit's poverty concentration levels  
13 pursuant to paragraphs (3) and (4) of this subsection (f).

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

19 (3) Except for Specially Funded Units, an  
20 Organizational Unit's Final Resources are equal to the sum  
21 of its Local Capacity, CPPRT, and Adjusted Base Funding  
22 Minimum. The Base Funding Minimum of each Specially Funded  
23 Unit shall serve as its Final Resources, except that the  
24 Base Funding Minimum for State-approved charter schools  
25 shall not include any portion of general State aid  
26 allocated in the prior year based on the per capita tuition

1 charge times the charter school enrollment.

2 (4) An Organizational Unit's Final Percent of Adequacy  
3 is its Final Resources divided by its Adequacy Target. An  
4 Organizational Unit's Adjusted Base Funding Minimum is  
5 equal to its Base Funding Minimum less its Supplemental  
6 Grant Funding, with the resulting figure added to the  
7 product of its Supplemental Grant Funding and Preliminary  
8 Percent of Adequacy.

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

10 (1) In each school year under the Evidence-Based  
11 Funding formula, each Organizational Unit receives funding  
12 equal to the sum of its Base Funding Minimum and the unit's  
13 allocation of New State Funds determined pursuant to this  
14 subsection (g). To allocate New State Funds, the  
15 Evidence-Based Funding formula distribution system first  
16 places all Organizational Units into one of 4 tiers in  
17 accordance with paragraph (3) of this subsection (g), based  
18 on the Organizational Unit's Final Percent of Adequacy. New  
19 State Funds are allocated to each of the 4 tiers as  
20 follows: Tier 1 Aggregate Funding equals 50% of all New  
21 State Funds, Tier 2 Aggregate Funding equals 49% of all New  
22 State Funds, Tier 3 Aggregate Funding equals 0.9% of all  
23 New State Funds, and Tier 4 Aggregate Funding equals 0.1%  
24 of all New State Funds. Each Organizational Unit within  
25 Tier 1 or Tier 2 receives an allocation of New State Funds  
26 equal to its tier Funding Gap, as defined in the following

1 sentence, multiplied by the tier's Allocation Rate  
2 determined pursuant to paragraph (4) of this subsection  
3 (g). For Tier 1, an Organizational Unit's Funding Gap  
4 equals the tier's Target Ratio, as specified in paragraph  
5 (5) of this subsection (g), multiplied by the  
6 Organizational Unit's Adequacy Target, with the resulting  
7 amount reduced by the Organizational Unit's Final  
8 Resources. For Tier 2, an Organizational Unit's Funding Gap  
9 equals the tier's Target Ratio, as described in paragraph  
10 (5) of this subsection (g), multiplied by the  
11 Organizational Unit's Adequacy Target, with the resulting  
12 amount reduced by the Organizational Unit's Final  
13 Resources and its Tier 1 funding allocation. To determine  
14 the Organizational Unit's Funding Gap, the resulting  
15 amount is then multiplied by a factor equal to one minus  
16 the Organizational Unit's Local Capacity Target  
17 percentage. Each Organizational Unit within Tier 3 or Tier  
18 4 receives an allocation of New State Funds equal to the  
19 product of its Adequacy Target and the tier's Allocation  
20 Rate, as specified in paragraph (4) of this subsection (g).

21 (2) To ensure equitable distribution of dollars for all  
22 Tier 2 Organizational Units, no Tier 2 Organizational Unit  
23 shall receive fewer dollars per ASE than any Tier 3  
24 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
25 Unit shall have its funding allocation divided by its ASE.  
26 Any Tier 2 Organizational Unit with a funding allocation

1 per ASE below the greatest Tier 3 allocation per ASE shall  
2 get a funding allocation equal to the greatest Tier 3  
3 funding allocation per ASE multiplied by the  
4 Organizational Unit's ASE. Each Tier 2 Organizational  
5 Unit's Tier 2 funding allocation shall be multiplied by the  
6 percentage calculated by dividing the original Tier 2  
7 Aggregate Funding by the sum of all Tier 2 Organizational  
8 Units' Tier 2 funding allocation after adjusting  
9 districts' funding below Tier 3 levels.

10 (3) Organizational Units are placed into one of 4 tiers  
11 as follows:

12 (A) Tier 1 consists of all Organizational Units,  
13 except for Specially Funded Units, with a Percent of  
14 Adequacy less than the Tier 1 Target Ratio. The Tier 1  
15 Target Ratio is the ratio level that allows for Tier 1  
16 Aggregate Funding to be distributed, with the Tier 1  
17 Allocation Rate determined pursuant to paragraph (4)  
18 of this subsection (g).

19 (B) Tier 2 consists of all Tier 1 Units and all  
20 other Organizational Units, except for Specially  
21 Funded Units, with a Percent of Adequacy of less than  
22 0.90.

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

26 (D) Tier 4 consists of all Organizational Units

1 with a Percent of Adequacy of at least 1.0.

2 (4) The Allocation Rates for Tiers 1 through 4 are  
3 determined as follows:

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

5 (B) The Tier 2 Allocation Rate is the result of the  
6 following equation: Tier 2 Aggregate Funding, divided  
7 by the sum of the Funding Gaps for all Tier 2  
8 Organizational Units, unless the result of such  
9 equation is higher than 1.0. If the result of such  
10 equation is higher than 1.0, then the Tier 2 Allocation  
11 Rate is 1.0.

12 (C) The Tier 3 Allocation Rate is the result of the  
13 following equation: Tier 3 Aggregate Funding, divided  
14 by the sum of the Adequacy Targets of all Tier 3  
15 Organizational Units.

16 (D) The Tier 4 Allocation Rate is the result of the  
17 following equation: Tier 4 Aggregate Funding, divided  
18 by the sum of the Adequacy Targets of all Tier 4  
19 Organizational Units.

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

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

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

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

26 (6) If, at any point, the Tier 1 Target Ratio is



1 greater than 90%, then ~~than~~ all Tier 1 funding shall be  
2 allocated to Tier 2 and no Tier 1 Organizational Unit's  
3 funding may be identified.

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

8 (8) If any Specially Funded Units, excluding Glenwood  
9 Academy, recognized by the State Board do not qualify for  
10 direct funding following the implementation of Public Act  
11 100-465 from any of the funding sources included within the  
12 definition of Base Funding Minimum, the unqualified  
13 portion of the Base Funding Minimum shall be transferred to  
14 one or more appropriate Organizational Units as determined  
15 by the State Superintendent based on the prior year ASE of  
16 the Organizational Units.

17 (8.5) If a school district withdraws from a special  
18 education cooperative, the portion of the Base Funding  
19 Minimum that is attributable to the school district may be  
20 redistributed to the school district upon withdrawal. The  
21 school district and the cooperative must include the amount  
22 of the Base Funding Minimum that is to be reapportioned in  
23 their withdrawal agreement and notify the State Board of  
24 the change with a copy of the agreement upon withdrawal.

25 (9) The Minimum Funding Level is intended to establish  
26 a target for State funding that will keep pace with

1 inflation and continue to advance equity through the  
2 Evidence-Based Funding formula. The target for State  
3 funding of New Property Tax Relief Pool Funds is  
4 \$50,000,000 for State fiscal year 2019 and subsequent State  
5 fiscal years. The Minimum Funding Level is equal to  
6 \$350,000,000. In addition to any New State Funds, no more  
7 than \$50,000,000 New Property Tax Relief Pool Funds may be  
8 counted toward the Minimum Funding Level. If the sum of New  
9 State Funds and applicable New Property Tax Relief Pool  
10 Funds are less than the Minimum Funding Level, than funding  
11 for tiers shall be reduced in the following manner:

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

16 (B) Next, Tier 3 funding shall be reduced by an  
17 amount equal to the difference between the Minimum  
18 Funding Level and New State Funds and the reduction in  
19 Tier 4 funding until such time as Tier 3 funding is  
20 exhausted.

21 (C) Next, Tier 2 funding shall be reduced by an  
22 amount equal to the difference between the Minimum  
23 Funding Level and New State Funds and the reduction in  
24 Tier 4 and Tier 3.

25 (D) Finally, Tier 1 funding shall be reduced by an  
26 amount equal to the difference between the Minimum

1 Funding level and New State Funds and the reduction in  
2 Tier 2, 3, and 4 funding. In addition, the Allocation  
3 Rate for Tier 1 shall be reduced to a percentage equal  
4 to the Tier 1 Allocation Rate set by paragraph (4) of  
5 this subsection (g), multiplied by the result of New  
6 State Funds divided by the Minimum Funding Level.

7 (9.5) For State fiscal year 2019 and subsequent State  
8 fiscal years, if New State Funds exceed \$300,000,000, then  
9 any amount in excess of \$300,000,000 shall be dedicated for  
10 purposes of Section 2-3.170 of this Code up to a maximum of  
11 \$50,000,000.

12 (10) In the event of a decrease in the amount of the  
13 appropriation for this Section in any fiscal year after  
14 implementation of this Section, the Organizational Units  
15 receiving Tier 1 and Tier 2 funding, as determined under  
16 paragraph (3) of this subsection (g), shall be held  
17 harmless by establishing a Base Funding Guarantee equal to  
18 the per pupil kindergarten through grade 12 funding  
19 received in accordance with this Section in the prior  
20 fiscal year. Reductions shall be made to the Base Funding  
21 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
22 per pupil basis equivalent to the total number of the ASE  
23 in Tier 3-funded and Tier 4-funded Organizational Units  
24 divided by the total reduction in State funding. The Base  
25 Funding Minimum as reduced shall continue to be applied to  
26 Tier 3 and Tier 4 Organizational Units and adjusted by the

1 relative formula when increases in appropriations for this  
2 Section resume. In no event may State funding reductions to  
3 Organizational Units in Tier 3 or Tier 4 exceed an amount  
4 that would be less than the Base Funding Minimum  
5 established in the first year of implementation of this  
6 Section. If additional reductions are required, all school  
7 districts shall receive a reduction by a per pupil amount  
8 equal to the aggregate additional appropriation reduction  
9 divided by the total ASE of all Organizational Units.

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

15 (h) State Superintendent administration of funding and  
16 district submission requirements.

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

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

26 (3) Annually, the State Superintendent shall calculate

1 and report to each Organizational Unit the unit's aggregate  
2 financial adequacy amount, which shall be the sum of the  
3 Adequacy Target for each Organizational Unit. The State  
4 Superintendent shall calculate and report separately for  
5 each Organizational Unit the unit's total State funds  
6 allocated for its students with disabilities. The State  
7 Superintendent shall calculate and report separately for  
8 each Organizational Unit the amount of funding and  
9 applicable FTE calculated for each Essential Element of the  
10 unit's Adequacy Target.

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

21 (5) Moneys distributed under this Section shall be  
22 calculated on a school year basis, but paid on a fiscal  
23 year basis, with payments beginning in August and extending  
24 through June. Unless otherwise provided, the moneys  
25 appropriated for each fiscal year shall be distributed in  
26 22 equal payments at least 2 times monthly to each

1 Organizational Unit. If moneys appropriated for any fiscal  
2 year are distributed other than monthly, the distribution  
3 shall be on the same basis for each Organizational Unit.

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

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

21 (8) Each fiscal year, the State Superintendent shall  
22 calculate for each Organizational Unit an amount of its  
23 Base Funding Minimum and Evidence-Based Funding that shall  
24 be deemed attributable to the provision of special  
25 educational facilities and services, as defined in Section  
26 14-1.08 of this Code, in a manner that ensures compliance

1 with maintenance of State financial support requirements  
2 under the federal Individuals with Disabilities Education  
3 Act. An Organizational Unit must use such funds only for  
4 the provision of special educational facilities and  
5 services, as defined in Section 14-1.08 of this Code, and  
6 must comply with any expenditure verification procedures  
7 adopted by the State Board.

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

1 Article 14C of this Code shall continue to submit  
2 information as required under Section 14C-12 of this Code.

3 (10) No later than January 1, 2018, the State  
4 Superintendent shall develop a 5-year strategic plan for  
5 all Organizational Units to help in planning for adequacy  
6 funding under this Section. The State Superintendent shall  
7 submit the plan to the Governor and the General Assembly,  
8 as provided in Section 3.1 of the General Assembly  
9 Organization Act. The plan shall include recommendations  
10 for:

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

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

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

22 (D) implementation of an effective school adequacy  
23 funding system based on projected and recommended  
24 funding levels from the General Assembly.

25 (11) On an annual basis, the State Superintendent must  
26 recalibrate all of the following per pupil elements of the



1 Adequacy Target and applied to the formulas, based on the  
2 study of average expenses and as reported in the most  
3 recent annual financial report:

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

6 (B) Instructional materials under subparagraph (O)  
7 of paragraph (2) of subsection (b).

8 (C) Assessment under subparagraph (P) of paragraph  
9 (2) of subsection (b).

10 (D) Student activities under subparagraph (R) of  
11 paragraph (2) of subsection (b).

12 (E) Maintenance and operations under subparagraph  
13 (S) of paragraph (2) of subsection (b).

14 (F) Central office under subparagraph (T) of  
15 paragraph (2) of subsection (b).

16 (i) Professional Review Panel.

17 (1) A Professional Review Panel is created to study and  
18 review topics related to the implementation and effect of  
19 Evidence-Based Funding, as assigned by a joint resolution  
20 or Public Act of the General Assembly or a motion passed by  
21 the State Board of Education. The Panel must provide  
22 recommendations to and serve the Governor, the General  
23 Assembly, and the State Board. The State Superintendent or  
24 his or her designee must serve as a voting member and  
25 chairperson of the Panel. The State Superintendent must  
26 appoint a vice chairperson from the membership of the

1 Panel. The Panel must advance recommendations based on a  
2 three-fifths majority vote of Panel members present and  
3 voting. A minority opinion may also accompany any  
4 recommendation of the Panel. The Panel shall be appointed  
5 by the State Superintendent, except as otherwise provided  
6 in paragraph (2) of this subsection (i) and include the  
7 following members:

8 (A) Two appointees that represent district  
9 superintendents, recommended by a statewide  
10 organization that represents district superintendents.

11 (B) Two appointees that represent school boards,  
12 recommended by a statewide organization that  
13 represents school boards.

14 (C) Two appointees from districts that represent  
15 school business officials, recommended by a statewide  
16 organization that represents school business  
17 officials.

18 (D) Two appointees that represent school  
19 principals, recommended by a statewide organization  
20 that represents school principals.

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

24 (F) Two appointees that represent teachers,  
25 recommended by another statewide organization that  
26 represents teachers.

1 (G) Two appointees that represent regional  
2 superintendents of schools, recommended by  
3 organizations that represent regional superintendents.

4 (H) Two independent experts selected solely by the  
5 State Superintendent.

6 (I) Two independent experts recommended by public  
7 universities in this State.

8 (J) One member recommended by a statewide  
9 organization that represents parents.

10 (K) Two representatives recommended by collective  
11 impact organizations that represent major metropolitan  
12 areas or geographic areas in Illinois.

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

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

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

1 the Panel.

2 (2) In addition to those Panel members appointed by the  
3 State Superintendent, 4 members of the General Assembly  
4 shall be appointed as follows: one member of the House of  
5 Representatives appointed by the Speaker of the House of  
6 Representatives, one member of the Senate appointed by the  
7 President of the Senate, one member of the House of  
8 Representatives appointed by the Minority Leader of the  
9 House of Representatives, and one member of the Senate  
10 appointed by the Minority Leader of the Senate. There shall  
11 be one additional member appointed by the Governor. All  
12 members appointed by legislative leaders or the Governor  
13 shall be non-voting, ex officio members.

14 (3) The Panel must study topics at the direction of the  
15 General Assembly or State Board of Education, as provided  
16 under paragraph (1). The Panel may also study the following  
17 topics at the direction of the chairperson:

18 (A) The format and scope of annual spending plans  
19 referenced in paragraph (9) of subsection (h) of this  
20 Section.

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

22 (C) Maintenance and operations, including capital  
23 maintenance and construction costs.

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

25 (E) Benefits.

26 (F) Technology.

1 (G) Local Capacity Target.

2 (H) Funding for Alternative Schools, Laboratory  
3 Schools, safe schools, and alternative learning  
4 opportunities programs.

5 (I) Funding for college and career acceleration  
6 strategies.

7 (J) Special education investments.

8 (K) Early childhood investments, in collaboration  
9 with the Illinois Early Learning Council.

10 (4) (Blank).

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

18 (6) (Blank).

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

24 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;  
25 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.  
26 6-14-19; 101-643, eff. 6-18-20; revised 8-21-20.)

1 (105 ILCS 5/27-22) (from Ch. 122, par. 27-22)

2 Sec. 27-22. Required high school courses.

3 (a) (Blank).

4 (b) (Blank).

5 (c) (Blank).

6 (d) (Blank).

7 (e) As a prerequisite to receiving a high school diploma,  
8 each pupil entering the 9th grade must, in addition to other  
9 course requirements, successfully complete all of the  
10 following courses:

11 (1) Four years of language arts.

12 (2) Two years of writing intensive courses, one of  
13 which must be English and the other of which may be English  
14 or any other subject. When applicable, writing-intensive  
15 courses may be counted towards the fulfillment of other  
16 graduation requirements.

17 (3) Three years of mathematics, one of which must be  
18 Algebra I, one of which must include geometry content, and  
19 one of which may be an Advanced Placement computer science  
20 course. A mathematics course that includes geometry  
21 content may be offered as an integrated, applied,  
22 interdisciplinary, or career and technical education  
23 course that prepares a student for a career readiness path.

24 (3.5) For pupils entering the 9th grade in the  
25 2021-2022 school year and each school year thereafter, one

1       year of a course that includes intensive instruction in  
2       computer literacy, which may be English, social studies, or  
3       any other subject and which may be counted toward the  
4       fulfillment of other graduation requirements.

5           (4) Two years of science.

6           (5) Two years of social studies, of which at least one  
7       year must be history of the United States or a combination  
8       of history of the United States and American government  
9       and, beginning with pupils entering the 9th grade in the  
10      2016-2017 school year and each school year thereafter, at  
11      least one semester must be civics, which shall help young  
12      people acquire and learn to use the skills, knowledge, and  
13      attitudes that will prepare them to be competent and  
14      responsible citizens throughout their lives. Civics course  
15      content shall focus on government institutions, the  
16      discussion of current and controversial issues, service  
17      learning, and simulations of the democratic process.  
18      School districts may utilize private funding available for  
19      the purposes of offering civics education.

20          (6) One year chosen from (A) music, (B) art, (C)  
21      foreign language, which shall be deemed to include American  
22      Sign Language, or (D) vocational education.

23          (f) The State Board of Education shall develop and inform  
24      school districts of standards for writing-intensive  
25      coursework.

26          (f-5) If a school district offers an Advanced Placement

1 computer science course to high school students, then the  
2 school board must designate that course as equivalent to a high  
3 school mathematics course and must denote on the student's  
4 transcript that the Advanced Placement computer science course  
5 qualifies as a mathematics-based, quantitative course for  
6 students in accordance with subdivision (3) of subsection (e)  
7 of this Section.

8 (g) This amendatory Act of 1983 does not apply to pupils  
9 entering the 9th grade in 1983-1984 school year and prior  
10 school years or to students with disabilities whose course of  
11 study is determined by an individualized education program.

12 This amendatory Act of the 94th General Assembly does not  
13 apply to pupils entering the 9th grade in the 2004-2005 school  
14 year or a prior school year or to students with disabilities  
15 whose course of study is determined by an individualized  
16 education program.

17 This amendatory Act of the 101st General Assembly does not  
18 apply to pupils entering the 9th grade in the 2020-2021 school  
19 year or a prior school year or to students with disabilities  
20 whose course of study is determined by an individualized  
21 education program.

22 (h) The provisions of this Section are subject to the  
23 provisions of Section 27-22.05 of this Code and the  
24 Postsecondary and Workforce Readiness Act.

25 (i) The State Board of Education may adopt rules to modify  
26 the requirements of this Section for any students enrolled in



1 grades 9 through 12 if the Governor has declared a disaster due  
2 to a public health emergency pursuant to Section 7 of the  
3 Illinois Emergency Management Agency Act.

4 (Source: P.A. 100-443, eff. 8-25-17; 101-464, eff. 1-1-20;  
5 101-643, eff. 6-18-20.)

6 (105 ILCS 5/27-23.15 new)

7 Sec. 27-23.15. Computer science.

8 (a) In this Section, "computer science" means the study of  
9 computers and algorithms, including their principles, their  
10 hardware and software designs, their implementation, and their  
11 impact on society. "Computer science" does not include the  
12 study of everyday uses of computers and computer applications,  
13 such as keyboarding or accessing the Internet.

14 (b) Beginning with the 2022-2023 school year, the school  
15 board of a school district that maintains any of grades 9  
16 through 12 shall provide an opportunity for every high school  
17 student to take at least one computer science course aligned to  
18 rigorous learning standards of the State Board of Education.

19 Article 65.

20 Section 65-5. The School Code is amended by changing  
21 Sections 14A-10 and 14A-32 as follows:

22 (105 ILCS 5/14A-10)

1           Sec. 14A-10. Legislative findings. The General Assembly  
2 finds the following:

3           (1) that gifted and talented children (i) exhibit high  
4 performance capabilities in intellectual, creative, and  
5 artistic areas, (ii) possess an exceptional leadership  
6 potential, (iii) excel in specific academic fields, and  
7 (iv) have the potential to be influential in business,  
8 government, health care, the arts, and other critical  
9 sectors of our economic and cultural environment;

10           (2) that gifted and talented children require services  
11 and activities that are not ordinarily provided by schools;  
12 ~~and~~

13           (3) that outstanding talents are present in children  
14 and youth from all cultural groups, across all economic  
15 strata, and in all areas of human endeavor; and.

16           (4) that inequitable access to advanced coursework and  
17 enrollment in accelerated placement programs exists  
18 between children enrolled in different school districts  
19 and even within the same school district and more must be  
20 done to eliminate the barriers to access to advanced  
21 coursework and enrollment in accelerated placement  
22 programs for all children.

23 (Source: P.A. 94-151, eff. 7-8-05; 94-410, eff. 8-2-05.)

24 (105 ILCS 5/14A-32)

25 Sec. 14A-32. Accelerated placement; school district

1 responsibilities.

2 (a) Each school district shall have a policy that allows  
3 for accelerated placement that includes or incorporates by  
4 reference the following components:

5 (1) a provision that provides that participation in  
6 accelerated placement is not limited to those children who  
7 have been identified as gifted and talented, but rather is  
8 open to all children who demonstrate high ability and who  
9 may benefit from accelerated placement;

10 (2) a fair and equitable decision-making process that  
11 involves multiple persons and includes a student's parents  
12 or guardians;

13 (3) procedures for notifying parents or guardians of a  
14 child of a decision affecting that child's participation in  
15 an accelerated placement program; and

16 (4) an assessment process that includes multiple  
17 valid, reliable indicators.

18 (a-5) By no later than the beginning of the 2022-2023  
19 school year, a school district's accelerated placement policy  
20 shall allow for the automatic enrollment, in the following  
21 school term, of a high school student into the next level of  
22 advanced coursework offered by the high school if the student  
23 meets or exceeds State standards in English language arts,  
24 mathematics, or science on a State assessment administered  
25 under Section 2-3.64a-5 as follows:

26 (1) A student who meets or exceeds State standards in

1       English language arts shall be automatically enrolled into  
2       the next level of advanced coursework in English, social  
3       studies, humanities, or related subjects.

4           (2) A student who meets or exceeds State standards in  
5       mathematics shall be automatically enrolled into the next  
6       level of advanced coursework in mathematics.

7           (3) A student who meets or exceeds State standards in  
8       science shall be automatically enrolled into the next level  
9       of advanced coursework in science.

10       For a student entering grade 12, the next level of advanced  
11       coursework under this subsection (a-5) shall be a dual credit  
12       course, as defined in the Dual Credit Quality Act. For other  
13       high school grades, the next level of advanced coursework may  
14       include a dual credit course.

15       A school district may use the student's most recent State  
16       assessment results to determine whether a student meets or  
17       exceeds State standards. For a student entering grade 9,  
18       results from the State assessment taken in grades 6 through 8  
19       may be used. For other high school grades, the results from a  
20       locally selected, nationally normed assessment may be used  
21       instead of the State assessment if those results are the most  
22       recent.

23       A school district must provide the parent or guardian of a  
24       student eligible for automatic enrollment under this  
25       subsection (a-5) with the option to instead have the student  
26       enroll in alternative coursework that better aligns with the

1 student's postsecondary education or career goals.

2 Nothing in this subsection (a-5) may be interpreted to  
3 preclude other students from enrolling in advanced coursework  
4 per the policy of a school district.

5 (b) Further, a school district's accelerated placement  
6 policy may include or incorporate by reference, but need not be  
7 limited to, the following components:

8 (1) procedures for annually informing the community  
9 at-large, including parents or guardians, community-based  
10 organizations, and providers of out-of-school programs,  
11 about the accelerated placement program and the methods  
12 used for the identification of children eligible for  
13 accelerated placement, including strategies to reach  
14 groups of students and families who have been historically  
15 underrepresented in accelerated placement programs and  
16 advanced coursework;

17 (2) a process for referral that allows for multiple  
18 referrers, including a child's parents or guardians; other  
19 referrers may include licensed education professionals,  
20 the child, with the written consent of a parent or  
21 guardian, a peer, through a licensed education  
22 professional who has knowledge of the referred child's  
23 abilities, or, in case of possible early entrance, a  
24 preschool educator, pediatrician, or psychologist who  
25 knows the child; ~~and~~

26 (3) a provision that provides that children

1 participating in an accelerated placement program and  
2 their parents or guardians will be provided a written plan  
3 detailing the type of acceleration the child will receive  
4 and strategies to support the child;~~;~~

5 (4) procedures to provide support and promote success  
6 for students who are newly enrolled in an accelerated  
7 placement program; and

8 (5) a process for the school district to review and  
9 utilize disaggregated data on participation in an  
10 accelerated placement program to address gaps among  
11 demographic groups in accelerated placement opportunities.

12 (c) The State Board of Education shall adopt rules to  
13 determine data to be collected and disaggregated by demographic  
14 group regarding accelerated placement, including the rates of  
15 students who participate in and successfully complete advanced  
16 coursework, and a method of making the information available to  
17 the public.

18 (d) On or before November 1, 2021, following a review of  
19 disaggregated data on the participation and successful  
20 completion rates of students enrolled in an accelerated  
21 placement program, each school district shall develop a plan to  
22 expand access to its accelerated placement program and to  
23 ensure the teaching capacity necessary to meet the increased  
24 demand.

25 (Source: P.A. 100-421, eff. 7-1-18.)

1 Article 70.

2 Section 70-5. The School Code is amended by changing  
3 Section 22-45 as follows:

4 (105 ILCS 5/22-45)

5 Sec. 22-45. Illinois P-20 Council.

6 (a) The General Assembly finds that preparing Illinoisans  
7 for success in school and the workplace requires a continuum of  
8 quality education from preschool through graduate school. This  
9 State needs a framework to guide education policy and integrate  
10 education at every level. A statewide coordinating council to  
11 study and make recommendations concerning education at all  
12 levels can avoid fragmentation of policies, promote improved  
13 teaching and learning, and continue to cultivate and  
14 demonstrate strong accountability and efficiency. Establishing  
15 an Illinois P-20 Council will develop a statewide agenda that  
16 will move the State towards the common goals of improving  
17 academic achievement, increasing college access and success,  
18 improving use of existing data and measurements, developing  
19 improved accountability, fostering innovative approaches to  
20 education, promoting lifelong learning, easing the transition  
21 to college, and reducing remediation. A pre-kindergarten  
22 through grade 20 agenda will strengthen this State's economic  
23 competitiveness by producing a highly-skilled workforce. In  
24 addition, lifelong learning plans will enhance this State's

1 ability to leverage funding.

2 (b) There is created the Illinois P-20 Council. The  
3 Illinois P-20 Council shall include all of the following  
4 members:

5 (1) The Governor or his or her designee, to serve as  
6 chairperson.

7 (2) Four members of the General Assembly, one appointed  
8 by the Speaker of the House of Representatives, one  
9 appointed by the Minority Leader of the House of  
10 Representatives, one appointed by the President of the  
11 Senate, and one appointed by the Minority Leader of the  
12 Senate.

13 (3) Six at-large members appointed by the Governor as  
14 follows, with 2 members being from the City of Chicago, 2  
15 members being from Lake County, McHenry County, Kane  
16 County, DuPage County, Will County, or that part of Cook  
17 County outside of the City of Chicago, and 2 members being  
18 from the remainder of the State:

19 (A) one representative of civic leaders;

20 (B) one representative of local government;

21 (C) one representative of trade unions;

22 (D) one representative of nonprofit organizations  
23 or foundations;

24 (E) one representative of parents' organizations;

25 and

26 (F) one education research expert.



1           (4) Five members appointed by statewide business  
2 organizations and business trade associations.

3           (5) Six members appointed by statewide professional  
4 organizations and associations representing  
5 pre-kindergarten through grade 20 teachers, community  
6 college faculty, and public university faculty.

7           (6) Two members appointed by associations representing  
8 local school administrators and school board members. One  
9 of these members must be a special education administrator.

10          (7) One member representing community colleges,  
11 appointed by the Illinois Council of Community College  
12 Presidents.

13          (8) One member representing 4-year independent  
14 colleges and universities, appointed by a statewide  
15 organization representing private institutions of higher  
16 learning.

17          (9) One member representing public 4-year  
18 universities, appointed jointly by the university  
19 presidents and chancellors.

20          (10) Ex-officio members as follows:

21               (A) The State Superintendent of Education or his or  
22 her designee.

23               (B) The Executive Director of the Board of Higher  
24 Education or his or her designee.

25               (C) The Executive Director of the Illinois  
26 Community College Board or his or her designee.

1           (D) The Executive Director of the Illinois Student  
2 Assistance Commission or his or her designee.

3           (E) The Co-chairpersons of the Illinois Workforce  
4 Investment Board or their designee.

5           (F) The Director of Commerce and Economic  
6 Opportunity or his or her designee.

7           (G) The Chairperson of the Illinois Early Learning  
8 Council or his or her designee.

9           (H) The President of the Illinois Mathematics and  
10 Science Academy or his or her designee.

11           (I) The president of an association representing  
12 educators of adult learners or his or her designee.

13 Ex-officio members shall have no vote on the Illinois P-20  
14 Council.

15 Appointed members shall serve for staggered terms expiring  
16 on July 1 of the first, second, or third calendar year  
17 following their appointments or until their successors are  
18 appointed and have qualified. Staggered terms shall be  
19 determined by lot at the organizing meeting of the Illinois  
20 P-20 Council.

21 Vacancies shall be filled in the same manner as original  
22 appointments, and any member so appointed shall serve during  
23 the remainder of the term for which the vacancy occurred.

24 (c) The Illinois P-20 Council shall be funded through State  
25 appropriations to support staff activities, research,  
26 data-collection, and dissemination. The Illinois P-20 Council

1 shall be staffed by the Office of the Governor, in coordination  
2 with relevant State agencies, boards, and commissions. The  
3 Illinois Education Research Council shall provide research and  
4 coordinate research collection activities for the Illinois  
5 P-20 Council.

6 (d) The Illinois P-20 Council shall have all of the  
7 following duties:

8 (1) To make recommendations to do all of the following:

9 (A) Coordinate pre-kindergarten through grade 20  
10 (graduate school) education in this State through  
11 working at the intersections of educational systems to  
12 promote collaborative infrastructure.

13 (B) Coordinate and leverage strategies, actions,  
14 legislation, policies, and resources of all  
15 stakeholders to support fundamental and lasting  
16 improvement in this State's public schools, community  
17 colleges, and universities.

18 (C) Better align the high school curriculum with  
19 postsecondary expectations.

20 (D) Better align assessments across all levels of  
21 education.

22 (E) Reduce the need for students entering  
23 institutions of higher education to take remedial  
24 courses.

25 (F) Smooth the transition from high school to  
26 college.

1 (G) Improve high school and college graduation  
2 rates.

3 (H) Improve the rigor and relevance of academic  
4 standards for college and workforce readiness.

5 (I) Better align college and university teaching  
6 programs with the needs of Illinois schools.

7 (2) To advise the Governor, the General Assembly, the  
8 State's education and higher education agencies, and the  
9 State's workforce and economic development boards and  
10 agencies on policies related to lifelong learning for  
11 Illinois students and families.

12 (3) To articulate a framework for systemic educational  
13 improvement and innovation that will enable every student  
14 to meet or exceed Illinois learning standards and be  
15 well-prepared to succeed in the workforce and community.

16 (4) To provide an estimated fiscal impact for  
17 implementation of all Council recommendations.

18 (5) To make recommendations for short-term and  
19 long-term learning recovery actions for public school  
20 students in this State in the wake of the COVID-19  
21 pandemic. The Illinois P-20 Council shall submit a report  
22 with its recommendations for a multi-year recovery plan by  
23 December 31, 2021 to the Governor, the State Board of  
24 Education, the Board of Higher Education, the Illinois  
25 Community College Board, and the General Assembly that  
26 addresses all of the following:

1           (A) Closing the digital divide for all students,  
2           including access to devices, Internet connectivity,  
3           and ensuring that educators have the necessary support  
4           and training to provide high quality remote and blended  
5           learning to students.

6           (B) Evaluating the academic growth and proficiency  
7           of students in order to understand the impact of school  
8           closures and remote and blended remote learning  
9           conditions on student academic outcomes, including  
10           disaggregating data by race, income, diverse learners,  
11           and English learners, in ways that balance the need to  
12           understand that impact with the need to support student  
13           well-being and also take into consideration the  
14           logistical constraints facing schools and districts.

15           (C) Establishing a system for the collection and  
16           review of student data at the State level, including  
17           data about prekindergarten through higher education  
18           student attendance, engagement and participation,  
19           discipline, and social-emotional and mental health  
20           inputs and outcomes, in order to better understand the  
21           full impact of disrupted learning.

22           (D) Providing students with resources and programs  
23           for academic support, such as enrichment  
24           opportunities, tutoring corps, summer bridge programs,  
25           youth leadership and development programs, youth and  
26           community-led restorative and transformative justice

1           programs, and youth internship and apprenticeship  
2           programs.

3           (E) Providing students with resources and support  
4           to ensure access to social-emotional learning, mental  
5           health services, and trauma responsive, restorative  
6           justice and anti-racist practices in order to support  
7           the growth of the whole child, such as investing in  
8           community schools and providing comprehensive  
9           year-round services and support for both students and  
10          their families.

11          (F) Ensuring more time for students' academic,  
12          social-emotional, and mental health needs by  
13          considering such strategies as: (i) extending planning  
14          time for teachers, (ii) extending the school day and  
15          school year, and (iii) transitioning to year-round  
16          schooling.

17          (G) Strengthening the transition from secondary  
18          education to postsecondary education in the wake of  
19          threats to alignment and affordability created by the  
20          pandemic and related conditions.

21           (e) The chairperson of the Illinois P-20 Council may  
22           authorize the creation of working groups focusing on areas of  
23           interest to Illinois educational and workforce development,  
24           including without limitation the following areas:

25                   (1) Preparation, recruitment, and certification of  
26                   highly qualified teachers.

1           (2) Mentoring and induction of highly qualified  
2 teachers.

3           (3) The diversity of highly qualified teachers.

4           (4) Funding for highly qualified teachers, including  
5 developing a strategic and collaborative plan to seek  
6 federal and private grants to support initiatives  
7 targeting teacher preparation and its impact on student  
8 achievement.

9           (5) Highly effective administrators.

10          (6) Illinois birth through age 3 education,  
11 pre-kindergarten, and early childhood education.

12          (7) The assessment, alignment, outreach, and network  
13 of college and workforce readiness efforts.

14          (8) Alternative routes to college access.

15          (9) Research data and accountability.

16          (10) Community schools, community participation, and  
17 other innovative approaches to education that foster  
18 community partnerships.

19          (11) Tuition, financial aid, and other issues related  
20 to keeping postsecondary education affordable for Illinois  
21 residents.

22          (12) Learning recovery in the wake of the COVID-19  
23 pandemic.

24          The chairperson of the Illinois P-20 Council may designate  
25 Council members to serve as working group chairpersons. Working  
26 groups may invite organizations and individuals representing

1 pre-kindergarten through grade 20 interests to participate in  
2 discussions, data collection, and dissemination.

3 (Source: P.A. 98-463, eff. 8-16-13; 98-719, eff. 1-1-15;  
4 99-643, eff. 1-1-17.)

5 Article 75.

6 Section 75-5. The State Finance Act is amended by adding  
7 Section 5.935 as follows:

8 (30 ILCS 105/5.935 new)

9 Sec. 5.935. The Freedom Schools Fund.

10 Section 75-10. The School Code is amended by adding Section  
11 2-3.186 as follows:

12 (105 ILCS 5/2-3.186 new)

13 Sec. 2-3.186. Freedom Schools; grant program.

14 (a) The General Assembly recognizes and values the  
15 contributions that Freedom Schools make to enhance the lives of  
16 Black students. The General Assembly makes all of the following  
17 findings:

18 (1) The fundamental goal of the Freedom Schools of the  
19 1960s was to create Black political power to defend the  
20 interests of the disempowered. The curriculum of Freedom  
21 Schools allowed students of all ages to experience a new



1 and liberating form of education that directly related to  
2 the imperatives of their lives, their communities, and the  
3 Freedom Movement.

4 (2) Freedom Schools continue to demonstrate the proven  
5 benefits of race modeling and intergenerational effects by  
6 providing Black students with quality instruction that  
7 fosters student confidence, resiliency, and social and  
8 emotional development.

9 (3) Freedom Schools offer culturally relevant learning  
10 opportunities with the academic and social supports that  
11 Black children need by utilizing quality teaching,  
12 challenging and engaging curricula, wrap-around supports,  
13 a positive school climate, and strong ties to family and  
14 community. Freedom Schools have a clear focus on results.

15 (4) Public schools serve a foundational role in the  
16 education of over 2,000,000 students in this State.

17 (b) The State Board of Education shall establish Freedom  
18 Schools to supplement the learning taking place in public  
19 schools by expanding the teaching of Black history, developing  
20 leadership skills, and providing an understanding of the tenets  
21 of the civil rights movement. The teachers in Freedom Schools  
22 must be college students or recent high school graduates from  
23 the local community, with an emphasis on Black youth, so that  
24 (i) these individuals have access to summer jobs and teaching  
25 experiences that serve as a long-term pipeline to educational  
26 careers and the hiring of Black educators in public schools,

1 (ii) these individuals are elevated as content experts and  
2 community leaders, and (iii) Freedom School students have  
3 access to both role models and education.

4 (c) A Freedom School shall intentionally and imaginatively  
5 implement strategies that focus on all of the following:

6 (1) Racial justice and equity.

7 (2) Transparency and building trusting relationships.

8 (3) Self-determination and governance.

9 (4) Building on community strengths and community  
10 wisdom.

11 (5) Utilizing current data, best practices, and  
12 evidence.

13 (6) Shared leadership and collaboration.

14 (7) A reflective learning culture.

15 (8) A whole-child approach to education.

16 (9) Literacy.

17 (d) The State Board of Education, in the establishment of  
18 Freedom Schools, shall strive for authentic parent and  
19 community engagement during the development of Freedom Schools  
20 and their curriculum. Authentic parent and community  
21 engagement includes all of the following:

22 (1) A shared responsibility that values equal  
23 partnerships between families and professionals.

24 (2) Ensuring that students and families who are  
25 directly impacted by Freedom School policies and practices  
26 are the decision-makers in the creation, design,

1 implementation, and assessment of those policies and  
2 practices.

3 (3) Genuine respect for the culture and diversity of  
4 families.

5 (4) Relationships that center around the goal of  
6 supporting family well-being and children's development  
7 and learning.

8 (e) Subject to appropriation, the State Board of Education  
9 shall establish and implement a grant program to provide grants  
10 to public schools, public community colleges, and  
11 not-for-profit, community-based organizations to facilitate  
12 improved educational outcomes for Black students in grades  
13 pre-kindergarten through 12. Grant recipients under the  
14 program may include, but are not limited to, entities that  
15 offer established programs with proven results and outcomes.  
16 The State Board of Education shall award grants to eligible  
17 entities that demonstrate a likelihood of reasonable success in  
18 achieving the goals identified in the grant application,  
19 including, but not limited to, all of the following:

20 (1) Engaging, culturally relevant, and challenging  
21 curricula.

22 (2) High-quality teaching.

23 (3) Wrap-around supports and opportunities.

24 (4) Positive discipline practices, such as restorative  
25 justice.

26 (5) Inclusive leadership.



1 5 days of in-service training for teachers. A school board may  
2 choose how to reach the minimum of 15 additional days of actual  
3 pupil attendance for each of the 2021-2022, 2022-2023, and  
4 2023-2024 school years by either extending the length of the  
5 school day or extending the length of the school term. During  
6 the 2021-2022 school year, if a school is closed for more than  
7 5 days of actual pupil attendance because the Governor has  
8 declared a disaster due to a public health emergency pursuant  
9 to Section 7 of the Illinois Emergency Management Agency Act,  
10 the school board shall extend the length of the school day or  
11 extend the length of the school term during any of the  
12 2021-2022, 2022-2023, and 2023-2024 school years by one  
13 additional day of actual pupil attendance for every 5 days of  
14 actual pupil attendance that are missed during the 2021-2022  
15 school year because of the public health emergency, unless the  
16 school board has decided at the beginning of the 2021-2022  
17 school year to implement a plan to use remote learning or  
18 blended remote learning under Section 10-30 or 34-18.66 ~~for the~~  
19 ~~1980-1981 school year only 175 days of actual pupil attendance~~  
20 ~~shall be required because of the closing of schools pursuant to~~  
21 ~~Section 24-2 on January 29, 1981 upon the appointment by the~~  
22 ~~President of that day as a day of thanksgiving for the freedom~~  
23 ~~of the Americans who had been held hostage in Iran.~~ Any days  
24 allowed by law for teachers' institutes but not used as such or  
25 used as parental institutes as provided in Section 10-22.18d  
26 shall increase the minimum term by the school days not so used.

1 Except as provided in Section 10-19.1, the board may not extend  
2 the school term beyond the ~~such~~ closing date unless that  
3 extension of term is necessary to provide the minimum number of  
4 computable days. In case of such necessary extension, other  
5 than for the additional days of actual pupil attendance and  
6 in-service training for teachers required by this amendatory  
7 Act of the 101st General Assembly, school employees shall be  
8 paid for such additional time on the basis of their regular  
9 contracts. A school board may specify a closing date earlier  
10 than that set on the annual calendar when the schools of the  
11 district have provided the minimum number of computable days  
12 under this Section. Nothing in this Section prevents the board  
13 from employing superintendents of schools, principals and  
14 other nonteaching personnel for a period of 12 months, or in  
15 the case of superintendents for a period in accordance with  
16 Section 10-23.8, or prevents the board from employing other  
17 personnel before or after the regular school term with payment  
18 of salary proportionate to that received for comparable work  
19 during the school term. Remote learning days, blended remote  
20 learning days, and up to 5 remote and blended remote learning  
21 planning days established under Section 10-30 or 34-18.66 shall  
22 be deemed pupil attendance days for calculation of the length  
23 of a school term under this Section.

24 A school board may make such changes in its calendar for  
25 the school term as may be required by any changes in the legal  
26 school holidays prescribed in Section 24-2. A school board may

1 make changes in its calendar for the school term as may be  
2 necessary to reflect the utilization of teachers' institute  
3 days as parental institute days as provided in Section  
4 10-22.18d.

5 The calendar for the school term and any changes must be  
6 submitted to and approved by the regional superintendent of  
7 schools before the calendar or changes may take effect.

8 With the prior approval of the State Board of Education and  
9 subject to review by the State Board of Education every 3  
10 years, any school board may, by resolution of its board and in  
11 agreement with affected exclusive collective bargaining  
12 agents, establish experimental educational programs, including  
13 but not limited to programs for e-learning days as authorized  
14 under Section 10-20.56 of this Code, self-directed learning, or  
15 outside of formal class periods, which programs when so  
16 approved shall be considered to comply with the requirements of  
17 this Section as respects numbers of days of actual pupil  
18 attendance and with the other requirements of this Code Act as  
19 respects courses of instruction.

20 (Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19;  
21 101-643, eff. 6-18-20.)

22 Article 85.

23 Section 85-5. The School Code is amended by changing  
24 Section 18-8.15 as follows:

1 (105 ILCS 5/18-8.15)

2 Sec. 18-8.15. Evidence-Based Funding for student success  
3 for the 2017-2018 and subsequent school years.

4 (a) General provisions.

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

19 (A) provide all students with a high quality  
20 education that offers the academic, enrichment, social  
21 and emotional support, technical, and career-focused  
22 programs that will allow them to become competitive  
23 workers, responsible parents, productive citizens of  
24 this State, and active members of our national  
25 democracy;



1           (B) ensure all students receive the education they  
2 need to graduate from high school with the skills  
3 required to pursue post-secondary education and  
4 training for a rewarding career;

5           (C) reduce, with a goal of eliminating, the  
6 achievement gap between at-risk and non-at-risk  
7 students by raising the performance of at-risk  
8 students and not by reducing standards; and

9           (D) ensure this State satisfies its obligation to  
10 assume the primary responsibility to fund public  
11 education and simultaneously relieve the  
12 disproportionate burden placed on local property taxes  
13 to fund schools.

14           (2) The Evidence-Based Funding formula under this  
15 Section shall be applied to all Organizational Units in  
16 this State. The Evidence-Based Funding formula outlined in  
17 this Act is based on the formula outlined in Senate Bill 1  
18 of the 100th General Assembly, as passed by both  
19 legislative chambers. As further defined and described in  
20 this Section, there are 4 major components of the  
21 Evidence-Based Funding model:

22           (A) First, the model calculates a unique Adequacy  
23 Target for each Organizational Unit in this State that  
24 considers the costs to implement research-based  
25 activities, the unit's student demographics, and  
26 regional wage differences.

1           (B)     Second, the model calculates each  
2     Organizational Unit's Local Capacity, or the amount  
3     each Organizational Unit is assumed to contribute  
4     toward its Adequacy Target from local resources.

5           (C)     Third, the model calculates how much funding  
6     the State currently contributes to the Organizational  
7     Unit and adds that to the unit's Local Capacity to  
8     determine the unit's overall current adequacy of  
9     funding.

10          (D)     Finally, the model's distribution method  
11     allocates new State funding to those Organizational  
12     Units that are least well-funded, considering both  
13     Local Capacity and State funding, in relation to their  
14     Adequacy Target.

15          (3)     An Organizational Unit receiving any funding under  
16     this Section may apply those funds to any fund so received  
17     for which that Organizational Unit is authorized to make  
18     expenditures by law.

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

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

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

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

1 "Adjusted Operating Tax Rate" means a tax rate for all  
2 Organizational Units, for which the State Superintendent  
3 shall calculate and subtract for the Operating Tax Rate a  
4 transportation rate based on total expenses for  
5 transportation services under this Code, as reported on the  
6 most recent Annual Financial Report in Pupil  
7 Transportation Services, function 2550 in both the  
8 Education and Transportation funds and functions 4110 and  
9 4120 in the Transportation fund, less any corresponding  
10 fiscal year State of Illinois scheduled payments excluding  
11 net adjustments for prior years for regular, vocational, or  
12 special education transportation reimbursement pursuant to  
13 Section 29-5 or subsection (b) of Section 14-13.01 of this  
14 Code divided by the Adjusted EAV. If an Organizational  
15 Unit's corresponding fiscal year State of Illinois  
16 scheduled payments excluding net adjustments for prior  
17 years for regular, vocational, or special education  
18 transportation reimbursement pursuant to Section 29-5 or  
19 subsection (b) of Section 14-13.01 of this Code exceed the  
20 total transportation expenses, as defined in this  
21 paragraph, no transportation rate shall be subtracted from  
22 the Operating Tax Rate.

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

25 "Alternative School" means a public school that is  
26 created and operated by a regional superintendent of

1 schools and approved by the State Board.

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

4 "Assessment" means any of those benchmark, progress  
5 monitoring, formative, diagnostic, and other assessments,  
6 in addition to the State accountability assessment, that  
7 assist teachers' needs in understanding the skills and  
8 meeting the needs of the students they serve.

9 "Assistant principal" means a school administrator  
10 duly endorsed to be employed as an assistant principal in  
11 this State.

12 "At-risk student" means a student who is at risk of not  
13 meeting the Illinois Learning Standards or not graduating  
14 from elementary or high school and who demonstrates a need  
15 for vocational support or social services beyond that  
16 provided by the regular school program. All students  
17 included in an Organizational Unit's Low-Income Count, as  
18 well as all English learner and disabled students attending  
19 the Organizational Unit, shall be considered at-risk  
20 students under this Section.

21 "Average Student Enrollment" or "ASE" for fiscal year  
22 2018 means, for an Organizational Unit, the greater of the  
23 average number of students (grades K through 12) reported  
24 to the State Board as enrolled in the Organizational Unit  
25 on October 1 in the immediately preceding school year, plus  
26 the pre-kindergarten students who receive special

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

1 within the Organizational Unit that the student attends or  
2 would attend if not placed or transferred to another school  
3 or program to receive needed services. For the purposes of  
4 calculating "ASE", all students, grades K through 12,  
5 excluding those attending kindergarten for a half day and  
6 students attending an alternative education program  
7 operated by a regional office of education or intermediate  
8 service center, shall be counted as 1.0. All students  
9 attending kindergarten for a half day shall be counted as  
10 0.5, unless in 2017 by June 15 or by March 1 in subsequent  
11 years, the school district reports to the State Board of  
12 Education the intent to implement full-day kindergarten  
13 district-wide for all students, then all students  
14 attending kindergarten shall be counted as 1.0. Special  
15 education pre-kindergarten students shall be counted as  
16 0.5 each. If the State Board does not collect or has not  
17 collected both an October 1 and March 1 enrollment count by  
18 grade or a December 1 collection of special education  
19 pre-kindergarten students as of August 31, 2017 (the  
20 effective date of Public Act 100-465), it shall establish  
21 such collection for all future years. For any year in which  
22 a count by grade level was collected only once, that count  
23 shall be used as the single count available for computing a  
24 3-year average ASE. Funding for programs operated by a  
25 regional office of education or an intermediate service  
26 center must be calculated using the Evidence-Based Funding

1 formula under this Section for the 2019-2020 school year  
2 and each subsequent school year until separate adequacy  
3 formulas are developed and adopted for each type of  
4 program. ASE for a program operated by a regional office of  
5 education or an intermediate service center must be  
6 determined by the March 1 enrollment for the program. For  
7 the 2019-2020 school year, the ASE used in the calculation  
8 must be the first-year ASE and, in that year only, the  
9 assignment of students served by a regional office of  
10 education or intermediate service center shall not result  
11 in a reduction of the March enrollment for any school  
12 district. For the 2020-2021 school year, the ASE must be  
13 the greater of the current-year ASE or the 2-year average  
14 ASE. Beginning with the 2021-2022 school year, the ASE must  
15 be the greater of the current-year ASE or the 3-year  
16 average ASE. School districts shall submit the data for the  
17 ASE calculation to the State Board within 45 days of the  
18 dates required in this Section for submission of enrollment  
19 data in order for it to be included in the ASE calculation.  
20 For fiscal year 2018 only, the ASE calculation shall  
21 include only enrollment taken on October 1.

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

24 "Base Funding Minimum" is defined in subsection (e) of  
25 this Section.

26 "Base Tax Year" means the property tax levy year used

1 to calculate the Budget Year allocation of primary State  
2 aid.

3 "Base Tax Year's Extension" means the product of the  
4 equalized assessed valuation utilized by the county clerk  
5 in the Base Tax Year multiplied by the limiting rate as  
6 calculated by the county clerk and defined in PTELL.

7 "Bilingual Education Allocation" means the amount of  
8 an Organizational Unit's final Adequacy Target  
9 attributable to bilingual education divided by the  
10 Organizational Unit's final Adequacy Target, the product  
11 of which shall be multiplied by the amount of new funding  
12 received pursuant to this Section. An Organizational  
13 Unit's final Adequacy Target attributable to bilingual  
14 education shall include all additional investments in  
15 English learner students' adequacy elements.

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

18 "Central office" means individual administrators and  
19 support service personnel charged with managing the  
20 instructional programs, business and operations, and  
21 security of the Organizational Unit.

22 "Comparable Wage Index" or "CWI" means a regional cost  
23 differentiation metric that measures systemic, regional  
24 variations in the salaries of college graduates who are not  
25 educators. The CWI utilized for this Section shall, for the  
26 first 3 years of Evidence-Based Funding implementation, be



1 the CWI initially developed by the National Center for  
2 Education Statistics, as most recently updated by Texas A &  
3 M University. In the fourth and subsequent years of  
4 Evidence-Based Funding implementation, the State  
5 Superintendent shall re-determine the CWI using a similar  
6 methodology to that identified in the Texas A & M  
7 University study, with adjustments made no less frequently  
8 than once every 5 years.

9 "Computer technology and equipment" means computers  
10 servers, notebooks, network equipment, copiers, printers,  
11 instructional software, security software, curriculum  
12 management courseware, and other similar materials and  
13 equipment.

14 "Computer technology and equipment investment  
15 allocation" means the final Adequacy Target amount of an  
16 Organizational Unit assigned to Tier 1 or Tier 2 in the  
17 prior school year attributable to the additional \$285.50  
18 per student computer technology and equipment investment  
19 grant divided by the Organizational Unit's final Adequacy  
20 Target, the result of which shall be multiplied by the  
21 amount of new funding received pursuant to this Section. An  
22 Organizational Unit assigned to a Tier 1 or Tier 2 final  
23 Adequacy Target attributable to the received computer  
24 technology and equipment investment grant shall include  
25 all additional investments in computer technology and  
26 equipment adequacy elements.

1           "Core subject" means mathematics; science; reading,  
2           English, writing, and language arts; history and social  
3           studies; world languages; and subjects taught as Advanced  
4           Placement in high schools.

5           "Core teacher" means a regular classroom teacher in  
6           elementary schools and teachers of a core subject in middle  
7           and high schools.

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

11          "CPPRT" means corporate personal property replacement  
12          tax funds paid to an Organizational Unit during the  
13          calendar year one year before the calendar year in which a  
14          school year begins, pursuant to "An Act in relation to the  
15          abolition of ad valorem personal property tax and the  
16          replacement of revenues lost thereby, and amending and  
17          repealing certain Acts and parts of Acts in connection  
18          therewith", certified August 14, 1979, as amended (Public  
19          Act 81-1st S.S.-1).

20          "EAV" means equalized assessed valuation as defined in  
21          paragraph (2) of subsection (d) of this Section and  
22          calculated in accordance with paragraph (3) of subsection  
23          (d) of this Section.

24          "ECI" means the Bureau of Labor Statistics' national  
25          employment cost index for civilian workers in educational  
26          services in elementary and secondary schools on a

1 cumulative basis for the 12-month calendar year preceding  
2 the fiscal year of the Evidence-Based Funding calculation.

3 "EIS Data" means the employment information system  
4 data maintained by the State Board on educators within  
5 Organizational Units.

6 "Employee benefits" means health, dental, and vision  
7 insurance offered to employees of an Organizational Unit,  
8 the costs associated with the statutorily required payment  
9 of the normal cost of the Organizational Unit's teacher  
10 pensions, Social Security employer contributions, and  
11 Illinois Municipal Retirement Fund employer contributions.

12 "English learner" or "EL" means a child included in the  
13 definition of "English learners" under Section 14C-2 of  
14 this Code participating in a program of transitional  
15 bilingual education or a transitional program of  
16 instruction meeting the requirements and program  
17 application procedures of Article 14C of this Code. For the  
18 purposes of collecting the number of EL students enrolled,  
19 the same collection and calculation methodology as defined  
20 above for "ASE" shall apply to English learners, with the  
21 exception that EL student enrollment shall include  
22 students in grades pre-kindergarten through 12.

23 "Essential Elements" means those elements, resources,  
24 and educational programs that have been identified through  
25 academic research as necessary to improve student success,  
26 improve academic performance, close achievement gaps, and

1 provide for other per student costs related to the delivery  
2 and leadership of the Organizational Unit, as well as the  
3 maintenance and operations of the unit, and which are  
4 specified in paragraph (2) of subsection (b) of this  
5 Section.

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

8 "Extended day" means academic and enrichment programs  
9 provided to students outside the regular school day before  
10 and after school or during non-instructional times during  
11 the school day.

12 "Extension Limitation Ratio" means a numerical ratio  
13 in which the numerator is the Base Tax Year's Extension and  
14 the denominator is the Preceding Tax Year's Extension.

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

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

19 "Full-time equivalent" or "FTE" means the full-time  
20 equivalency compensation for staffing the relevant  
21 position at an Organizational Unit.

22 "Funding Gap" is defined in paragraph (1) of subsection  
23 (g).

24 "Guidance counselor" means a licensed guidance  
25 counselor who provides guidance and counseling support for  
26 students within an Organizational Unit.

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

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

6           "Instructional facilitator" means a qualified teacher  
7 or licensed teacher leader who facilitates and coaches  
8 continuous improvement in classroom instruction; provides  
9 instructional support to teachers in the elements of  
10 research-based instruction or demonstrates the alignment  
11 of instruction with curriculum standards and assessment  
12 tools; develops or coordinates instructional programs or  
13 strategies; develops and implements training; chooses  
14 standards-based instructional materials; provides teachers  
15 with an understanding of current research; serves as a  
16 mentor, site coach, curriculum specialist, or lead  
17 teacher; or otherwise works with fellow teachers, in  
18 collaboration, to use data to improve instructional  
19 practice or develop model lessons.

20           "Instructional materials" means relevant instructional  
21 materials for student instruction, including, but not  
22 limited to, textbooks, consumable workbooks, laboratory  
23 equipment, library books, and other similar materials.

24           "Laboratory School" means a public school that is  
25 created and operated by a public university and approved by  
26 the State Board.

1 "Librarian" means a teacher with an endorsement as a  
2 library information specialist or another individual whose  
3 primary responsibility is overseeing library resources  
4 within an Organizational Unit.

5 "Limiting rate for Hybrid Districts" means the  
6 combined elementary school and high school limiting rates.

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

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

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

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

15 "Low-Income Count" means, for an Organizational Unit  
16 in a fiscal year, the higher of the average number of  
17 students for the prior school year or the immediately  
18 preceding 3 school years who, as of July 1 of the  
19 immediately preceding fiscal year (as determined by the  
20 Department of Human Services), are eligible for at least  
21 one of the following low-income programs: Medicaid, the  
22 Children's Health Insurance Program, Temporary Assistance  
23 for Needy Families (TANF), or the Supplemental Nutrition  
24 Assistance Program, excluding pupils who are eligible for  
25 services provided by the Department of Children and Family  
26 Services. Until such time that grade level low-income

1 populations become available, grade level low-income  
2 populations shall be determined by applying the low-income  
3 percentage to total student enrollments by grade level. The  
4 low-income percentage is determined by dividing the  
5 Low-Income Count by the Average Student Enrollment. The  
6 low-income percentage for programs operated by a regional  
7 office of education or an intermediate service center must  
8 be set to the weighted average of the low-income  
9 percentages of all of the school districts in the service  
10 region. The weighted low-income percentage is the result of  
11 multiplying the low-income percentage of each school  
12 district served by the regional office of education or  
13 intermediate service center by each school district's  
14 Average Student Enrollment, summarizing those products and  
15 dividing the total by the total Average Student Enrollment  
16 for the service region.

17 "Maintenance and operations" means custodial services,  
18 facility and ground maintenance, facility operations,  
19 facility security, routine facility repairs, and other  
20 similar services and functions.

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

23 "New Property Tax Relief Pool Funds" means, for any  
24 given fiscal year, all State funds appropriated under  
25 Section 2-3.170 of this ~~the School~~ Code.

26 "New State Funds" means, for a given school year, all

1 State funds appropriated for Evidence-Based Funding in  
2 excess of the amount needed to fund the Base Funding  
3 Minimum for all Organizational Units in that school year.

4 "Net State Contribution Target" means, for a given  
5 school year, the amount of State funds that would be  
6 necessary to fully meet the Adequacy Target of an  
7 Operational Unit minus the Preliminary Resources available  
8 to each unit.

9 "Nurse" means an individual licensed as a certified  
10 school nurse, in accordance with the rules established for  
11 nursing services by the State Board, who is an employee of  
12 and is available to provide health care-related services  
13 for students of an Organizational Unit.

14 "Operating Tax Rate" means the rate utilized in the  
15 previous year to extend property taxes for all purposes,  
16 except Bond and Interest, Summer School, Rent, Capital  
17 Improvement, and Vocational Education Building purposes.  
18 For Hybrid Districts, the Operating Tax Rate shall be the  
19 combined elementary and high school rates utilized in the  
20 previous year to extend property taxes for all purposes,  
21 except Bond and Interest, Summer School, Rent, Capital  
22 Improvement, and Vocational Education Building purposes.

23 "Organizational Unit" means a Laboratory School or any  
24 public school district that is recognized as such by the  
25 State Board and that contains elementary schools typically  
26 serving kindergarten through 5th grades, middle schools



1 typically serving 6th through 8th grades, high schools  
2 typically serving 9th through 12th grades, a program  
3 established under Section 2-3.66 or 2-3.41, or a program  
4 operated by a regional office of education or an  
5 intermediate service center under Article 13A or 13B. The  
6 General Assembly acknowledges that the actual grade levels  
7 served by a particular Organizational Unit may vary  
8 slightly from what is typical.

9 "Organizational Unit CWI" is determined by calculating  
10 the CWI in the region and original county in which an  
11 Organizational Unit's primary administrative office is  
12 located as set forth in this paragraph, provided that if  
13 the Organizational Unit CWI as calculated in accordance  
14 with this paragraph is less than 0.9, the Organizational  
15 Unit CWI shall be increased to 0.9. Each county's current  
16 CWI value shall be adjusted based on the CWI value of that  
17 county's neighboring Illinois counties, to create a  
18 "weighted adjusted index value". This shall be calculated  
19 by summing the CWI values of all of a county's adjacent  
20 Illinois counties and dividing by the number of adjacent  
21 Illinois counties, then taking the weighted value of the  
22 original county's CWI value and the adjacent Illinois  
23 county average. To calculate this weighted value, if the  
24 number of adjacent Illinois counties is greater than 2, the  
25 original county's CWI value will be weighted at 0.25 and  
26 the adjacent Illinois county average will be weighted at

1 0.75. If the number of adjacent Illinois counties is 2, the  
2 original county's CWI value will be weighted at 0.33 and  
3 the adjacent Illinois county average will be weighted at  
4 0.66. The greater of the county's current CWI value and its  
5 weighted adjusted index value shall be used as the  
6 Organizational Unit CWI.

7 "Preceding Tax Year" means the property tax levy year  
8 immediately preceding the Base Tax Year.

9 "Preceding Tax Year's Extension" means the product of  
10 the equalized assessed valuation utilized by the county  
11 clerk in the Preceding Tax Year multiplied by the Operating  
12 Tax Rate.

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

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

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

19 "Professional development" means training programs for  
20 licensed staff in schools, including, but not limited to,  
21 programs that assist in implementing new curriculum  
22 programs, provide data focused or academic assessment data  
23 training to help staff identify a student's weaknesses and  
24 strengths, target interventions, improve instruction,  
25 encompass instructional strategies for English learner,  
26 gifted, or at-risk students, address inclusivity, cultural

1 sensitivity, or implicit bias, or otherwise provide  
2 professional support for licensed staff.

3 "Prototypical" means 450 special education  
4 pre-kindergarten and kindergarten through grade 5 students  
5 for an elementary school, 450 grade 6 through 8 students  
6 for a middle school, and 600 grade 9 through 12 students  
7 for a high school.

8 "PTELL" means the Property Tax Extension Limitation  
9 Law.

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

12 "Pupil support staff" means a nurse, psychologist,  
13 social worker, family liaison personnel, or other staff  
14 member who provides support to at-risk or struggling  
15 students.

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

18 "Regionalization Factor" means, for a particular  
19 Organizational Unit, the figure derived by dividing the  
20 Organizational Unit CWI by the Statewide Weighted CWI.

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

23 "Special education" means special educational  
24 facilities and services, as defined in Section 14-1.08 of  
25 this Code.

26 "Special Education Allocation" means the amount of an

1 Organizational Unit's final Adequacy Target attributable  
2 to special education divided by the Organizational Unit's  
3 final Adequacy Target, the product of which shall be  
4 multiplied by the amount of new funding received pursuant  
5 to this Section. An Organizational Unit's final Adequacy  
6 Target attributable to special education shall include all  
7 special education investment adequacy elements.

8 "Specialist teacher" means a teacher who provides  
9 instruction in subject areas not included in core subjects,  
10 including, but not limited to, art, music, physical  
11 education, health, driver education, career-technical  
12 education, and such other subject areas as may be mandated  
13 by State law or provided by an Organizational Unit.

14 "Specially Funded Unit" means an Alternative School,  
15 safe school, Department of Juvenile Justice school,  
16 special education cooperative or entity recognized by the  
17 State Board as a special education cooperative,  
18 State-approved charter school, or alternative learning  
19 opportunities program that received direct funding from  
20 the State Board during the 2016-2017 school year through  
21 any of the funding sources included within the calculation  
22 of the Base Funding Minimum or Glenwood Academy.

23 "Supplemental Grant Funding" means supplemental  
24 general State aid funding received by an Organizational  
25 Unit during the 2016-2017 school year pursuant to  
26 subsection (H) of Section 18-8.05 of this Code (now

1 repealed).

2 "State Adequacy Level" is the sum of the Adequacy  
3 Targets of all Organizational Units.

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

5 "State Superintendent" means the State Superintendent  
6 of Education.

7 "Statewide Weighted CWI" means a figure determined by  
8 multiplying each Organizational Unit CWI times the ASE for  
9 that Organizational Unit creating a weighted value,  
10 summing all Organizational Units' weighted values, and  
11 dividing by the total ASE of all Organizational Units,  
12 thereby creating an average weighted index.

13 "Student activities" means non-credit producing  
14 after-school programs, including, but not limited to,  
15 clubs, bands, sports, and other activities authorized by  
16 the school board of the Organizational Unit.

17 "Substitute teacher" means an individual teacher or  
18 teaching assistant who is employed by an Organizational  
19 Unit and is temporarily serving the Organizational Unit on  
20 a per diem or per period-assignment basis to replace  
21 another staff member.

22 "Summer school" means academic and enrichment programs  
23 provided to students during the summer months outside of  
24 the regular school year.

25 "Supervisory aide" means a non-licensed staff member  
26 who helps in supervising students of an Organizational

1 Unit, but does so outside of the classroom, in situations  
2 such as, but not limited to, monitoring hallways and  
3 playgrounds, supervising lunchrooms, or supervising  
4 students when being transported in buses serving the  
5 Organizational Unit.

6 "Target Ratio" is defined in paragraph (4) of  
7 subsection (g).

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

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

13 (b) Adequacy Target calculation.

14 (1) Each Organizational Unit's Adequacy Target is the  
15 sum of the Organizational Unit's cost of providing  
16 Essential Elements, as calculated in accordance with this  
17 subsection (b), with the salary amounts in the Essential  
18 Elements multiplied by a Regionalization Factor calculated  
19 pursuant to paragraph (3) of this subsection (b).

20 (2) The Essential Elements are attributable on a pro  
21 rata basis related to defined subgroups of the ASE of each  
22 Organizational Unit as specified in this paragraph (2),  
23 with investments and FTE positions pro rata funded based on  
24 ASE counts in excess of or less than the thresholds set  
25 forth in this paragraph (2). The method for calculating  
26 attributable pro rata costs and the defined subgroups

1           thereto are as follows:

2                   (A)     Core     class     size     investments.     Each  
3           Organizational Unit shall receive the funding required  
4           to support that number of FTE core teacher positions as  
5           is needed to keep the respective class sizes of the  
6           Organizational Unit to the following maximum numbers:

7                           (i)   For grades kindergarten through 3, the  
8           Organizational Unit shall receive funding required  
9           to support one FTE core teacher position for every  
10          15 Low-Income Count students in those grades and  
11          one FTE core teacher position for every 20  
12          non-Low-Income Count students in those grades.

13                          (ii)   For grades 4 through 12, the  
14          Organizational Unit shall receive funding required  
15          to support one FTE core teacher position for every  
16          20 Low-Income Count students in those grades and  
17          one FTE core teacher position for every 25  
18          non-Low-Income Count students in those grades.

19           The number of non-Low-Income Count students in a  
20          grade shall be determined by subtracting the  
21          Low-Income students in that grade from the ASE of the  
22          Organizational Unit for that grade.

23                   (B)     Specialist   teacher   investments.   Each  
24          Organizational Unit shall receive the funding needed  
25          to cover that number of FTE specialist teacher  
26          positions that correspond to the following

1 percentages:

2 (i) if the Organizational Unit operates an  
3 elementary or middle school, then 20.00% of the  
4 number of the Organizational Unit's core teachers,  
5 as determined under subparagraph (A) of this  
6 paragraph (2); and

7 (ii) if such Organizational Unit operates a  
8 high school, then 33.33% of the number of the  
9 Organizational Unit's core teachers.

10 (C) Instructional facilitator investments. Each  
11 Organizational Unit shall receive the funding needed  
12 to cover one FTE instructional facilitator position  
13 for every 200 combined ASE of pre-kindergarten  
14 children with disabilities and all kindergarten  
15 through grade 12 students of the Organizational Unit.

16 (D) Core intervention teacher (tutor) investments.  
17 Each Organizational Unit shall receive the funding  
18 needed to cover one FTE teacher position for each  
19 prototypical elementary, middle, and high school.

20 (E) Substitute teacher investments. Each  
21 Organizational Unit shall receive the funding needed  
22 to cover substitute teacher costs that is equal to  
23 5.70% of the minimum pupil attendance days required  
24 under Section 10-19 of this Code for all full-time  
25 equivalent core, specialist, and intervention  
26 teachers, school nurses, special education teachers



1           and instructional assistants, instructional  
2           facilitators, and summer school and extended day  
3           teacher positions, as determined under this paragraph  
4           (2), at a salary rate of 33.33% of the average salary  
5           for grade K through 12 teachers and 33.33% of the  
6           average salary of each instructional assistant  
7           position.

8           (F) Core guidance counselor investments. Each  
9           Organizational Unit shall receive the funding needed  
10          to cover one FTE guidance counselor for each 450  
11          combined ASE of pre-kindergarten children with  
12          disabilities and all kindergarten through grade 5  
13          students, plus one FTE guidance counselor for each 250  
14          grades 6 through 8 ASE middle school students, plus one  
15          FTE guidance counselor for each 250 grades 9 through 12  
16          ASE high school students.

17          (G) Nurse investments. Each Organizational Unit  
18          shall receive the funding needed to cover one FTE nurse  
19          for each 750 combined ASE of pre-kindergarten children  
20          with disabilities and all kindergarten through grade  
21          12 students across all grade levels it serves.

22          (H) Supervisory aide investments. Each  
23          Organizational Unit shall receive the funding needed  
24          to cover one FTE for each 225 combined ASE of  
25          pre-kindergarten children with disabilities and all  
26          kindergarten through grade 5 students, plus one FTE for

1 each 225 ASE middle school students, plus one FTE for  
2 each 200 ASE high school students.

3 (I) Librarian investments. Each Organizational  
4 Unit shall receive the funding needed to cover one FTE  
5 librarian for each prototypical elementary school,  
6 middle school, and high school and one FTE aide or  
7 media technician for every 300 combined ASE of  
8 pre-kindergarten children with disabilities and all  
9 kindergarten through grade 12 students.

10 (J) Principal investments. Each Organizational  
11 Unit shall receive the funding needed to cover one FTE  
12 principal position for each prototypical elementary  
13 school, plus one FTE principal position for each  
14 prototypical middle school, plus one FTE principal  
15 position for each prototypical high school.

16 (K) Assistant principal investments. Each  
17 Organizational Unit shall receive the funding needed  
18 to cover one FTE assistant principal position for each  
19 prototypical elementary school, plus one FTE assistant  
20 principal position for each prototypical middle  
21 school, plus one FTE assistant principal position for  
22 each prototypical high school.

23 (L) School site staff investments. Each  
24 Organizational Unit shall receive the funding needed  
25 for one FTE position for each 225 ASE of  
26 pre-kindergarten children with disabilities and all

1 kindergarten through grade 5 students, plus one FTE  
2 position for each 225 ASE middle school students, plus  
3 one FTE position for each 200 ASE high school students.

4 (M) Gifted investments. Each Organizational Unit  
5 shall receive \$40 per kindergarten through grade 12  
6 ASE.

7 (N) Professional development investments. Each  
8 Organizational Unit shall receive \$125 per student of  
9 the combined ASE of pre-kindergarten children with  
10 disabilities and all kindergarten through grade 12  
11 students for trainers and other professional  
12 development-related expenses for supplies and  
13 materials.

14 (O) Instructional material investments. Each  
15 Organizational Unit shall receive \$190 per student of  
16 the combined ASE of pre-kindergarten children with  
17 disabilities and all kindergarten through grade 12  
18 students to cover instructional material costs.

19 (P) Assessment investments. Each Organizational  
20 Unit shall receive \$25 per student of the combined ASE  
21 of pre-kindergarten children with disabilities and all  
22 kindergarten through grade 12 students to cover  
23 assessment costs.

24 (Q) Computer technology and equipment investments.  
25 Each Organizational Unit shall receive \$285.50 per  
26 student of the combined ASE of pre-kindergarten

1 children with disabilities and all kindergarten  
2 through grade 12 students to cover computer technology  
3 and equipment costs. For the 2018-2019 school year and  
4 subsequent school years, Organizational Units assigned  
5 to Tier 1 and Tier 2 in the prior school year shall  
6 receive an additional \$285.50 per student of the  
7 combined ASE of pre-kindergarten children with  
8 disabilities and all kindergarten through grade 12  
9 students to cover computer technology and equipment  
10 costs in the Organizational Unit's Adequacy Target.  
11 The State Board may establish additional requirements  
12 for Organizational Unit expenditures of funds received  
13 pursuant to this subparagraph (Q), including a  
14 requirement that funds received pursuant to this  
15 subparagraph (Q) may be used only for serving the  
16 technology needs of the district. It is the intent of  
17 Public Act 100-465 that all Tier 1 and Tier 2 districts  
18 receive the addition to their Adequacy Target in the  
19 following year, subject to compliance with the  
20 requirements of the State Board.

21 (R) Student activities investments. Each  
22 Organizational Unit shall receive the following  
23 funding amounts to cover student activities: \$100 per  
24 kindergarten through grade 5 ASE student in elementary  
25 school, plus \$200 per ASE student in middle school,  
26 plus \$675 per ASE student in high school.

1           (S) Maintenance and operations investments. Each  
2           Organizational Unit shall receive \$1,038 per student  
3           of the combined ASE of pre-kindergarten children with  
4           disabilities and all kindergarten through grade 12  
5           students for day-to-day maintenance and operations  
6           expenditures, including salary, supplies, and  
7           materials, as well as purchased services, but  
8           excluding employee benefits. The proportion of salary  
9           for the application of a Regionalization Factor and the  
10          calculation of benefits is equal to \$352.92.

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

22          (U) Employee benefit investments. Each  
23          Organizational Unit shall receive 30% of the total of  
24          all salary-calculated elements of the Adequacy Target,  
25          excluding substitute teachers and student activities  
26          investments, to cover benefit costs. For central

1 office and maintenance and operations investments, the  
2 benefit calculation shall be based upon the salary  
3 proportion of each investment. If at any time the  
4 responsibility for funding the employer normal cost of  
5 teacher pensions is assigned to school districts, then  
6 that amount certified by the Teachers' Retirement  
7 System of the State of Illinois to be paid by the  
8 Organizational Unit for the preceding school year  
9 shall be added to the benefit investment. For any  
10 fiscal year in which a school district organized under  
11 Article 34 of this Code is responsible for paying the  
12 employer normal cost of teacher pensions, then that  
13 amount of its employer normal cost plus the amount for  
14 retiree health insurance as certified by the Public  
15 School Teachers' Pension and Retirement Fund of  
16 Chicago to be paid by the school district for the  
17 preceding school year that is statutorily required to  
18 cover employer normal costs and the amount for retiree  
19 health insurance shall be added to the 30% specified in  
20 this subparagraph (U). The Teachers' Retirement System  
21 of the State of Illinois and the Public School  
22 Teachers' Pension and Retirement Fund of Chicago shall  
23 submit such information as the State Superintendent  
24 may require for the calculations set forth in this  
25 subparagraph (U).

26 (V) Additional investments in low-income students.

1           In addition to and not in lieu of all other funding  
2           under this paragraph (2), each Organizational Unit  
3           shall receive funding based on the average teacher  
4           salary for grades K through 12 to cover the costs of:

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

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

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

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

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

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

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

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

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

26                   (v) one FTE core teacher position for every 100

1 English learner students.

2 (X) Special education investments. Each  
3 Organizational Unit shall receive funding based on the  
4 average teacher salary for grades K through 12 to cover  
5 special education as follows:

6 (i) one FTE teacher position for every 141  
7 combined ASE of pre-kindergarten children with  
8 disabilities and all kindergarten through grade 12  
9 students;

10 (ii) one FTE instructional assistant for every  
11 141 combined ASE of pre-kindergarten children with  
12 disabilities and all kindergarten through grade 12  
13 students; and

14 (iii) one FTE psychologist position for every  
15 1,000 combined ASE of pre-kindergarten children  
16 with disabilities and all kindergarten through  
17 grade 12 students.

18 (3) For calculating the salaries included within the  
19 Essential Elements, the State Superintendent shall  
20 annually calculate average salaries to the nearest dollar  
21 using the employment information system data maintained by  
22 the State Board, limited to public schools only and  
23 excluding special education and vocational cooperatives,  
24 schools operated by the Department of Juvenile Justice, and  
25 charter schools, for the following positions:

26 (A) Teacher for grades K through 8.



- 1 (B) Teacher for grades 9 through 12.
- 2 (C) Teacher for grades K through 12.
- 3 (D) Guidance counselor for grades K through 8.
- 4 (E) Guidance counselor for grades 9 through 12.
- 5 (F) Guidance counselor for grades K through 12.
- 6 (G) Social worker.
- 7 (H) Psychologist.
- 8 (I) Librarian.
- 9 (J) Nurse.
- 10 (K) Principal.
- 11 (L) Assistant principal.

12 For the purposes of this paragraph (3), "teacher"  
13 includes core teachers, specialist and elective teachers,  
14 instructional facilitators, tutors, special education  
15 teachers, pupil support staff teachers, English learner  
16 teachers, extended day teachers, and summer school  
17 teachers. Where specific grade data is not required for the  
18 Essential Elements, the average salary for corresponding  
19 positions shall apply. For substitute teachers, the  
20 average teacher salary for grades K through 12 shall apply.

21 For calculating the salaries included within the  
22 Essential Elements for positions not included within EIS  
23 Data, the following salaries shall be used in the first  
24 year of implementation of Evidence-Based Funding:

- 25 (i) school site staff, \$30,000; and
- 26 (ii) non-instructional assistant, instructional

1           assistant, library aide, library media tech, or  
2           supervisory aide: \$25,000.

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

6           The salary amounts for the Essential Elements  
7           determined pursuant to subparagraphs (A) through (L), (S)  
8           and (T), and (V) through (X) of paragraph (2) of subsection  
9           (b) of this Section shall be multiplied by a  
10          Regionalization Factor.

11          (c) Local Capacity calculation.

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

24          (2) "Local Capacity Target" means, for an  
25          Organizational Unit, that dollar amount that is obtained by  
26          multiplying its Adequacy Target by its Local Capacity

1 Ratio.

2 (A) An Organizational Unit's Local Capacity  
3 Percentage is the conversion of the Organizational  
4 Unit's Local Capacity Ratio, as such ratio is  
5 determined in accordance with subparagraph (B) of this  
6 paragraph (2), into a cumulative distribution  
7 resulting in a percentile ranking to determine each  
8 Organizational Unit's relative position to all other  
9 Organizational Units in this State. The calculation of  
10 Local Capacity Percentage is described in subparagraph  
11 (C) of this paragraph (2).

12 (B) An Organizational Unit's Local Capacity Ratio  
13 in a given year is the percentage obtained by dividing  
14 its Adjusted EAV or PTELL EAV, whichever is less, by  
15 its Adequacy Target, with the resulting ratio further  
16 adjusted as follows:

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

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

23 (iii) for Organizational Units serving grades  
24 9 through 12, the Local Capacity Ratio shall be  
25 multiplied by 4/13; and

26 (iv) for an Organizational Unit with a

1 different grade configuration than those specified  
2 in items (i) through (iii) of this subparagraph  
3 (B), the State Superintendent shall determine a  
4 comparable adjustment based on the grades served.

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

1 school districts that are allocated to the regional  
2 office of education or intermediate service center.  
3 The weighted mean for the Local Capacity Percentage  
4 shall be determined by multiplying each Organizational  
5 Unit's Local Capacity Ratio times the ASE for the unit  
6 creating a weighted value, summing the weighted values  
7 of all Organizational Units, and dividing by the total  
8 ASE of all Organizational Units. The weighted standard  
9 deviation shall be determined by taking the square root  
10 of the weighted variance of all Organizational Units'  
11 Local Capacity Ratio, where the variance is calculated  
12 by squaring the difference between each unit's Local  
13 Capacity Ratio and the weighted mean, then multiplying  
14 the variance for each unit times the ASE for the unit  
15 to create a weighted variance for each unit, then  
16 summing all units' weighted variance and dividing by  
17 the total ASE of all units.

18 (D) For any Organizational Unit, the  
19 Organizational Unit's Adjusted Local Capacity Target  
20 shall be reduced by either (i) the school board's  
21 remaining contribution pursuant to paragraph (ii) of  
22 subsection (b-4) of Section 16-158 of the Illinois  
23 Pension Code in a given year or (ii) the board of  
24 education's remaining contribution pursuant to  
25 paragraph (iv) of subsection (b) of Section 17-129 of  
26 the Illinois Pension Code absent the employer normal

1 cost portion of the required contribution and amount  
2 allowed pursuant to subdivision (3) of Section  
3 17-142.1 of the Illinois Pension Code in a given year.  
4 In the preceding sentence, item (i) shall be certified  
5 to the State Board of Education by the Teachers'  
6 Retirement System of the State of Illinois and item  
7 (ii) shall be certified to the State Board of Education  
8 by the Public School Teachers' Pension and Retirement  
9 Fund of the City of Chicago.

10 (3) If an Organizational Unit's Real Receipts are more  
11 than its Local Capacity Target, then its Local Capacity  
12 shall equal an Adjusted Local Capacity Target as calculated  
13 in accordance with this paragraph (3). The Adjusted Local  
14 Capacity Target is calculated as the sum of the  
15 Organizational Unit's Local Capacity Target and its Real  
16 Receipts Adjustment. The Real Receipts Adjustment equals  
17 the Organizational Unit's Real Receipts less its Local  
18 Capacity Target, with the resulting figure multiplied by  
19 the Local Capacity Percentage.

20 As used in this paragraph (3), "Real Percent of  
21 Adequacy" means the sum of an Organizational Unit's Real  
22 Receipts, CPPRT, and Base Funding Minimum, with the  
23 resulting figure divided by the Organizational Unit's  
24 Adequacy Target.

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

1           (1) An Organizational Unit's Real Receipts are the  
2 product of its Applicable Tax Rate and its Adjusted EAV. An  
3 Organizational Unit's Applicable Tax Rate is its Adjusted  
4 Operating Tax Rate for property within the Organizational  
5 Unit.

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

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

24           (A) The Department of Revenue shall add to the  
25 equalized assessed value of all taxable property of  
26 each Organizational Unit situated entirely or

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



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

16 (B) With respect to any part of an Organizational  
17 Unit within a redevelopment project area in respect to  
18 which a municipality has adopted tax increment  
19 allocation financing pursuant to the Tax Increment  
20 Allocation Redevelopment Act, Division 74.4 of Article  
21 11 of the Illinois Municipal Code, or the Industrial  
22 Jobs Recovery Law, Division 74.6 of Article 11 of the  
23 Illinois Municipal Code, no part of the current EAV of  
24 real property located in any such project area that is  
25 attributable to an increase above the total initial EAV  
26 of such property shall be used as part of the EAV of

1 the Organizational Unit, until such time as all  
2 redevelopment project costs have been paid, as  
3 provided in Section 11-74.4-8 of the Tax Increment  
4 Allocation Redevelopment Act or in Section 11-74.6-35  
5 of the Industrial Jobs Recovery Law. For the purpose of  
6 the EAV of the Organizational Unit, the total initial  
7 EAV or the current EAV, whichever is lower, shall be  
8 used until such time as all redevelopment project costs  
9 have been paid.

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

25 (C) For Organizational Units that are Hybrid  
26 Districts, the State Superintendent shall use the

1           lesser of the adjusted equalized assessed valuation  
2           for property within the partial elementary unit  
3           district for elementary purposes, as defined in  
4           Article 11E of this Code, or the adjusted equalized  
5           assessed valuation for property within the partial  
6           elementary unit district for high school purposes, as  
7           defined in Article 11E of this Code.

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

1 represents a decline of 10% or more compared to the 2-year  
2 average.

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

1 assessed valuation of disconnected property.

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

5 (e) Base Funding Minimum calculation.

6 (1) For the 2017-2018 school year, the Base Funding  
7 Minimum of an Organizational Unit or a Specially Funded  
8 Unit shall be the amount of State funds distributed to the  
9 Organizational Unit or Specially Funded Unit during the  
10 2016-2017 school year prior to any adjustments and  
11 specified appropriation amounts described in this  
12 paragraph (1) from the following Sections, as calculated by  
13 the State Superintendent: Section 18-8.05 of this Code (now  
14 repealed); Section 5 of Article 224 of Public Act 99-524  
15 (equity grants); Section 14-7.02b of this Code (funding for  
16 children requiring special education services); Section  
17 14-13.01 of this Code (special education facilities and  
18 staffing), except for reimbursement of the cost of  
19 transportation pursuant to Section 14-13.01; Section  
20 14C-12 of this Code (English learners); and Section 18-4.3  
21 of this Code (summer school), based on an appropriation  
22 level of \$13,121,600. For a school district organized under  
23 Article 34 of this Code, the Base Funding Minimum also  
24 includes (i) the funds allocated to the school district  
25 pursuant to Section 1D-1 of this Code attributable to  
26 funding programs authorized by the Sections of this Code

1 listed in the preceding sentence and (ii) the difference  
2 between (I) the funds allocated to the school district  
3 pursuant to Section 1D-1 of this Code attributable to the  
4 funding programs authorized by Section 14-7.02 (non-public  
5 special education reimbursement), subsection (b) of  
6 Section 14-13.01 (special education transportation),  
7 Section 29-5 (transportation), Section 2-3.80  
8 (agricultural education), Section 2-3.66 (truants'  
9 alternative education), Section 2-3.62 (educational  
10 service centers), and Section 14-7.03 (special education -  
11 orphanage) of this Code and Section 15 of the Childhood  
12 Hunger Relief Act (free breakfast program) and (II) the  
13 school district's actual expenditures for its non-public  
14 special education, special education transportation,  
15 transportation programs, agricultural education, truants'  
16 alternative education, services that would otherwise be  
17 performed by a regional office of education, special  
18 education orphanage expenditures, and free breakfast, as  
19 most recently calculated and reported pursuant to  
20 subsection (f) of Section 1D-1 of this Code. The Base  
21 Funding Minimum for Glenwood Academy shall be \$625,500. For  
22 programs operated by a regional office of education or an  
23 intermediate service center, the Base Funding Minimum must  
24 be the total amount of State funds allocated to those  
25 programs in the 2018-2019 school year and amounts provided  
26 pursuant to Article 34 of Public Act 100-586 and Section

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

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

21 (3) Subject to approval by the General Assembly as  
22 provided in this paragraph (3), an Organizational Unit that  
23 meets all of the following criteria, as determined by the  
24 State Board, shall have District Intervention Money added  
25 to its Base Funding Minimum at the time the Base Funding  
26 Minimum is calculated by the State Board:

1           (A) The Organizational Unit is operating under an  
2           Independent Authority under Section 2-3.25f-5 of this  
3           Code for a minimum of 4 school years or is subject to  
4           the control of the State Board pursuant to a court  
5           order for a minimum of 4 school years.

6           (B) The Organizational Unit was designated as a  
7           Tier 1 or Tier 2 Organizational Unit in the previous  
8           school year under paragraph (3) of subsection (g) of  
9           this Section.

10          (C) The Organizational Unit demonstrates  
11          sustainability through a 5-year financial and  
12          strategic plan.

13          (D) The Organizational Unit has made sufficient  
14          progress and achieved sufficient stability in the  
15          areas of governance, academic growth, and finances.

16          As part of its determination under this paragraph (3),  
17          the State Board may consider the Organizational Unit's  
18          summative designation, any accreditations of the  
19          Organizational Unit, or the Organizational Unit's  
20          financial profile, as calculated by the State Board.

21          If the State Board determines that an Organizational  
22          Unit has met the criteria set forth in this paragraph (3),  
23          it must submit a report to the General Assembly, no later  
24          than January 2 of the fiscal year in which the State Board  
25          makes its determination, on the amount of District  
26          Intervention Money to add to the Organizational Unit's Base



1 Funding Minimum. The General Assembly must review the State  
2 Board's report and may approve or disapprove, by joint  
3 resolution, the addition of District Intervention Money.  
4 If the General Assembly fails to act on the report within  
5 40 calendar days from the receipt of the report, the  
6 addition of District Intervention Money is deemed  
7 approved. If the General Assembly approves the amount of  
8 District Intervention Money to be added to the  
9 Organizational Unit's Base Funding Minimum, the District  
10 Intervention Money must be added to the Base Funding  
11 Minimum annually thereafter.

12 For the first 4 years following the initial year that  
13 the State Board determines that an Organizational Unit has  
14 met the criteria set forth in this paragraph (3) and has  
15 received funding under this Section, the Organizational  
16 Unit must annually submit to the State Board, on or before  
17 November 30, a progress report regarding its financial and  
18 strategic plan under subparagraph (C) of this paragraph  
19 (3). The plan shall include the financial data from the  
20 past 4 annual financial reports or financial audits that  
21 must be presented to the State Board by November 15 of each  
22 year and the approved budget financial data for the current  
23 year. The plan shall be developed according to the  
24 guidelines presented to the Organizational Unit by the  
25 State Board. The plan shall further include financial  
26 projections for the next 3 fiscal years and include a

1 discussion and financial summary of the Organizational  
2 Unit's facility needs. If the Organizational Unit does not  
3 demonstrate sufficient progress toward its 5-year plan or  
4 if it has failed to file an annual financial report, an  
5 annual budget, a financial plan, a deficit reduction plan,  
6 or other financial information as required by law, the  
7 State Board may establish a Financial Oversight Panel under  
8 Article 1H of this Code. However, if the Organizational  
9 Unit already has a Financial Oversight Panel, the State  
10 Board may extend the duration of the Panel.

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

12 (1) The Evidence-Based Funding formula establishes a  
13 Percent of Adequacy for each Organizational Unit in order  
14 to place such units into tiers for the purposes of the  
15 funding distribution system described in subsection (g) of  
16 this Section. Initially, an Organizational Unit's  
17 Preliminary Resources and Preliminary Percent of Adequacy  
18 are calculated pursuant to paragraph (2) of this subsection  
19 (f). Then, an Organizational Unit's Final Resources and  
20 Final Percent of Adequacy are calculated to account for the  
21 Organizational Unit's poverty concentration levels  
22 pursuant to paragraphs (3) and (4) of this subsection (f).

23 (2) An Organizational Unit's Preliminary Resources are  
24 equal to the sum of its Local Capacity Target, CPPRT, and  
25 Base Funding Minimum. An Organizational Unit's Preliminary  
26 Percent of Adequacy is the lesser of (i) its Preliminary

1 Resources divided by its Adequacy Target or (ii) 100%.

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

11 (4) An Organizational Unit's Final Percent of Adequacy  
12 is its Final Resources divided by its Adequacy Target. An  
13 Organizational Unit's Adjusted Base Funding Minimum is  
14 equal to its Base Funding Minimum less its Supplemental  
15 Grant Funding, with the resulting figure added to the  
16 product of its Supplemental Grant Funding and Preliminary  
17 Percent of Adequacy.

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

19 (1) In each school year under the Evidence-Based  
20 Funding formula, each Organizational Unit receives funding  
21 equal to the sum of its Base Funding Minimum and the unit's  
22 allocation of New State Funds determined pursuant to this  
23 subsection (g). To allocate New State Funds, the  
24 Evidence-Based Funding formula distribution system first  
25 places all Organizational Units into one of 4 tiers in  
26 accordance with paragraph (3) of this subsection (g), based

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

1           4 receives an allocation of New State Funds equal to the  
2           product of its Adequacy Target and the tier's Allocation  
3           Rate, as specified in paragraph (4) of this subsection (g).

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

19          (3) Organizational Units are placed into one of 4 tiers  
20          as follows:

21                (A) Tier 1 consists of all Organizational Units,  
22                except for Specially Funded Units, with a Percent of  
23                Adequacy less than the Tier 1 Target Ratio. The Tier 1  
24                Target Ratio is the ratio level that allows for Tier 1  
25                Aggregate Funding to be distributed, with the Tier 1  
26                Allocation Rate determined pursuant to paragraph (4)

1 of this subsection (g).

2 (B) Tier 2 consists of all Tier 1 Units and all  
3 other Organizational Units, except for Specially  
4 Funded Units, with a Percent of Adequacy of less than  
5 0.90.

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

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

11 (4) The Allocation Rates for Tiers 1 through 4 are  
12 determined as follows:

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

14 (B) The Tier 2 Allocation Rate is the result of the  
15 following equation: Tier 2 Aggregate Funding, divided  
16 by the sum of the Funding Gaps for all Tier 2  
17 Organizational Units, unless the result of such  
18 equation is higher than 1.0. If the result of such  
19 equation is higher than 1.0, then the Tier 2 Allocation  
20 Rate is 1.0.

21 (C) The Tier 3 Allocation Rate is the result of the  
22 following equation: Tier 3 Aggregate Funding, divided  
23 by the sum of the Adequacy Targets of all Tier 3  
24 Organizational Units.

25 (D) The Tier 4 Allocation Rate is the result of the  
26 following equation: Tier 4 Aggregate Funding, divided

1 by the sum of the Adequacy Targets of all Tier 4  
2 Organizational Units.

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

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

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

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

9 (6) If, at any point, the Tier 1 Target Ratio is  
10 greater than 90%, then ~~than~~ all Tier 1 funding shall be  
11 allocated to Tier 2 and no Tier 1 Organizational Unit's  
12 funding may be identified.

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

17 (8) If any Specially Funded Units, excluding Glenwood  
18 Academy, recognized by the State Board do not qualify for  
19 direct funding following the implementation of Public Act  
20 100-465 from any of the funding sources included within the  
21 definition of Base Funding Minimum, the unqualified  
22 portion of the Base Funding Minimum shall be transferred to  
23 one or more appropriate Organizational Units as determined  
24 by the State Superintendent based on the prior year ASE of  
25 the Organizational Units.

26 (8.5) If a school district withdraws from a special

1 education cooperative, the portion of the Base Funding  
2 Minimum that is attributable to the school district may be  
3 redistributed to the school district upon withdrawal. The  
4 school district and the cooperative must include the amount  
5 of the Base Funding Minimum that is to be reapportioned in  
6 their withdrawal agreement and notify the State Board of  
7 the change with a copy of the agreement upon withdrawal.

8 (9) The Minimum Funding Level is intended to establish  
9 a target for State funding that will keep pace with  
10 inflation and continue to advance equity through the  
11 Evidence-Based Funding formula. The target for State  
12 funding of New Property Tax Relief Pool Funds is  
13 \$50,000,000 for State fiscal year 2019 and subsequent State  
14 fiscal years. The Minimum Funding Level is equal to  
15 \$350,000,000. In addition to any New State Funds, no more  
16 than \$50,000,000 New Property Tax Relief Pool Funds may be  
17 counted toward the Minimum Funding Level. If the sum of New  
18 State Funds and applicable New Property Tax Relief Pool  
19 Funds are less than the Minimum Funding Level, than funding  
20 for tiers shall be reduced in the following manner:

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

25 (B) Next, Tier 3 funding shall be reduced by an  
26 amount equal to the difference between the Minimum



1 Funding Level and New State Funds and the reduction in  
2 Tier 4 funding until such time as Tier 3 funding is  
3 exhausted.

4 (C) Next, Tier 2 funding shall be reduced by an  
5 amount equal to the difference between the Minimum  
6 Funding Level and New State Funds and the reduction in  
7 Tier 4 and Tier 3.

8 (D) Finally, Tier 1 funding shall be reduced by an  
9 amount equal to the difference between the Minimum  
10 Funding level and New State Funds and the reduction in  
11 Tier 2, 3, and 4 funding. In addition, the Allocation  
12 Rate for Tier 1 shall be reduced to a percentage equal  
13 to the Tier 1 Allocation Rate set by paragraph (4) of  
14 this subsection (g), multiplied by the result of New  
15 State Funds divided by the Minimum Funding Level.

16 (9.5) For State fiscal year 2019 and subsequent State  
17 fiscal years, if New State Funds exceed \$300,000,000, then  
18 any amount in excess of \$300,000,000 shall be dedicated for  
19 purposes of Section 2-3.170 of this Code up to a maximum of  
20 \$50,000,000.

21 (10) In the event of a decrease in the amount of the  
22 appropriation for this Section in any fiscal year after  
23 implementation of this Section, the Organizational Units  
24 receiving Tier 1 and Tier 2 funding, as determined under  
25 paragraph (3) of this subsection (g), shall be held  
26 harmless by establishing a Base Funding Guarantee equal to

1 the per pupil kindergarten through grade 12 funding  
2 received in accordance with this Section in the prior  
3 fiscal year. Reductions shall be made to the Base Funding  
4 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
5 per pupil basis equivalent to the total number of the ASE  
6 in Tier 3-funded and Tier 4-funded Organizational Units  
7 divided by the total reduction in State funding. The Base  
8 Funding Minimum as reduced shall continue to be applied to  
9 Tier 3 and Tier 4 Organizational Units and adjusted by the  
10 relative formula when increases in appropriations for this  
11 Section resume. In no event may State funding reductions to  
12 Organizational Units in Tier 3 or Tier 4 exceed an amount  
13 that would be less than the Base Funding Minimum  
14 established in the first year of implementation of this  
15 Section. If additional reductions are required, all school  
16 districts shall receive a reduction by a per pupil amount  
17 equal to the aggregate additional appropriation reduction  
18 divided by the total ASE of all Organizational Units.

19 (11) The State Superintendent shall make minor  
20 adjustments to the distribution formula set forth in this  
21 subsection (g) to account for the rounding of percentages  
22 to the nearest tenth of a percentage and dollar amounts to  
23 the nearest whole dollar.

24 (h) State Superintendent administration of funding and  
25 district submission requirements.

26 (1) The State Superintendent shall, in accordance with

1 appropriations made by the General Assembly, meet the  
2 funding obligations created under this Section.

3 (2) The State Superintendent shall calculate the  
4 Adequacy Target for each Organizational Unit and Net State  
5 Contribution Target for each Organizational Unit under  
6 this Section. No Evidence-Based Funding shall be  
7 distributed within an Organizational Unit without the  
8 approval of the unit's school board.

9 (3) Annually, the State Superintendent shall calculate  
10 and report to each Organizational Unit the unit's aggregate  
11 financial adequacy amount, which shall be the sum of the  
12 Adequacy Target for each Organizational Unit. The State  
13 Superintendent shall calculate and report separately for  
14 each Organizational Unit the unit's total State funds  
15 allocated for its students with disabilities. The State  
16 Superintendent shall calculate and report separately for  
17 each Organizational Unit the amount of funding and  
18 applicable FTE calculated for each Essential Element of the  
19 unit's Adequacy Target.

20 (4) Annually, the State Superintendent shall calculate  
21 and report to each Organizational Unit the amount the unit  
22 must expend on special education and bilingual education  
23 and computer technology and equipment for Organizational  
24 Units assigned to Tier 1 or Tier 2 that received an  
25 additional \$285.50 per student computer technology and  
26 equipment investment grant to their Adequacy Target

1           pursuant to the unit's Base Funding Minimum, Special  
2           Education Allocation, Bilingual Education Allocation, and  
3           computer technology and equipment investment allocation.

4           (5) Moneys distributed under this Section shall be  
5           calculated on a school year basis, but paid on a fiscal  
6           year basis, with payments beginning in August and extending  
7           through June. Unless otherwise provided, the moneys  
8           appropriated for each fiscal year shall be distributed in  
9           22 equal payments at least 2 times monthly to each  
10          Organizational Unit. If moneys appropriated for any fiscal  
11          year are distributed other than monthly, the distribution  
12          shall be on the same basis for each Organizational Unit.

13          (6) Any school district that fails, for any given  
14          school year, to maintain school as required by law or to  
15          maintain a recognized school is not eligible to receive  
16          Evidence-Based Funding. In case of non-recognition of one  
17          or more attendance centers in a school district otherwise  
18          operating recognized schools, the claim of the district  
19          shall be reduced in the proportion that the enrollment in  
20          the attendance center or centers bears to the enrollment of  
21          the school district. "Recognized school" means any public  
22          school that meets the standards for recognition by the  
23          State Board. A school district or attendance center not  
24          having recognition status at the end of a school term is  
25          entitled to receive State aid payments due upon a legal  
26          claim that was filed while it was recognized.

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

4           (8) Each fiscal year, the State Superintendent shall  
5 calculate for each Organizational Unit an amount of its  
6 Base Funding Minimum and Evidence-Based Funding that shall  
7 be deemed attributable to the provision of special  
8 educational facilities and services, as defined in Section  
9 14-1.08 of this Code, in a manner that ensures compliance  
10 with maintenance of State financial support requirements  
11 under the federal Individuals with Disabilities Education  
12 Act. An Organizational Unit must use such funds only for  
13 the provision of special educational facilities and  
14 services, as defined in Section 14-1.08 of this Code, and  
15 must comply with any expenditure verification procedures  
16 adopted by the State Board.

17           (9) All Organizational Units in this State must submit  
18 annual spending plans by the end of September of each year  
19 to the State Board as part of the annual budget process,  
20 which shall describe how each Organizational Unit will  
21 utilize the Base Funding Minimum and Evidence-Based  
22 Funding it receives from this State under this Section with  
23 specific identification of the intended utilization of  
24 Low-Income, English learner, and special education  
25 resources. Additionally, the annual spending plans of each  
26 Organizational Unit shall describe how the Organizational

1 Unit expects to achieve student growth and how the  
2 Organizational Unit will achieve State education goals, as  
3 defined by the State Board. The State Superintendent may,  
4 from time to time, identify additional requisites for  
5 Organizational Units to satisfy when compiling the annual  
6 spending plans required under this subsection (h). The  
7 format and scope of annual spending plans shall be  
8 developed by the State Superintendent and the State Board  
9 of Education. School districts that serve students under  
10 Article 14C of this Code shall continue to submit  
11 information as required under Section 14C-12 of this Code.

12 (10) No later than January 1, 2018, the State  
13 Superintendent shall develop a 5-year strategic plan for  
14 all Organizational Units to help in planning for adequacy  
15 funding under this Section. The State Superintendent shall  
16 submit the plan to the Governor and the General Assembly,  
17 as provided in Section 3.1 of the General Assembly  
18 Organization Act. The plan shall include recommendations  
19 for:

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

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

25 (C) application and enhancement of the current  
26 financial accountability measures, the approved State

1 plan to comply with the federal Every Student Succeeds  
2 Act, and the Illinois Balanced Accountability Measures  
3 in relation to student growth and elements of the  
4 Evidence-Based Funding model; and

5 (D) implementation of an effective school adequacy  
6 funding system based on projected and recommended  
7 funding levels from the General Assembly.

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

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

15 (B) Instructional materials under subparagraph (O)  
16 of paragraph (2) of subsection (b).

17 (C) Assessment under subparagraph (P) of paragraph  
18 (2) of subsection (b).

19 (D) Student activities under subparagraph (R) of  
20 paragraph (2) of subsection (b).

21 (E) Maintenance and operations under subparagraph  
22 (S) of paragraph (2) of subsection (b).

23 (F) Central office under subparagraph (T) of  
24 paragraph (2) of subsection (b).

25 (i) Professional Review Panel.

26 (1) A Professional Review Panel is created to study and

1 review topics related to the implementation and effect of  
2 Evidence-Based Funding, as assigned by a joint resolution  
3 or Public Act of the General Assembly or a motion passed by  
4 the State Board of Education. The Panel must provide  
5 recommendations to and serve the Governor, the General  
6 Assembly, and the State Board. The State Superintendent or  
7 his or her designee must serve as a voting member and  
8 chairperson of the Panel. The State Superintendent must  
9 appoint a vice chairperson from the membership of the  
10 Panel. The Panel must advance recommendations based on a  
11 three-fifths majority vote of Panel members present and  
12 voting. A minority opinion may also accompany any  
13 recommendation of the Panel. The Panel shall be appointed  
14 by the State Superintendent, except as otherwise provided  
15 in paragraph (2) of this subsection (i) and include the  
16 following members:

17 (A) Two appointees that represent district  
18 superintendents, recommended by a statewide  
19 organization that represents district superintendents.

20 (B) Two appointees that represent school boards,  
21 recommended by a statewide organization that  
22 represents school boards.

23 (C) Two appointees from districts that represent  
24 school business officials, recommended by a statewide  
25 organization that represents school business  
26 officials.



1           (D) Two appointees that represent school  
2 principals, recommended by a statewide organization  
3 that represents school principals.

4           (E) Two appointees that represent teachers,  
5 recommended by a statewide organization that  
6 represents teachers.

7           (F) Two appointees that represent teachers,  
8 recommended by another statewide organization that  
9 represents teachers.

10          (G) Two appointees that represent regional  
11 superintendents of schools, recommended by  
12 organizations that represent regional superintendents.

13          (H) Two independent experts selected solely by the  
14 State Superintendent.

15          (I) Two independent experts recommended by public  
16 universities in this State.

17          (J) One member recommended by a statewide  
18 organization that represents parents.

19          (K) Two representatives recommended by collective  
20 impact organizations that represent major metropolitan  
21 areas or geographic areas in Illinois.

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

26          (M) One representative from a school district

1 organized under Article 34 of this Code.

2 The State Superintendent shall ensure that the  
3 membership of the Panel includes representatives from  
4 school districts and communities reflecting the  
5 geographic, socio-economic, racial, and ethnic diversity  
6 of this State. The State Superintendent shall additionally  
7 ensure that the membership of the Panel includes  
8 representatives with expertise in bilingual education and  
9 special education. Staff from the State Board shall staff  
10 the Panel.

11 (2) In addition to those Panel members appointed by the  
12 State Superintendent, 4 members of the General Assembly  
13 shall be appointed as follows: one member of the House of  
14 Representatives appointed by the Speaker of the House of  
15 Representatives, one member of the Senate appointed by the  
16 President of the Senate, one member of the House of  
17 Representatives appointed by the Minority Leader of the  
18 House of Representatives, and one member of the Senate  
19 appointed by the Minority Leader of the Senate. There shall  
20 be one additional member appointed by the Governor. All  
21 members appointed by legislative leaders or the Governor  
22 shall be non-voting, ex officio members.

23 (3) The Panel must study topics at the direction of the  
24 General Assembly or State Board of Education, as provided  
25 under paragraph (1). The Panel may also study the following  
26 topics at the direction of the chairperson:

1 (A) The format and scope of annual spending plans  
2 referenced in paragraph (9) of subsection (h) of this  
3 Section.

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

5 (C) Maintenance and operations, including capital  
6 maintenance and construction costs.

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

8 (E) Benefits.

9 (F) Technology.

10 (G) Local Capacity Target.

11 (H) Funding for Alternative Schools, Laboratory  
12 Schools, safe schools, and alternative learning  
13 opportunities programs.

14 (I) Funding for college and career acceleration  
15 strategies.

16 (J) Special education investments.

17 (K) Early childhood investments, in collaboration  
18 with the Illinois Early Learning Council.

19 (4) (Blank).

20 (5) Within 5 years after the implementation of this  
21 Section, and every 5 years thereafter, the Panel shall  
22 complete an evaluative study of the entire Evidence-Based  
23 Funding model, including an assessment of whether or not  
24 the formula is achieving State goals. The Panel shall  
25 report to the State Board, the General Assembly, and the  
26 Governor on the findings of the study.

1 (6) (Blank).

2 (7) To ensure that (i) the Adequacy Target calculation  
3 under subsection (b) accurately reflects the needs of  
4 students living in poverty or attending schools located in  
5 areas of high poverty, (ii) racial equity within the  
6 Evidence-Based Funding formula is explicitly explored and  
7 advanced, and (iii) the funding goals of the formula  
8 distribution system established under this Section are  
9 sufficient to provide adequate funding for every student  
10 and to fully fund every school in this State, the Panel  
11 shall review the Essential Elements under paragraph (2) of  
12 subsection (b). The Panel shall consider all of the  
13 following in its review:

14 (A) The financial ability of school districts to  
15 provide instruction in a foreign language to every  
16 student and whether an additional Essential Element  
17 should be added to the formula to ensure that every  
18 student has access to instruction in a foreign  
19 language.

20 (B) The adult-to-student ratio for each Essential  
21 Element in which a ratio is identified. The Panel shall  
22 consider whether the ratio accurately reflects the  
23 staffing needed to support students living in poverty  
24 or who have traumatic backgrounds.

25 (C) Changes to the Essential Elements that may be  
26 required to better promote racial equity and eliminate

1 structural racism within schools.

2 (D) The impact of investing \$350,000,000 in  
3 additional funds each year under this Section and an  
4 estimate of when the school system will become fully  
5 funded under this level of appropriation.

6 (E) Provide an overview of alternative funding  
7 structures that would enable the State to become fully  
8 funded at an earlier date.

9 (F) The potential to increase efficiency and to  
10 find cost savings within the school system to expedite  
11 the journey to a fully funded system.

12 On or before April 1, 2021, the Panel shall report to  
13 the State Board, the General Assembly, and the Governor on  
14 the findings of its review. This paragraph (7) is  
15 inoperative on and after April 1, 2022.

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

21 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;  
22 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.  
23 6-14-19; 101-643, eff. 6-18-20; revised 8-21-20.)

1 Section 90-5. The Department of Human Services Act is  
2 amended by adding Section 10-75 as follows:

3 (20 ILCS 1305/10-75 new)

4 Sec. 10-75. Findings; compensation; barriers.

5 (a) The General Assembly makes all of the following  
6 findings:

7 (1) Research demonstrates that the effectiveness of an  
8 early childhood teacher is a predictor for the positive  
9 developmental and academic outcomes for children.

10 (2) The work of early childhood educators is  
11 sophisticated and central to the healthy learning and  
12 development of young children and takes place in diverse  
13 settings, including schools, community-based centers, and  
14 homes.

15 (3) It is critically important for children's outcome  
16 to have educators that reflect the diversity of the  
17 families and communities they serve.

18 (4) The early childhood workforce is more racially  
19 diverse than the K-12 workforce and its members hold  
20 degrees, have earned credentials, and have years of  
21 experience in the field of early childhood education.

22 (5) The early childhood workforce, particularly those  
23 members who work in community-based settings and those who  
24 work with infants and toddlers, are often not paid wages  
25 that are aligned with the sophistication of their work and

1 their level of education.

2 (6) All regions and settings have difficulty in finding  
3 qualified teachers.

4 (7) A disproportionate number of Black and Latinx women  
5 serve in essential, frontline positions, but are  
6 underrepresented as lead teachers and in program  
7 leadership where credentials and degrees are required.

8 (8) Members of the early childhood workforce face  
9 multiple barriers that prevent them from attaining the  
10 additional credentials and degrees required for career  
11 advancement and higher levels of compensation.

12 (b) The Department of Human Services shall conduct an  
13 analysis of the data relating to teachers that is available in  
14 the Gateways to Opportunity Registry under the Gateways to  
15 Opportunity program established in Section 10-70 of this Act to  
16 ascertain those individuals who are participating in the  
17 Gateways to Opportunity program and who are close to attaining  
18 a higher credential lever or degree. If the following  
19 information is available in the Gateways to Opportunity  
20 Registry, the analysis of data about an identified individual  
21 shall include the individual's geographic location,  
22 demographic information, work setting, and the age groups of  
23 the children for which the individual is responsible.

24 (c) The Department of Human Services shall conduct outreach  
25 and provide targeted coaching and access to financial support  
26 that shall include, but is not limited to, scholarships and

1 debt relief, to members of the early childhood workforce in a  
2 manner that must prioritize (i) increasing the diversity of the  
3 teacher pipeline, (ii) the regions in the State that have the  
4 greatest need, and (iii) those children in age groups who are  
5 experiencing the greatest shortage of teachers.

6 (d) The State Board of Education, in cooperation with the  
7 Department of Human Services, shall provide additional  
8 financial support to members of the early childhood workforce  
9 regardless of the setting in which they work and the  
10 credentials they seek. The State Board of Education shall  
11 prioritize potential candidates for assistance under this  
12 Section by those individuals who have the greatest need in the  
13 field of early childhood education.

14 (e) The Department of Human Services shall prepare and  
15 submit reports annually to the General Assembly disclosing the  
16 individuals who received financial assistance, scholarships,  
17 or other types of financial support provided through or  
18 administered by the Department of Human Services or by the  
19 State Board of Education. If the following information is  
20 available in the Gateways to Opportunity Registry, the analysis  
21 of data about the recipients of financial assistance shall  
22 include the geographic location, demographic information, work  
23 setting, the age groups of the children for which a recipient  
24 is responsible, and the degrees or credentials a recipient has  
25 attained.

26 (f) In cooperation with the Department of Human Services,



1 the Board of Higher Education in the course of their strategic  
2 planning process shall review the barriers to higher education  
3 and career advancement experienced by the early childhood  
4 workforce and by teachers of color. The Board of Higher  
5 Education shall place particular focus on the barriers  
6 experienced by the early childhood workforce and by teachers of  
7 color in accessing and completing the required coursework  
8 needed to attain additional credentials and degrees. The Board  
9 of Higher Education shall make policy recommendations and  
10 recommendations for the changes in practices to better meet the  
11 needs of the early childhood workforce that is largely  
12 comprised of non-traditional students and women of color.

13 (g) Subject to appropriation, the Department of Human  
14 Services and the State Board of Education shall prioritize  
15 reducing the compensation disparities that exist between  
16 members of the early childhood workforce and their K-12  
17 workforce counterparts and the disparities that exist within  
18 the early childhood workforce between the settings and the age  
19 groups of children in which they work.

20 Article 95.

21 Section 95-1. Short title. This Article may be cited as the  
22 Equity in Higher Education Act. References in this Article to  
23 "this Act" mean this Article.

1 Section 95-5. Findings; policies.

2 (a) The General Assembly finds the following:

3 (1) Historic and continuous systemic racism has  
4 created significant disparities in college access,  
5 affordability, and completion for Black, Latinx,  
6 low-income, and other underrepresented and historically  
7 underserved students.

8 (2) Higher education is examining its role as a  
9 contributor to systemic racism, while recognizing its  
10 place in providing opportunity and upward mobility, and its  
11 role as a powerful actor in dismantling systemic racism.

12 (3) Chicago State University has created the Equity  
13 Working Group, which includes statewide representation of  
14 private, community, and public sector stakeholders, to  
15 create an action plan for employers, the secondary and  
16 postsecondary education systems, philanthropic  
17 organizations, community-based organizations, and our  
18 executive and legislative bodies to improve college  
19 access, completion, and post-graduation outcomes for Black  
20 college students in Illinois.

21 (4) Despite similar numbers of Black high school  
22 graduates, Illinois saw about 25,000 fewer Black enrollees  
23 in Illinois higher education in 2018 compared to 2008.

24 (5) Illinois must address wide disparities in degree  
25 completion at Illinois community colleges, which currently  
26 graduate Black and Latinx students at a rate of 14% and 26%

1           respectively compared to the rate of 38% for White  
2           students, as well as at public universities, which  
3           currently graduate Black and Latinx students at a rate of  
4           34% and 49% respectively compared to 66% of White students,  
5           within 6 years.

6           (6) The State of Illinois benefits from a diverse  
7           public higher education system that includes universities  
8           and community colleges with different missions and scopes  
9           that maximize college enrollment, persistence, and  
10          completion of underrepresented and historically  
11          underserved students, including Black and Latinx students  
12          and students from low-income families.

13          (7) Illinois has a moral obligation and an economic  
14          interest in dismantling and reforming structures that  
15          create or exacerbate racial and socioeconomic inequities  
16          in K-12 and higher education.

17          (8) The Board of Higher Education has a statutory  
18          obligation to create a strategic plan for higher education  
19          and has adopted core principles to guide this plan.

20          (9) The Board of Higher Education has included among  
21          its core principles designed to guide the strategic plan  
22          the assumption that excellence coupled with equity should  
23          drive the higher education system and that the higher  
24          education system will make equity-driven decisions,  
25          elevating the voices of those who have been underserved,  
26          and actively identify and remove systemic barriers that

1 have prevented students of color, first generation college  
2 students, low-income students, adult learners, and rural  
3 students from accessing and succeeding in higher  
4 education; access and affordability as well as high quality  
5 are embedded in the definition of equity.

6 (b) The General Assembly supports all of the following work  
7 and goals of the Board of Higher Education:

8 (1) Its work on the strategic plan for higher education  
9 and the vision it has set forth that over the next 10 years  
10 Illinois will have an equitable, accessible, innovative,  
11 nimble, and aligned higher education ecosystem that  
12 ensures individuals, families, and communities across the  
13 state thrive.

14 (2) Its goal to close equity gaps in higher education  
15 in Illinois and that the strategic plan will identify  
16 multiple strategies to achieve this goal.

17 (3) Its goal to increase postsecondary  
18 credential/degree attainment and develop talent to drive  
19 the economy of Illinois and that the strategic plan will  
20 identify strategies to achieve this goal, including  
21 embedding equity in the State's attainment goal.

22 (4) Its goal to improve higher education  
23 affordability, increase access, and manage costs and the  
24 expectation that the strategic plan will identify  
25 strategies for stakeholders to achieve these goals,  
26 including opportunities to improve efficiency and

1 principles for equitable and adequate ways to fund higher  
2 education.

3 (c) The General Assembly encourages the Board of Higher  
4 Education to prepare an array of policy, practice, and proposed  
5 legislative changes required to implement the strategic plan,  
6 along with an implementation process and timeline by May 1,  
7 2021 and to regularly evaluate the impact of the implementation  
8 of the strategic plan and publicly report the evaluation to  
9 ensure that the goals are achieved as intended and lead to a  
10 high-quality, equitable, and diverse higher education system  
11 in Illinois.

12 Article 100.

13 Section 100-1. Short title. This Act may be cited as the  
14 Developmental Education Reform Act. References in this Article  
15 to "this Act" mean this Article.

16 Section 100-5. Findings. The General Assembly makes all of  
17 the following findings:

18 (1) Nearly 50% of this State's high school graduates  
19 who enroll full-time in a community college are placed in  
20 developmental education coursework in at least one  
21 subject. Community colleges place nearly 71% of Black  
22 students in developmental education courses compared to  
23 42% of white students.

1           (2) Traditional developmental education courses cost  
2 students' time and money and expend their financial aid  
3 because a student does not receive college credit for the  
4 successful completion of a traditional developmental  
5 education course. This can be a barrier to enrollment,  
6 persistence, and certificate or degree completion.

7           (3) Developmental education courses can exacerbate  
8 inequities in higher education. Community colleges  
9 graduate Black students who are placed in developmental  
10 education courses at a rate of approximately 8% compared to  
11 a graduation rate of 26% for white students who are placed  
12 in developmental education courses.

13           (4) A history of inconsistent and inadequate  
14 approaches to student placement in community college  
15 coursework, such as the reliance on standardized test  
16 scores, has resulted in too many students being placed in  
17 developmental education coursework who could otherwise  
18 succeed in introductory college-level coursework or  
19 introductory college-level coursework with concurrent  
20 support.

21           (5) Public institutions of higher education and State  
22 agencies have undertaken voluntary efforts and committed  
23 resources to improve placement and to address disparities  
24 in the successful completion of introductory college-level  
25 coursework.

26           (6) The Illinois Council of Community College

1           Presidents, the Illinois Community College Chief Academic  
2           Officers Commission, the Illinois Community College Chief  
3           Student Services Officers Commission, and the Illinois  
4           Mathematics Association of Community Colleges have already  
5           developed and approved a more equitable, multiple measures  
6           framework for placement in coursework that is currently  
7           implemented at many but not all community colleges.

8           (7) In 2019, members of the General Assembly, faculty  
9           and administrators from public institutions of higher  
10          education, board trustees from community college  
11          districts, representatives from the Board of Higher  
12          Education, the Illinois Community College Board, and other  
13          appointed stakeholders convened a task force to inventory  
14          and study developmental education models employed by  
15          public community colleges and universities in this State  
16          and to submit a detailed plan for scaling developmental  
17          education reforms in which all students who are placed in  
18          developmental education coursework are enrolled in an  
19          evidence-based developmental education model that  
20          maximizes a student's likelihood of completing an  
21          introductory college-level course within his or her first 2  
22          semesters at an institution of higher education. The data  
23          released by the task force indicates all of the following:

24                 (A) Despite more effective developmental education  
25                 models, community colleges and universities use the  
26                 traditional developmental education model for 77% of

1 students who place in a developmental education  
2 mathematics course and for 67% of students who place in  
3 a developmental English language course.

4 (B) In a 2017 cohort study, only 25% of the  
5 students who were placed in traditional developmental  
6 education mathematics courses and only 42% of students  
7 who were placed in traditional developmental English  
8 language courses completed the developmental education  
9 courses and introductory college-level courses with a  
10 grade of "C" or better within 2 years compared to the  
11 completion rate of 65% of students who were placed  
12 directly in introductory college-level mathematics  
13 courses with concurrent support and 75% of students who  
14 were placed directly in introductory college-level  
15 English language courses with concurrent support.

16 (C) Improved policies, programs, and practices are  
17 essential to address the systemic inequities that  
18 exist in postsecondary education in this State, such as  
19 the disproportionate enrollment of Black students in  
20 developmental education courses.

21 Section 100-10. Definitions. In this Act:

22 "College-level English language or mathematics course" or  
23 "college-level English language or mathematics coursework"  
24 means a course that bears credit and fulfills English language  
25 or mathematics credit requirements for a baccalaureate degree,



1 a certificate, or an associate degree from a postsecondary  
2 educational institution.

3 "Community college" means a public community college in  
4 this State.

5 "Developmental education" means instruction through which  
6 a high school graduate who applies to a college credit program  
7 may attain the communication and computation skills necessary  
8 to successfully complete college-level coursework.

9 "Developmental education course" or "developmental  
10 education coursework" means a course or a category of courses  
11 in which students are placed based on an institution's finding  
12 that a student does not have the proficiency necessary to  
13 succeed in an introductory college-level English language or  
14 mathematics course.

15 "Institution of higher education" or "institution" means a  
16 public community college or university in this State.

17 "University" means a public university in this State.

18 Section 100-15. Placement measures.

19 (a) On or before May 1, 2022, a community college shall use  
20 each of the following measures, as appropriate, to determine  
21 the placement of a student in introductory college-level  
22 English language or mathematics coursework and shall use the  
23 scores set forth in recommendations approved by the Illinois  
24 Council of Community College Presidents on June 1, 2018:

25 (1) A student's cumulative high school grade point

1 average.

2 (2) A student's successful completion of an  
3 appropriate high school transition course in mathematics  
4 or English.

5 (3) A student's successful completion of an  
6 appropriate developmental education or introductory  
7 college-level English language or mathematics course at  
8 another regionally accredited postsecondary educational  
9 institution.

10 (b) In determining the placement of a student in  
11 introductory college-level English language or mathematics  
12 coursework, a community college shall consider the  
13 standardized test scores provided by the student for placement  
14 in an introductory college-level English language or  
15 mathematics course.

16 In addition, a community college is encouraged to use the  
17 scores set forth in recommendations approved by the Illinois  
18 Council of Community College Presidents on June 1, 2018 and  
19 should also consider other individual measures for placement in  
20 an introductory college-level English language or mathematics  
21 course, as set forth in recommendations approved by the  
22 Illinois Council of Community College Presidents on June 1,  
23 2018, and the scores set forth in those recommendations.

24 In its discretion, a community college may accept a lower  
25 score on individual placement measures or accept lower scores  
26 in combination with other placement measures than those set

1       forth in the recommendations.

2               (c) If a student qualifies for placement in an introductory  
3 college-level English language or mathematics course using a  
4 single measure under subsection (a) or (b), no additional  
5 measures need to be considered for placement of the student in  
6 the introductory college-level English language or mathematics  
7 course.

8               Section 100-20. Recommendations of Illinois Council of  
9 Community College Presidents; revisions. If the Illinois  
10 Council of Community College Presidents approves any revised  
11 recommendations for determining the placement of students in  
12 introductory college-level English language or mathematics  
13 courses in response to changes in scoring systems, the  
14 introduction and use of additional measures, or evidence that  
15 demonstrates the inaccuracy in the use of scores in previous  
16 recommendations, then, within one year after the date of the  
17 adoption of those revised recommendations, references in this  
18 Act to recommendations approved by the Illinois Council of  
19 Community College Presidents on June 1, 2018 shall mean the  
20 revised recommendations. The General Assembly may request that  
21 the Illinois Council of Community College Presidents provide to  
22 the General Assembly the rationale and supporting evidence for  
23 any revision to the Council's recommendations.

24               Section 100-25. Placement policy; report.

1 (a) Each institution of higher education shall publicly  
2 post its placement policy in a manner that is easily accessible  
3 to both students and prospective students.

4 (b) On or before July 1, 2023, the Illinois Community  
5 College Board shall issue a report, which shall be made  
6 available to the public on its Internet website, concerning  
7 each community college's developmental education and  
8 college-level coursework placement policy and the policy's  
9 outcomes. The data disclosed in the report must be consistent  
10 with the Illinois Community College Board's requirements for  
11 data collection and must be disaggregated by developmental  
12 education course model, as defined by the Illinois Community  
13 College Board, and by gender, race and ethnicity, and federal  
14 Pell Grant status.

15 Section 100-30. Institutional plans; report.

16 (a) On or before January 1, 2022, each university shall  
17 submit to the Board of Higher Education and each community  
18 college shall submit to the Illinois Community College Board  
19 its institutional plan for scaling evidence-based  
20 developmental education reforms to maximize the probability  
21 that a student will be placed in and successfully complete  
22 introductory college-level English language or mathematics  
23 coursework within 2 semesters at the institution. At a minimum,  
24 a plan submitted by an institution shall include all of the  
25 following:

1           (1) A description of the current developmental  
2 education models offered by the institution. If the  
3 institution does not currently offer developmental  
4 education coursework, it must provide details regarding  
5 its decision not to offer developmental education  
6 coursework and the pathways that are available to students  
7 deemed to be insufficiently prepared for introductory  
8 college-level English language or mathematics coursework.

9           (2) A description of the developmental education  
10 models that will be implemented and scaled and the basis of  
11 the evidence and associated data that the institution  
12 considered in making the decision to scale each model.

13           (3) Baseline data and benchmarks for progress,  
14 including, but not limited to, (i) enrollment in  
15 credit-bearing English language or mathematics courses,  
16 (ii) rates of successful completion of introductory  
17 college-level English language or mathematics courses, and  
18 (iii) college-credit accumulation.

19           (4) Detailed plans for scaling reforms and improving  
20 outcomes for all students placed in traditional  
21 developmental education models or models with comparable  
22 introductory college-level course completion rates. The  
23 plan shall provide details about the expected improvements  
24 in educational outcomes for Black students as result of the  
25 proposed reforms.

26           (b) On or before January 1, 2023 and each year thereafter,

1 the Board of Higher Education and Illinois Community College  
2 Board shall collect data and report to the General Assembly and  
3 the public the status of developmental education reforms at  
4 institutions. The report must include data on the progress of  
5 the developmental education reforms, including, but not  
6 limited to, (i) enrollment in credit-bearing English language  
7 or mathematics courses, (ii) rates of successful completion of  
8 introductory college-level English language or mathematics  
9 courses, and (iii) college-credit accumulation. The data must  
10 be disaggregated by gender, race and ethnicity, federal Pell  
11 Grant status, and other variables of interest to the Board of  
12 Higher Education and the Illinois Community College Board.

13 (c) On or before January 1, 2024 and each year thereafter,  
14 the Board of Higher Education and Illinois Community College  
15 Board, in consultation with institutions of higher education  
16 and other stakeholders, shall consider additional data  
17 reporting requirements to facilitate the rigorous and  
18 continuous evaluation of each institution's implementation  
19 plan and its impact on improving outcomes for students in  
20 developmental education, particularly for Black students.

21 Section 100-90. Family Educational Rights and Privacy Act  
22 of 1974. Nothing in this Act supersedes the federal Family  
23 Educational Rights and Privacy Act of 1974 or rules adopted  
24 pursuant to the federal Family Educational Rights and Privacy  
25 Act of 1974.

1 Article 105.

2 Section 105-5. The Illinois Administrative Procedure Act  
3 is amended by adding Section 5-45.8 as follows:

4 (5 ILCS 100/5-45.8 new)

5 Sec. 5-45.8. Emergency rulemaking. To provide for the  
6 expeditious and timely implementation of this amendatory Act of  
7 the 101st General Assembly, emergency rules implementing this  
8 amendatory Act of the 101st General Assembly may be adopted in  
9 accordance with Section 5-45 to implement this amendatory Act  
10 of the 101st General Assembly. The adoption of emergency rules  
11 authorized by Section 5-45 and this Section is deemed to be  
12 necessary for the public interest, safety, and welfare.

13 This Section is repealed on January 1, 2026.

14 Section 105-10. The Invest in Kids Act is amended by  
15 changing Sections 5, 10, 40, and 45 and by adding Section 7.5  
16 as follows:

17 (35 ILCS 40/5)

18 (Section scheduled to be repealed on January 1, 2024)

19 Sec. 5. Definitions. As used in this Act:

20 "Authorized contribution" means the contribution amount  
21 that is listed on the contribution authorization certificate

1 issued to the taxpayer.

2 "Board" means the State Board of Education.

3 "Contribution" means a donation made by the taxpayer during  
4 the taxable year for providing scholarships as provided in this  
5 Act.

6 "Custodian" means, with respect to eligible students, an  
7 Illinois resident who is a parent or legal guardian of the  
8 eligible student or students.

9 "Department" means the Department of Revenue.

10 "Eligible student" means a child who:

11 (1) is a member of a household whose federal adjusted  
12 gross income the year before he or she initially receives a  
13 scholarship under this program, as determined by the  
14 Department, does not exceed 300% of the federal poverty  
15 level and, once the child receives a scholarship, does not  
16 exceed 400% of the federal poverty level;

17 (2) is eligible to attend a public elementary school or  
18 high school in Illinois in the semester immediately  
19 preceding the semester for which he or she first receives a  
20 scholarship or is starting school in Illinois for the first  
21 time when he or she first receives a scholarship; and

22 (3) resides in Illinois while receiving a scholarship.

23 "Family member" means a parent, child, or sibling, whether  
24 by whole blood, half blood, or adoption; spouse; or stepchild.

25 "Focus district" means a school district which has a school  
26 that is either (i) a school that has one or more subgroups in



1 which the average student performance is at or below the State  
2 average for the lowest 10% of student performance in that  
3 subgroup or (ii) a school with an average graduation rate of  
4 less than 60% and not identified for priority.

5 "Jointly-administered CTE program" means a program or set  
6 of programs within a non-public school located in Illinois, as  
7 determined by the Department of Labor pursuant to Section 7.5  
8 of this Act.

9 "Necessary costs and fees" includes the customary charge  
10 for instruction and use of facilities in general and the  
11 additional fixed fees charged for specified purposes that are  
12 required generally of non-scholarship recipients for each  
13 academic period for which the scholarship applicant actually  
14 enrolls, including costs associated with student assessments,  
15 but does not include fees payable only once and other  
16 contingent deposits that are refundable in whole or in part.  
17 The Board may prescribe, by rules consistent with this Act,  
18 detailed provisions concerning the computation of necessary  
19 costs and fees.

20 "Scholarship granting organization" means an entity that:

21 (1) is exempt from taxation under Section 501(c)(3) of  
22 the Internal Revenue Code;

23 (2) uses at least 95% of the qualified contributions  
24 received during a taxable year for scholarships;

25 (3) provides scholarships to students according to the  
26 guidelines of this Act;

1 (4) deposits and holds qualified contributions and any  
2 income derived from qualified contributions in an account  
3 that is separate from the organization's operating fund or  
4 other funds until such qualified contributions or income  
5 are withdrawn for use; and

6 (5) is approved to issue certificates of receipt.

7 "Qualified contribution" means the authorized contribution  
8 made by a taxpayer to a scholarship granting organization for  
9 which the taxpayer has received a certificate of receipt from  
10 such organization.

11 "Qualified school" means a non-public school located in  
12 Illinois and recognized by the Board pursuant to Section  
13 2-3.25o of the School Code.

14 "Scholarship" means an educational scholarship awarded to  
15 an eligible student to attend a qualified school of their  
16 custodians' choice in an amount not exceeding the necessary  
17 costs and fees to attend that school.

18 "Taxpayer" means any individual, corporation, partnership,  
19 trust, or other entity subject to the Illinois income tax. For  
20 the purposes of this Act, 2 individuals filing a joint return  
21 shall be considered one taxpayer.

22 "Technical academy" means a non-public school located in  
23 Illinois that (i) registers with the Board pursuant to Section  
24 2-3.25o of the School Code and (ii) operates or will operate a  
25 jointly-administered CTE program as the primary focus of the  
26 school. To maintain its status as a technical academy, the

1 non-public school must obtain recognition from the Board  
2 pursuant to Section 2-3.25o of the School Code within 2  
3 calendar years of its registration with the Board.

4 (Source: P.A. 100-465, eff. 8-31-17.)

5 (35 ILCS 40/7.5 new)

6 Sec. 7.5. Determination of jointly-administered CTE  
7 programs.

8 (a) Upon its own motion, or petition from a qualified  
9 school or technical academy, the Department of Labor shall  
10 determine whether a program or set of programs offered or  
11 proposed by a qualified school or technical academy provides  
12 coursework and training in career and technical education  
13 pathways aligned to industry-recognized certifications and  
14 credentials. The Department of Labor shall make that  
15 determination based upon whether the industry-recognized  
16 certifications or credentials that are the focus of a qualified  
17 school or technical academy's coursework and training program  
18 or set of programs (i) are associated with an occupation  
19 determined to fall under the LEADING or EMERGING priority  
20 sectors as determined through Illinois' Workforce Innovation  
21 and Opportunity Act Unified State Plan, and (ii) provide wages  
22 that are at least 70% of the average annual wage in the State  
23 as determined by the United States Bureau of Labor Statistics.

24 The Department of Labor shall publish a list of approved  
25 jointly-administered programs on its website and otherwise

1 make such list available to the public.

2 (b) A qualified school or technical academy may petition  
3 the Department of Labor to obtain a determination that a  
4 proposed program or set of programs that it seeks to offer  
5 qualifies as a jointly-administered CTE program under  
6 subsection (a) of this Section. A petitioner shall file one  
7 original petition in the format provided by the Department of  
8 Labor and in the manner specified by the Department of Labor.  
9 The petitioner may withdraw his or her petition by submitting a  
10 written statement to the Department indicating withdrawal. The  
11 Department shall approve or deny a petition within 180 days of  
12 its submission, and, upon approval, shall proceed to add the  
13 program or set of programs to the list of approved  
14 jointly-administered CTE programs. The approval or denial of  
15 any petition is a final decision of the Department, subject to  
16 judicial review under the Administrative Review Law.  
17 Jurisdiction and venue are vested in the circuit court.

18 (c) The Department of Labor shall evaluate the approved  
19 jointly-administered CTE programs under this Section once  
20 every 5 years. At this time, the Department shall determine  
21 whether these programs continue to meet the requirements set  
22 forth in subsection (a) of this Section.

23 (35 ILCS 40/10)

24 (Section scheduled to be repealed on January 1, 2024)

25 Sec. 10. Credit awards.

1 (a) The Department shall award credits against the tax  
2 imposed under subsections (a) and (b) of Section 201 of the  
3 Illinois Income Tax Act to taxpayers who make qualified  
4 contributions. For contributions made under this Act, the  
5 credit shall be equal to 75% of the total amount of qualified  
6 contributions made by the taxpayer during a taxable year, not  
7 to exceed a credit of \$1,333,333 ~~\$1,000,000~~ per taxpayer.

8 (b) The aggregate amount of all credits the Department may  
9 award under this Act in any calendar year may not exceed  
10 \$,000,000 ~~\$75,000,000~~. The aggregate credit cap under this  
11 subsection (b) shall be increased by 20% beginning on the first  
12 day of a calendar year if, in at least 2 of the previous 3  
13 calendar years, the applicable aggregate credit cap was  
14 reached.

15 (c) Contributions made by corporations (including  
16 Subchapter S corporations), partnerships, and trusts under  
17 this Act may ~~not~~ be directed to a particular subset of schools  
18 or a particular school, but may not be directed to a  
19 particular group of students~~,~~ or a particular student.  
20 Contributions made by individuals under this Act may be  
21 directed to a particular subset of schools or a particular  
22 school but may not be directed to a particular group of  
23 students or a particular student.

24 (d) No credit shall be taken under this Act for any  
25 qualified contribution for which the taxpayer claims a federal  
26 income tax deduction.

1 (e) Credits shall be awarded in a manner, as determined by  
2 the Department, that is geographically proportionate to  
3 enrollment in recognized non-public schools in Illinois. If the  
4 cap on the aggregate credits that may be awarded by the  
5 Department is not reached by April 1 ~~June 1~~ of a given year,  
6 the Department shall award remaining credits on a first-come,  
7 first-served basis, without regard to the limitation of this  
8 subsection.

9 (f) Credits awarded for donations made to a technical  
10 academy shall be awarded without regard to subsection (e), but  
11 shall not exceed 15% of the annual statewide program cap. For  
12 the purposes of this subsection, "technical academy" means a  
13 technical academy that is registered with the Board within 30  
14 days after the effective date of this amendatory Act of the  
15 101st General Assembly.

16 (Source: P.A. 100-465, eff. 8-31-17.)

17 (35 ILCS 40/40)

18 (Section scheduled to be repealed on January 1, 2024)

19 Sec. 40. Scholarship granting organization  
20 responsibilities.

21 (a) Before granting a scholarship for an academic year, all  
22 scholarship granting organizations shall assess and document  
23 each student's eligibility for the academic year.

24 (b) A scholarship granting organization shall grant  
25 scholarships only to eligible students.

1 (c) A scholarship granting organization shall allow an  
2 eligible student to attend any qualified school of the  
3 student's choosing, subject to the availability of funds.

4 (d) In granting scholarships, beginning in the 2022-2023  
5 school year and each school year thereafter, a scholarship  
6 granting organization shall give first priority to eligible  
7 students who received a scholarship from a scholarship granting  
8 organization during the previous school year. Second priority  
9 shall be given to the following priority groups:

10 (1) (blank); ~~eligible students who received a~~  
11 ~~scholarship from a scholarship granting organization~~  
12 ~~during the previous school year;~~

13 (2) eligible students who are members of a household  
14 whose previous year's total annual income does not exceed  
15 185% of the federal poverty level;

16 (3) eligible students who reside within a focus  
17 district; and

18 (4) eligible students who are siblings of students  
19 currently receiving a scholarship.

20 (d-5) A scholarship granting organization shall begin  
21 granting scholarships no later than February 1 preceding the  
22 school year for which the scholarship is sought. Each ~~The~~  
23 priority group ~~groups~~ identified in subsection (d) of this  
24 Section shall be eligible to receive scholarships on a  
25 first-come, first-served basis until ~~the~~ April 1 immediately  
26 preceding the school year for which the scholarship is sought

1 starting with the first priority group identified in subsection  
2 (d) of this Section. Applications for scholarships for eligible  
3 students meeting the qualifications of one or more priority  
4 groups that are received before April 1 must be either approved  
5 or denied within 10 business days after receipt. Beginning  
6 April 1, all eligible students shall be eligible to receive  
7 scholarships without regard to the priority groups identified  
8 in subsection (d) of this Section.

9 (e) Except as provided in subsection (e-5) of this Section,  
10 scholarships shall not exceed the lesser of (i) the statewide  
11 average operational expense per student among public schools or  
12 (ii) the necessary costs and fees for attendance at the  
13 qualified school. Scholarships shall be prorated as follows:

14 (1) for eligible students whose household income is  
15 less than 185% of the federal poverty level, the  
16 scholarship shall be 100% of the amount determined pursuant  
17 to this subsection (e) and subsection (e-5) of this  
18 Section;

19 (2) for eligible students whose household income is  
20 185% or more of the federal poverty level but less than  
21 250% of the federal poverty level, the average of  
22 scholarships shall be 75% of the amount determined pursuant  
23 to this subsection (e) and subsection (e-5) of this  
24 Section; and

25 (3) for eligible students whose household income is  
26 250% or more of the federal poverty level, the average of



1 scholarships shall be 50% of the amount determined pursuant  
2 to this subsection (e) and subsection (e-5) of this  
3 Section.

4 (e-5) The statewide average operational expense per  
5 student among public schools shall be multiplied by the  
6 following factors:

7 (1) for students determined eligible to receive  
8 services under the federal Individuals with Disabilities  
9 Education Act, 2;

10 (2) for students who are English learners, as defined  
11 in subsection (d) of Section 14C-2 of the School Code, 1.2;  
12 ~~and~~

13 (3) for students who are gifted and talented children,  
14 as defined in Section 14A-20 of the School Code, 1.1; and ~~and~~

15 (4) for students enrolled in a jointly-administered  
16 CTE program, 1.5.

17 (f) A scholarship granting organization shall distribute  
18 scholarship payments to the participating school where the  
19 student is enrolled.

20 (g) Beginning in ~~For~~ the 2018-2019 school year ~~through the~~  
21 ~~2021-2022 school year~~, each scholarship granting organization  
22 shall expend no less than 75% of the qualified contributions  
23 received during the calendar year in which the qualified  
24 contributions were received. No more than 25% of the qualified  
25 contributions may be carried forward to the following calendar  
26 year.

1           (h) In determining compliance with subsection (g), a  
2 scholarship granting organization may exempt a portion of  
3 donations directed to a technical academy operating in the  
4 first two calendar years in which the school is eligible to  
5 receive donations. For purposes of determining compliance with  
6 subsection (g) the sum of exempted donations per technical  
7 academy shall not exceed \$3,000,000 over the 2-calendar year  
8 period. Not more than one scholarship granting organization  
9 shall exempt a portion of directed donations per technical  
10 academy. For the 2022-2023 school year, each scholarship  
11 granting organization shall expend all qualified contributions  
12 received during the calendar year in which the qualified  
13 contributions were received. No qualified contributions may be  
14 carried forward to the following calendar year.

15           (i) A scholarship granting organization shall allow an  
16 eligible student to transfer a scholarship during a school year  
17 to any other participating school of the custodian's choice.  
18 Such scholarships shall be prorated.

19           (j) With the prior approval of the Department, a  
20 scholarship granting organization may transfer funds to  
21 another scholarship granting organization if additional funds  
22 are required to meet scholarship demands at the receiving  
23 scholarship granting organization. All transferred funds must  
24 be deposited by the receiving scholarship granting  
25 organization into its scholarship accounts. All transferred  
26 amounts received by any scholarship granting organization must

1 be separately disclosed to the Department.

2 (k) If the approval of a scholarship granting organization  
3 is revoked as provided in Section 20 of this Act or the  
4 scholarship granting organization is dissolved, all remaining  
5 qualified contributions of the scholarship granting  
6 organization shall be transferred to another scholarship  
7 granting organization. All transferred funds must be deposited  
8 by the receiving scholarship granting organization into its  
9 scholarship accounts.

10 (l) Scholarship granting organizations shall make  
11 reasonable efforts to advertise the availability of  
12 scholarships to eligible students.

13 (Source: P.A. 100-465, eff. 8-31-17.)

14 (35 ILCS 40/45)

15 (Section scheduled to be repealed on January 1, 2024)

16 Sec. 45. State Board responsibilities.

17 (a) Beginning in the 2019-2020 school year, students who  
18 have been granted a scholarship under this Act shall be  
19 annually assessed at the qualified school where the student  
20 attends school in the same manner in which students that attend  
21 public schools are annually assessed pursuant to Section  
22 2-3.64a-5 of the School Code. Such qualified school shall pay  
23 costs associated with this requirement.

24 (b) The Board shall select an independent research  
25 organization, which may be a public or private entity or

1 university, to which participating qualified schools must  
2 report the scores of students who are receiving scholarships  
3 and are assessed pursuant to subsection (a) of this Section.  
4 Costs associated with the independent research organization  
5 shall be paid by the scholarship granting organizations on a  
6 per-pupil basis or by gifts, grants, or donations received by  
7 the Board under subsection (d) of this Section, as determined  
8 by the Board. The independent research organization must  
9 annually report to the Board on the year-to-year learning gains  
10 of students receiving scholarships on a statewide basis. The  
11 report shall also include, to the extent possible, a comparison  
12 of these learning gains to the statewide learning gains of  
13 public school students with socioeconomic backgrounds similar  
14 to those of students receiving scholarships. The annual report  
15 shall be delivered to the Board and published on its website.

16 (c) Beginning within 120 days after the Board first  
17 receives the annual report by the independent research  
18 organization as provided in subsection (b) of this Section and  
19 on an annual basis thereafter, the Board shall submit a written  
20 report to the Governor, the President of the Senate, the  
21 Speaker of the House of Representatives, the Minority Leader of  
22 the Senate, and the Minority Leader of the House of  
23 Representatives regarding this Act. Such report shall include  
24 an evaluation of the academic performance of students receiving  
25 scholarships and recommendations for improving student  
26 performance.

1 (d) Subject to the State Officials and Employees Ethics  
2 Act, the Board may receive and expend gifts, grants, and  
3 donations of any kind from any public or private entity to  
4 carry out the purposes of this Section, subject to the terms  
5 and conditions under which the gifts are given, provided that  
6 all such terms and conditions are permissible under law.

7 (e) The sharing and reporting of student assessment  
8 ~~learning gain~~ data under this Section must be in accordance  
9 with requirements of the Family Educational Rights and Privacy  
10 Act and the Illinois School Student Records Act. All parties  
11 must preserve the confidentiality of such information as  
12 required by law. The annual report must not disaggregate data  
13 to a level that will disclose the academic level of individual  
14 students.

15 (Source: P.A. 100-465, eff. 8-31-17.)

16 (35 ILCS 40/65 rep.)

17 (35 ILCS 40/995 rep.)

18 Section 105-15. The Invest in Kids Act is amended by  
19 repealing Sections 65 and 995.

20 Article 110.

21 Section 110-5. The Illinois Vehicle Code is amended by  
22 changing Sections 6-209.1, 11-208.3, 11-208.6, 11-208.8,  
23 11-208.9, and 11-1201.1 as follows:

1 (625 ILCS 5/6-209.1)

2 Sec. 6-209.1. Restoration of driving privileges;  
3 revocation; suspension; cancellation.

4 (a) The Secretary shall rescind the suspension or  
5 cancellation of a person's driver's license that has been  
6 suspended or canceled before July 1, 2020 (the effective date  
7 of Public Act 101-623) ~~this amendatory Act of the 101st General~~  
8 ~~Assembly~~ due to:

9 (1) the person being convicted of theft of motor fuel  
10 under Section ~~Sections~~ 16-25 or 16K-15 of the Criminal Code  
11 of 1961 or the Criminal Code of 2012;

12 (2) the person, since the issuance of the driver's  
13 license, being adjudged to be afflicted with or suffering  
14 from any mental disability or disease;

15 (3) a violation of Section 6-16 of the Liquor Control  
16 Act of 1934 or a similar provision of a local ordinance;

17 (4) the person being convicted of a violation of  
18 Section 6-20 of the Liquor Control Act of 1934 or a similar  
19 provision of a local ordinance, if the person presents a  
20 certified copy of a court order that includes a finding  
21 that the person was not an occupant of a motor vehicle at  
22 the time of the violation;

23 (5) the person receiving a disposition of court  
24 supervision for a violation of subsection ~~subsections~~ (a),  
25 (d), or (e) of Section 6-20 of the Liquor Control Act of

1 1934 or a similar provision of a local ordinance, if the  
2 person presents a certified copy of a court order that  
3 includes a finding that the person was not an occupant of a  
4 motor vehicle at the time of the violation;

5 (6) the person failing to pay any fine or penalty due  
6 or owing as a result of 10 or more violations of a  
7 municipality's or county's vehicular standing, parking, or  
8 compliance regulations established by ordinance under  
9 Section 11-208.3 of this Code;

10 (7) the person failing to satisfy any fine or penalty  
11 resulting from a final order issued by the Illinois State  
12 Toll Highway Authority relating directly or indirectly to 5  
13 or more toll violations, toll evasions, or both;

14 (8) the person being convicted of a violation of  
15 Section 4-102 of this Code, if the person presents a  
16 certified copy of a court order that includes a finding  
17 that the person did not exercise actual physical control of  
18 the vehicle at the time of the violation; or

19 (9) the person being convicted of criminal trespass to  
20 vehicles under Section 21-2 of the Criminal Code of 2012,  
21 if the person presents a certified copy of a court order  
22 that includes a finding that the person did not exercise  
23 actual physical control of the vehicle at the time of the  
24 violation.

25 (b) As soon as practicable and no later than July 1, 2021,  
26 the Secretary shall rescind the suspension, cancellation, or

1 prohibition of renewal of a person's driver's license that has  
2 been suspended, canceled, or whose renewal has been prohibited  
3 before the effective date of this amendatory Act of the 101st  
4 General Assembly due to the person having failed to pay any  
5 fine or penalty as a result of 5 offenses for automated traffic  
6 law enforcement system violations under Sections 11-208.6,  
7 11-208.8, 11-208.9, and 11-1201.1.

8 (Source: P.A. 101-623, eff. 7-1-20; revised 8-18-20.)

9 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

10 Sec. 11-208.3. Administrative adjudication of violations  
11 of traffic regulations concerning the standing, parking, or  
12 condition of vehicles, automated traffic law violations, and  
13 automated speed enforcement system violations.

14 (a) Any municipality or county may provide by ordinance for  
15 a system of administrative adjudication of vehicular standing  
16 and parking violations and vehicle compliance violations as  
17 described in this subsection, automated traffic law violations  
18 as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and  
19 automated speed enforcement system violations as defined in  
20 Section 11-208.8. The administrative system shall have as its  
21 purpose the fair and efficient enforcement of municipal or  
22 county regulations through the administrative adjudication of  
23 automated speed enforcement system or automated traffic law  
24 violations and violations of municipal or county ordinances  
25 regulating the standing and parking of vehicles, the condition



1 and use of vehicle equipment, and the display of municipal or  
2 county wheel tax licenses within the municipality's or county's  
3 borders. The administrative system shall only have authority to  
4 adjudicate civil offenses carrying fines not in excess of \$500  
5 or requiring the completion of a traffic education program, or  
6 both, that occur after the effective date of the ordinance  
7 adopting such a system under this Section. For purposes of this  
8 Section, "compliance violation" means a violation of a  
9 municipal or county regulation governing the condition or use  
10 of equipment on a vehicle or governing the display of a  
11 municipal or county wheel tax license.

12 (b) Any ordinance establishing a system of administrative  
13 adjudication under this Section shall provide for:

14 (1) A traffic compliance administrator authorized to  
15 adopt, distribute, and process parking, compliance, and  
16 automated speed enforcement system or automated traffic  
17 law violation notices and other notices required by this  
18 Section, collect money paid as fines and penalties for  
19 violation of parking and compliance ordinances and  
20 automated speed enforcement system or automated traffic  
21 law violations, and operate an administrative adjudication  
22 system. ~~The traffic compliance administrator also may make~~  
23 ~~a certified report to the Secretary of State under Section~~  
24 ~~6-306.5.~~

25 (2) A parking, standing, compliance, automated speed  
26 enforcement system, or automated traffic law violation

1 notice that shall specify or include the date, time, and  
2 place of violation of a parking, standing, compliance,  
3 automated speed enforcement system, or automated traffic  
4 law regulation; the particular regulation violated; any  
5 requirement to complete a traffic education program; the  
6 fine and any penalty that may be assessed for late payment  
7 or failure to complete a required traffic education  
8 program, or both, when so provided by ordinance; the  
9 vehicle make or a photograph of the vehicle; the state  
10 registration number of the vehicle; and the identification  
11 number of the person issuing the notice. With regard to  
12 automated speed enforcement system or automated traffic  
13 law violations, vehicle make shall be specified on the  
14 automated speed enforcement system or automated traffic  
15 law violation notice if the notice does not include a  
16 photograph of the vehicle and the make is available and  
17 readily discernible. With regard to municipalities or  
18 counties with a population of 1 million or more, it shall  
19 be grounds for dismissal of a parking violation if the  
20 state registration number or vehicle make specified is  
21 incorrect. The violation notice shall state that the  
22 completion of any required traffic education program, the  
23 payment of any indicated fine, and the payment of any  
24 applicable penalty for late payment or failure to complete  
25 a required traffic education program, or both, shall  
26 operate as a final disposition of the violation. The notice

1 also shall contain information as to the availability of a  
2 hearing in which the violation may be contested on its  
3 merits. The violation notice shall specify the time and  
4 manner in which a hearing may be had.

5 (3) Service of a parking, standing, or compliance  
6 violation notice by: (i) affixing the original or a  
7 facsimile of the notice to an unlawfully parked or standing  
8 vehicle; (ii) handing the notice to the operator of a  
9 vehicle if he or she is present; or (iii) mailing the  
10 notice to the address of the registered owner or lessee of  
11 the cited vehicle as recorded with the Secretary of State  
12 or the lessor of the motor vehicle within 30 days after the  
13 Secretary of State or the lessor of the motor vehicle  
14 notifies the municipality or county of the identity of the  
15 owner or lessee of the vehicle, but not later than 90 days  
16 after the date of the violation, except that in the case of  
17 a lessee of a motor vehicle, service of a parking,  
18 standing, or compliance violation notice may occur no later  
19 than 210 days after the violation; and service of an  
20 automated speed enforcement system or automated traffic  
21 law violation notice by mail to the address of the  
22 registered owner or lessee of the cited vehicle as recorded  
23 with the Secretary of State or the lessor of the motor  
24 vehicle within 30 days after the Secretary of State or the  
25 lessor of the motor vehicle notifies the municipality or  
26 county of the identity of the owner or lessee of the

1 vehicle, but not later than 90 days after the violation,  
2 except that in the case of a lessee of a motor vehicle,  
3 service of an automated traffic law violation notice may  
4 occur no later than 210 days after the violation. A person  
5 authorized by ordinance to issue and serve parking,  
6 standing, and compliance violation notices shall certify  
7 as to the correctness of the facts entered on the violation  
8 notice by signing his or her name to the notice at the time  
9 of service or, in the case of a notice produced by a  
10 computerized device, by signing a single certificate to be  
11 kept by the traffic compliance administrator attesting to  
12 the correctness of all notices produced by the device while  
13 it was under his or her control. In the case of an  
14 automated traffic law violation, the ordinance shall  
15 require a determination by a technician employed or  
16 contracted by the municipality or county that, based on  
17 inspection of recorded images, the motor vehicle was being  
18 operated in violation of Section 11-208.6, 11-208.9, or  
19 11-1201.1 or a local ordinance. If the technician  
20 determines that the vehicle entered the intersection as  
21 part of a funeral procession or in order to yield the  
22 right-of-way to an emergency vehicle, a citation shall not  
23 be issued. In municipalities with a population of less than  
24 1,000,000 inhabitants and counties with a population of  
25 less than 3,000,000 inhabitants, the automated traffic law  
26 ordinance shall require that all determinations by a

1 technician that a motor vehicle was being operated in  
2 violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a  
3 local ordinance must be reviewed and approved by a law  
4 enforcement officer or retired law enforcement officer of  
5 the municipality or county issuing the violation. In  
6 municipalities with a population of 1,000,000 or more  
7 inhabitants and counties with a population of 3,000,000 or  
8 more inhabitants, the automated traffic law ordinance  
9 shall require that all determinations by a technician that  
10 a motor vehicle was being operated in violation of Section  
11 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must  
12 be reviewed and approved by a law enforcement officer or  
13 retired law enforcement officer of the municipality or  
14 county issuing the violation or by an additional fully  
15 trained ~~fully-trained~~ reviewing technician who is not  
16 employed by the contractor who employs the technician who  
17 made the initial determination. In the case of an automated  
18 speed enforcement system violation, the ordinance shall  
19 require a determination by a technician employed by the  
20 municipality, based upon an inspection of recorded images,  
21 video or other documentation, including documentation of  
22 the speed limit and automated speed enforcement signage,  
23 and documentation of the inspection, calibration, and  
24 certification of the speed equipment, that the vehicle was  
25 being operated in violation of Article VI of Chapter 11 of  
26 this Code or a similar local ordinance. If the technician

1 determines that the vehicle speed was not determined by a  
2 calibrated, certified speed equipment device based upon  
3 the speed equipment documentation, or if the vehicle was an  
4 emergency vehicle, a citation may not be issued. The  
5 automated speed enforcement ordinance shall require that  
6 all determinations by a technician that a violation  
7 occurred be reviewed and approved by a law enforcement  
8 officer or retired law enforcement officer of the  
9 municipality issuing the violation or by an additional  
10 fully trained reviewing technician who is not employed by  
11 the contractor who employs the technician who made the  
12 initial determination. Routine and independent calibration  
13 of the speeds produced by automated speed enforcement  
14 systems and equipment shall be conducted annually by a  
15 qualified technician. Speeds produced by an automated  
16 speed enforcement system shall be compared with speeds  
17 produced by lidar or other independent equipment. Radar or  
18 lidar equipment shall undergo an internal validation test  
19 no less frequently than once each week. Qualified  
20 technicians shall test loop-based ~~loop-based~~ equipment no  
21 less frequently than once a year. Radar equipment shall be  
22 checked for accuracy by a qualified technician when the  
23 unit is serviced, when unusual or suspect readings persist,  
24 or when deemed necessary by a reviewing technician. Radar  
25 equipment shall be checked with the internal frequency  
26 generator and the internal circuit test whenever the radar

1 is turned on. Technicians must be alert for any unusual or  
2 suspect readings, and if unusual or suspect readings of a  
3 radar unit persist, that unit shall immediately be removed  
4 from service and not returned to service until it has been  
5 checked by a qualified technician and determined to be  
6 functioning properly. Documentation of the annual  
7 calibration results, including the equipment tested, test  
8 date, technician performing the test, and test results,  
9 shall be maintained and available for use in the  
10 determination of an automated speed enforcement system  
11 violation and issuance of a citation. The technician  
12 performing the calibration and testing of the automated  
13 speed enforcement equipment shall be trained and certified  
14 in the use of equipment for speed enforcement purposes.  
15 Training on the speed enforcement equipment may be  
16 conducted by law enforcement, civilian, or manufacturer's  
17 personnel and if applicable may be equivalent to the  
18 equipment use and operations training included in the Speed  
19 Measuring Device Operator Program developed by the  
20 National Highway Traffic Safety Administration (NHTSA).  
21 The vendor or technician who performs the work shall keep  
22 accurate records on each piece of equipment the technician  
23 calibrates and tests. As used in this paragraph, "fully  
24 trained ~~fully-trained~~ reviewing technician" means a person  
25 who has received at least 40 hours of supervised training  
26 in subjects which shall include image inspection and

1 interpretation, the elements necessary to prove a  
2 violation, license plate identification, and traffic  
3 safety and management. In all municipalities and counties,  
4 the automated speed enforcement system or automated  
5 traffic law ordinance shall require that no additional fee  
6 shall be charged to the alleged violator for exercising his  
7 or her right to an administrative hearing, and persons  
8 shall be given at least 25 days following an administrative  
9 hearing to pay any civil penalty imposed by a finding that  
10 Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a  
11 similar local ordinance has been violated. The original or  
12 a facsimile of the violation notice or, in the case of a  
13 notice produced by a computerized device, a printed record  
14 generated by the device showing the facts entered on the  
15 notice, shall be retained by the traffic compliance  
16 administrator, and shall be a record kept in the ordinary  
17 course of business. A parking, standing, compliance,  
18 automated speed enforcement system, or automated traffic  
19 law violation notice issued, signed, and served in  
20 accordance with this Section, a copy of the notice, or the  
21 computer-generated ~~computer-generated~~ record shall be  
22 prima facie correct and shall be prima facie evidence of  
23 the correctness of the facts shown on the notice. The  
24 notice, copy, or computer-generated ~~computer-generated~~  
25 record shall be admissible in any subsequent  
26 administrative or legal proceedings.



1           (4) An opportunity for a hearing for the registered  
2 owner of the vehicle cited in the parking, standing,  
3 compliance, automated speed enforcement system, or  
4 automated traffic law violation notice in which the owner  
5 may contest the merits of the alleged violation, and during  
6 which formal or technical rules of evidence shall not  
7 apply; provided, however, that under Section 11-1306 of  
8 this Code the lessee of a vehicle cited in the violation  
9 notice likewise shall be provided an opportunity for a  
10 hearing of the same kind afforded the registered owner. The  
11 hearings shall be recorded, and the person conducting the  
12 hearing on behalf of the traffic compliance administrator  
13 shall be empowered to administer oaths and to secure by  
14 subpoena both the attendance and testimony of witnesses and  
15 the production of relevant books and papers. Persons  
16 appearing at a hearing under this Section may be  
17 represented by counsel at their expense. The ordinance may  
18 also provide for internal administrative review following  
19 the decision of the hearing officer.

20           (5) Service of additional notices, sent by first class  
21 United States mail, postage prepaid, to the address of the  
22 registered owner of the cited vehicle as recorded with the  
23 Secretary of State or, if any notice to that address is  
24 returned as undeliverable, to the last known address  
25 recorded in a United States Post Office approved database,  
26 or, under Section 11-1306 or subsection (p) of Section

1 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8  
2 of this Code, to the lessee of the cited vehicle at the  
3 last address known to the lessor of the cited vehicle at  
4 the time of lease or, if any notice to that address is  
5 returned as undeliverable, to the last known address  
6 recorded in a United States Post Office approved database.  
7 The service shall be deemed complete as of the date of  
8 deposit in the United States mail. The notices shall be in  
9 the following sequence and shall include, but not be  
10 limited to, the information specified herein:

11 (i) A second notice of parking, standing, or  
12 compliance violation if the first notice of the  
13 violation was issued by affixing the original or a  
14 facsimile of the notice to the unlawfully parked  
15 vehicle or by handing the notice to the operator. This  
16 notice shall specify or include the date and location  
17 of the violation cited in the parking, standing, or  
18 compliance violation notice, the particular regulation  
19 violated, the vehicle make or a photograph of the  
20 vehicle, the state registration number of the vehicle,  
21 any requirement to complete a traffic education  
22 program, the fine and any penalty that may be assessed  
23 for late payment or failure to complete a traffic  
24 education program, or both, when so provided by  
25 ordinance, the availability of a hearing in which the  
26 violation may be contested on its merits, and the time

1 and manner in which the hearing may be had. The notice  
2 of violation shall also state that failure to complete  
3 a required traffic education program, to pay the  
4 indicated fine and any applicable penalty, or to appear  
5 at a hearing on the merits in the time and manner  
6 specified, will result in a final determination of  
7 violation liability for the cited violation in the  
8 amount of the fine or penalty indicated, and that, upon  
9 the occurrence of a final determination of violation  
10 liability for the failure, and the exhaustion of, or  
11 failure to exhaust, available administrative or  
12 judicial procedures for review, any incomplete traffic  
13 education program or any unpaid fine or penalty, or  
14 both, will constitute a debt due and owing the  
15 municipality or county.

16 (ii) A notice of final determination of parking,  
17 standing, compliance, automated speed enforcement  
18 system, or automated traffic law violation liability.  
19 This notice shall be sent following a final  
20 determination of parking, standing, compliance,  
21 automated speed enforcement system, or automated  
22 traffic law violation liability and the conclusion of  
23 judicial review procedures taken under this Section.  
24 The notice shall state that the incomplete traffic  
25 education program or the unpaid fine or penalty, or  
26 both, is a debt due and owing the municipality or

1 county. The notice shall contain warnings that failure  
2 to complete any required traffic education program or  
3 to pay any fine or penalty due and owing the  
4 municipality or county, or both, within the time  
5 specified may result in the municipality's or county's  
6 filing of a petition in the Circuit Court to have the  
7 incomplete traffic education program or unpaid fine or  
8 penalty, or both, rendered a judgment as provided by  
9 this Section, or, where applicable, may result in  
10 suspension of the person's driver's ~~drivers~~ license  
11 for failure to complete a traffic education program ~~or~~  
12 ~~to pay fines or penalties, or both, for 5 or more~~  
13 ~~automated traffic law violations under Section~~  
14 ~~11 208.6 or 11 208.9 or automated speed enforcement~~  
15 ~~system violations under Section 11 208.8.~~

16 (6) A notice of impending driver's ~~drivers~~ license  
17 suspension. This notice shall be sent to the person liable  
18 for failure to complete a required traffic education  
19 program ~~or to pay any fine or penalty that remains due and~~  
20 ~~owing, or both, on 5 or more unpaid automated speed~~  
21 ~~enforcement system or automated traffic law violations.~~  
22 The notice shall state that failure to complete a required  
23 traffic education program ~~or to pay the fine or penalty~~  
24 ~~owing, or both,~~ within 45 days of the notice's date will  
25 result in the municipality or county notifying the  
26 Secretary of State that the person is eligible for

1 initiation of suspension proceedings under Section 6-306.5  
2 of this Code. The notice shall also state that the person  
3 may obtain a photostatic copy of an original ticket  
4 imposing a fine or penalty by sending a self-addressed ~~self~~  
5 ~~addressed~~, stamped envelope to the municipality or county  
6 along with a request for the photostatic copy. The notice  
7 of impending driver's ~~drivers~~ license suspension shall be  
8 sent by first class United States mail, postage prepaid, to  
9 the address recorded with the Secretary of State or, if any  
10 notice to that address is returned as undeliverable, to the  
11 last known address recorded in a United States Post Office  
12 approved database.

13 (7) Final determinations of violation liability. A  
14 final determination of violation liability shall occur  
15 following failure to complete the required traffic  
16 education program or to pay the fine or penalty, or both,  
17 after a hearing officer's determination of violation  
18 liability and the exhaustion of or failure to exhaust any  
19 administrative review procedures provided by ordinance.  
20 Where a person fails to appear at a hearing to contest the  
21 alleged violation in the time and manner specified in a  
22 prior mailed notice, the hearing officer's determination  
23 of violation liability shall become final: (A) upon denial  
24 of a timely petition to set aside that determination, or  
25 (B) upon expiration of the period for filing the petition  
26 without a filing having been made.

1           (8) A petition to set aside a determination of parking,  
2 standing, compliance, automated speed enforcement system,  
3 or automated traffic law violation liability that may be  
4 filed by a person owing an unpaid fine or penalty. A  
5 petition to set aside a determination of liability may also  
6 be filed by a person required to complete a traffic  
7 education program. The petition shall be filed with and  
8 ruled upon by the traffic compliance administrator in the  
9 manner and within the time specified by ordinance. The  
10 grounds for the petition may be limited to: (A) the person  
11 not having been the owner or lessee of the cited vehicle on  
12 the date the violation notice was issued, (B) the person  
13 having already completed the required traffic education  
14 program or paid the fine or penalty, or both, for the  
15 violation in question, and (C) excusable failure to appear  
16 at or request a new date for a hearing. With regard to  
17 municipalities or counties with a population of 1 million  
18 or more, it shall be grounds for dismissal of a parking  
19 violation if the state registration number or vehicle make,  
20 only if specified in the violation notice, is incorrect.  
21 After the determination of parking, standing, compliance,  
22 automated speed enforcement system, or automated traffic  
23 law violation liability has been set aside upon a showing  
24 of just cause, the registered owner shall be provided with  
25 a hearing on the merits for that violation.

26           (9) Procedures for non-residents. Procedures by which

1 persons who are not residents of the municipality or county  
2 may contest the merits of the alleged violation without  
3 attending a hearing.

4 (10) A schedule of civil fines for violations of  
5 vehicular standing, parking, compliance, automated speed  
6 enforcement system, or automated traffic law regulations  
7 enacted by ordinance pursuant to this Section, and a  
8 schedule of penalties for late payment of the fines or  
9 failure to complete required traffic education programs,  
10 provided, however, that the total amount of the fine and  
11 penalty for any one violation shall not exceed \$250, except  
12 as provided in subsection (c) of Section 11-1301.3 of this  
13 Code.

14 (11) Other provisions as are necessary and proper to  
15 carry into effect the powers granted and purposes stated in  
16 this Section.

17 (c) Any municipality or county establishing vehicular  
18 standing, parking, compliance, automated speed enforcement  
19 system, or automated traffic law regulations under this Section  
20 may also provide by ordinance for a program of vehicle  
21 immobilization for the purpose of facilitating enforcement of  
22 those regulations. The program of vehicle immobilization shall  
23 provide for immobilizing any eligible vehicle upon the public  
24 way by presence of a restraint in a manner to prevent operation  
25 of the vehicle. Any ordinance establishing a program of vehicle  
26 immobilization under this Section shall provide:

1           (1) Criteria for the designation of vehicles eligible  
2           for immobilization. A vehicle shall be eligible for  
3           immobilization when the registered owner of the vehicle has  
4           accumulated the number of incomplete traffic education  
5           programs or unpaid final determinations of parking,  
6           standing, compliance, automated speed enforcement system,  
7           or automated traffic law violation liability, or both, as  
8           determined by ordinance.

9           (2) A notice of impending vehicle immobilization and a  
10          right to a hearing to challenge the validity of the notice  
11          by disproving liability for the incomplete traffic  
12          education programs or unpaid final determinations of  
13          parking, standing, compliance, automated speed enforcement  
14          system, or automated traffic law violation liability, or  
15          both, listed on the notice.

16          (3) The right to a prompt hearing after a vehicle has  
17          been immobilized or subsequently towed without the  
18          completion of the required traffic education program or  
19          payment of the outstanding fines and penalties on parking,  
20          standing, compliance, automated speed enforcement system,  
21          or automated traffic law violations, or both, for which  
22          final determinations have been issued. An order issued  
23          after the hearing is a final administrative decision within  
24          the meaning of Section 3-101 of the Code of Civil  
25          Procedure.

26          (4) A post immobilization and post-towing notice



1           advising the registered owner of the vehicle of the right  
2           to a hearing to challenge the validity of the impoundment.

3           (d) Judicial review of final determinations of parking,  
4           standing, compliance, automated speed enforcement system, or  
5           automated traffic law violations and final administrative  
6           decisions issued after hearings regarding vehicle  
7           immobilization and impoundment made under this Section shall be  
8           subject to the provisions of the Administrative Review Law.

9           (e) Any fine, penalty, incomplete traffic education  
10          program, or part of any fine or any penalty remaining unpaid  
11          after the exhaustion of, or the failure to exhaust,  
12          administrative remedies created under this Section and the  
13          conclusion of any judicial review procedures shall be a debt  
14          due and owing the municipality or county and, as such, may be  
15          collected in accordance with applicable law. Completion of any  
16          required traffic education program and payment in full of any  
17          fine or penalty resulting from a standing, parking, compliance,  
18          automated speed enforcement system, or automated traffic law  
19          violation shall constitute a final disposition of that  
20          violation.

21          (f) After the expiration of the period within which  
22          judicial review may be sought for a final determination of  
23          parking, standing, compliance, automated speed enforcement  
24          system, or automated traffic law violation, the municipality or  
25          county may commence a proceeding in the Circuit Court for  
26          purposes of obtaining a judgment on the final determination of

1 violation. Nothing in this Section shall prevent a municipality  
2 or county from consolidating multiple final determinations of  
3 parking, standing, compliance, automated speed enforcement  
4 system, or automated traffic law violations against a person in  
5 a proceeding. Upon commencement of the action, the municipality  
6 or county shall file a certified copy or record of the final  
7 determination of parking, standing, compliance, automated  
8 speed enforcement system, or automated traffic law violation,  
9 which shall be accompanied by a certification that recites  
10 facts sufficient to show that the final determination of  
11 violation was issued in accordance with this Section and the  
12 applicable municipal or county ordinance. Service of the  
13 summons and a copy of the petition may be by any method  
14 provided by Section 2-203 of the Code of Civil Procedure or by  
15 certified mail, return receipt requested, provided that the  
16 total amount of fines and penalties for final determinations of  
17 parking, standing, compliance, automated speed enforcement  
18 system, or automated traffic law violations does not exceed  
19 \$2500. If the court is satisfied that the final determination  
20 of parking, standing, compliance, automated speed enforcement  
21 system, or automated traffic law violation was entered in  
22 accordance with the requirements of this Section and the  
23 applicable municipal or county ordinance, and that the  
24 registered owner or the lessee, as the case may be, had an  
25 opportunity for an administrative hearing and for judicial  
26 review as provided in this Section, the court shall render

1 judgment in favor of the municipality or county and against the  
2 registered owner or the lessee for the amount indicated in the  
3 final determination of parking, standing, compliance,  
4 automated speed enforcement system, or automated traffic law  
5 violation, plus costs. The judgment shall have the same effect  
6 and may be enforced in the same manner as other judgments for  
7 the recovery of money.

8 (g) The fee for participating in a traffic education  
9 program under this Section shall not exceed \$25.

10 A low-income individual required to complete a traffic  
11 education program under this Section who provides proof of  
12 eligibility for the federal earned income tax credit under  
13 Section 32 of the Internal Revenue Code or the Illinois earned  
14 income tax credit under Section 212 of the Illinois Income Tax  
15 Act shall not be required to pay any fee for participating in a  
16 required traffic education program.

17 (Source: P.A. 101-32, eff. 6-28-19; 101-623, eff. 7-1-20;  
18 revised 12-21-20.)

19 (625 ILCS 5/11-208.6)

20 Sec. 11-208.6. Automated traffic law enforcement system.

21 (a) As used in this Section, "automated traffic law  
22 enforcement system" means a device with one or more motor  
23 vehicle sensors working in conjunction with a red light signal  
24 to produce recorded images of motor vehicles entering an  
25 intersection against a red signal indication in violation of

1 Section 11-306 of this Code or a similar provision of a local  
2 ordinance.

3 An automated traffic law enforcement system is a system, in  
4 a municipality or county operated by a governmental agency,  
5 that produces a recorded image of a motor vehicle's violation  
6 of a provision of this Code or a local ordinance and is  
7 designed to obtain a clear recorded image of the vehicle and  
8 the vehicle's license plate. The recorded image must also  
9 display the time, date, and location of the violation.

10 (b) As used in this Section, "recorded images" means images  
11 recorded by an automated traffic law enforcement system on:

12 (1) 2 or more photographs;

13 (2) 2 or more microphotographs;

14 (3) 2 or more electronic images; or

15 (4) a video recording showing the motor vehicle and, on  
16 at least one image or portion of the recording, clearly  
17 identifying the registration plate or digital registration  
18 plate number of the motor vehicle.

19 (b-5) A municipality or county that produces a recorded  
20 image of a motor vehicle's violation of a provision of this  
21 Code or a local ordinance must make the recorded images of a  
22 violation accessible to the alleged violator by providing the  
23 alleged violator with a website address, accessible through the  
24 Internet.

25 (c) Except as provided under Section 11-208.8 of this Code,  
26 a county or municipality, including a home rule county or

1 municipality, may not use an automated traffic law enforcement  
2 system to provide recorded images of a motor vehicle for the  
3 purpose of recording its speed. Except as provided under  
4 Section 11-208.8 of this Code, the regulation of the use of  
5 automated traffic law enforcement systems to record vehicle  
6 speeds is an exclusive power and function of the State. This  
7 subsection (c) is a denial and limitation of home rule powers  
8 and functions under subsection (h) of Section 6 of Article VII  
9 of the Illinois Constitution.

10 (c-5) A county or municipality, including a home rule  
11 county or municipality, may not use an automated traffic law  
12 enforcement system to issue violations in instances where the  
13 motor vehicle comes to a complete stop and does not enter the  
14 intersection, as defined by Section 1-132 of this Code, during  
15 the cycle of the red signal indication unless one or more  
16 pedestrians or bicyclists are present, even if the motor  
17 vehicle stops at a point past a stop line or crosswalk where a  
18 driver is required to stop, as specified in subsection (c) of  
19 Section 11-306 of this Code or a similar provision of a local  
20 ordinance.

21 (c-6) A county, or a municipality with less than 2,000,000  
22 inhabitants, including a home rule county or municipality, may  
23 not use an automated traffic law enforcement system to issue  
24 violations in instances where a motorcyclist enters an  
25 intersection against a red signal indication when the red  
26 signal fails to change to a green signal within a reasonable

1 period of time not less than 120 seconds because of a signal  
2 malfunction or because the signal has failed to detect the  
3 arrival of the motorcycle due to the motorcycle's size or  
4 weight.

5 (d) For each violation of a provision of this Code or a  
6 local ordinance recorded by an automatic traffic law  
7 enforcement system, the county or municipality having  
8 jurisdiction shall issue a written notice of the violation to  
9 the registered owner of the vehicle as the alleged violator.  
10 The notice shall be delivered to the registered owner of the  
11 vehicle, by mail, within 30 days after the Secretary of State  
12 notifies the municipality or county of the identity of the  
13 owner of the vehicle, but in no event later than 90 days after  
14 the violation.

15 The notice shall include:

16 (1) the name and address of the registered owner of the  
17 vehicle;

18 (2) the registration number of the motor vehicle  
19 involved in the violation;

20 (3) the violation charged;

21 (4) the location where the violation occurred;

22 (5) the date and time of the violation;

23 (6) a copy of the recorded images;

24 (7) the amount of the civil penalty imposed and the  
25 requirements of any traffic education program imposed and  
26 the date by which the civil penalty should be paid and the

1 traffic education program should be completed;

2 (8) a statement that recorded images are evidence of a  
3 violation of a red light signal;

4 (9) a warning that failure to pay the civil penalty, to  
5 complete a required traffic education program, or to  
6 contest liability in a timely manner is an admission of  
7 liability ~~and may result in a suspension of the driving~~  
8 ~~privileges of the registered owner of the vehicle;~~

9 (10) a statement that the person may elect to proceed  
10 by:

11 (A) paying the fine, completing a required traffic  
12 education program, or both; or

13 (B) challenging the charge in court, by mail, or by  
14 administrative hearing; and

15 (11) a website address, accessible through the  
16 Internet, where the person may view the recorded images of  
17 the violation.

18 (e) (Blank). ~~If a person charged with a traffic violation,~~  
19 ~~as a result of an automated traffic law enforcement system,~~  
20 ~~does not pay the fine or complete a required traffic education~~  
21 ~~program, or both, or successfully contest the civil penalty~~  
22 ~~resulting from that violation, the Secretary of State shall~~  
23 ~~suspend the driving privileges of the registered owner of the~~  
24 ~~vehicle under Section 6-306.5 of this Code for failing to~~  
25 ~~complete a required traffic education program or to pay any~~  
26 ~~fine or penalty due and owing, or both, as a result of a~~

1 ~~combination of 5 violations of the automated traffic law~~  
2 ~~enforcement system or the automated speed enforcement system~~  
3 ~~under Section 11-208.8 of this Code.~~

4 (f) Based on inspection of recorded images produced by an  
5 automated traffic law enforcement system, a notice alleging  
6 that the violation occurred shall be evidence of the facts  
7 contained in the notice and admissible in any proceeding  
8 alleging a violation under this Section.

9 (g) Recorded images made by an automatic traffic law  
10 enforcement system are confidential and shall be made available  
11 only to the alleged violator and governmental and law  
12 enforcement agencies for purposes of adjudicating a violation  
13 of this Section, for statistical purposes, or for other  
14 governmental purposes. Any recorded image evidencing a  
15 violation of this Section, however, may be admissible in any  
16 proceeding resulting from the issuance of the citation.

17 (h) The court or hearing officer may consider in defense of  
18 a violation:

19 (1) that the motor vehicle or registration plates or  
20 digital registration plates of the motor vehicle were  
21 stolen before the violation occurred and not under the  
22 control of or in the possession of the owner at the time of  
23 the violation;

24 (2) that the driver of the vehicle passed through the  
25 intersection when the light was red either (i) in order to  
26 yield the right-of-way to an emergency vehicle or (ii) as



1 part of a funeral procession; and

2 (3) any other evidence or issues provided by municipal  
3 or county ordinance.

4 (i) To demonstrate that the motor vehicle or the  
5 registration plates or digital registration plates were stolen  
6 before the violation occurred and were not under the control or  
7 possession of the owner at the time of the violation, the owner  
8 must submit proof that a report concerning the stolen motor  
9 vehicle or registration plates was filed with a law enforcement  
10 agency in a timely manner.

11 (j) Unless the driver of the motor vehicle received a  
12 Uniform Traffic Citation from a police officer at the time of  
13 the violation, the motor vehicle owner is subject to a civil  
14 penalty not exceeding \$100 or the completion of a traffic  
15 education program, or both, plus an additional penalty of not  
16 more than \$100 for failure to pay the original penalty or to  
17 complete a required traffic education program, or both, in a  
18 timely manner, if the motor vehicle is recorded by an automated  
19 traffic law enforcement system. A violation for which a civil  
20 penalty is imposed under this Section is not a violation of a  
21 traffic regulation governing the movement of vehicles and may  
22 not be recorded on the driving record of the owner of the  
23 vehicle.

24 (j-3) A registered owner who is a holder of a valid  
25 commercial driver's license is not required to complete a  
26 traffic education program.

1 (j-5) For purposes of the required traffic education  
2 program only, a registered owner may submit an affidavit to the  
3 court or hearing officer swearing that at the time of the  
4 alleged violation, the vehicle was in the custody and control  
5 of another person. The affidavit must identify the person in  
6 custody and control of the vehicle, including the person's name  
7 and current address. The person in custody and control of the  
8 vehicle at the time of the violation is required to complete  
9 the required traffic education program. If the person in  
10 custody and control of the vehicle at the time of the violation  
11 completes the required traffic education program, the  
12 registered owner of the vehicle is not required to complete a  
13 traffic education program.

14 (k) An intersection equipped with an automated traffic law  
15 enforcement system must be posted with a sign visible to  
16 approaching traffic indicating that the intersection is being  
17 monitored by an automated traffic law enforcement system.

18 (k-3) A municipality or county that has one or more  
19 intersections equipped with an automated traffic law  
20 enforcement system must provide notice to drivers by posting  
21 the locations of automated traffic law systems on the  
22 municipality or county website.

23 (k-5) An intersection equipped with an automated traffic  
24 law enforcement system must have a yellow change interval that  
25 conforms with the Illinois Manual on Uniform Traffic Control  
26 Devices (IMUTCD) published by the Illinois Department of

1 Transportation.

2 (k-7) A municipality or county operating an automated  
3 traffic law enforcement system shall conduct a statistical  
4 analysis to assess the safety impact of each automated traffic  
5 law enforcement system at an intersection following  
6 installation of the system. The statistical analysis shall be  
7 based upon the best available crash, traffic, and other data,  
8 and shall cover a period of time before and after installation  
9 of the system sufficient to provide a statistically valid  
10 comparison of safety impact. The statistical analysis shall be  
11 consistent with professional judgment and acceptable industry  
12 practice. The statistical analysis also shall be consistent  
13 with the data required for valid comparisons of before and  
14 after conditions and shall be conducted within a reasonable  
15 period following the installation of the automated traffic law  
16 enforcement system. The statistical analysis required by this  
17 subsection (k-7) shall be made available to the public and  
18 shall be published on the website of the municipality or  
19 county. If the statistical analysis for the 36 month period  
20 following installation of the system indicates that there has  
21 been an increase in the rate of accidents at the approach to  
22 the intersection monitored by the system, the municipality or  
23 county shall undertake additional studies to determine the  
24 cause and severity of the accidents, and may take any action  
25 that it determines is necessary or appropriate to reduce the  
26 number or severity of the accidents at that intersection.

1           (1) The compensation paid for an automated traffic law  
2 enforcement system must be based on the value of the equipment  
3 or the services provided and may not be based on the number of  
4 traffic citations issued or the revenue generated by the  
5 system.

6           (m) This Section applies only to the counties of Cook,  
7 DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and  
8 to municipalities located within those counties.

9           (n) The fee for participating in a traffic education  
10 program under this Section shall not exceed \$25.

11           A low-income individual required to complete a traffic  
12 education program under this Section who provides proof of  
13 eligibility for the federal earned income tax credit under  
14 Section 32 of the Internal Revenue Code or the Illinois earned  
15 income tax credit under Section 212 of the Illinois Income Tax  
16 Act shall not be required to pay any fee for participating in a  
17 required traffic education program.

18           (o) (Blank). ~~A municipality or county shall make a~~  
19 ~~certified report to the Secretary of State pursuant to Section~~  
20 ~~6-306.5 of this Code whenever a registered owner of a vehicle~~  
21 ~~has failed to pay any fine or penalty due and owing as a result~~  
22 ~~of a combination of 5 offenses for automated traffic law or~~  
23 ~~speed enforcement system violations.~~

24           (p) No person who is the lessor of a motor vehicle pursuant  
25 to a written lease agreement shall be liable for an automated  
26 speed or traffic law enforcement system violation involving

1 such motor vehicle during the period of the lease; provided  
2 that upon the request of the appropriate authority received  
3 within 120 days after the violation occurred, the lessor  
4 provides within 60 days after such receipt the name and address  
5 of the lessee. ~~The drivers license number of a lessee may be~~  
6 ~~subsequently individually requested by the appropriate~~  
7 ~~authority if needed for enforcement of this Section.~~

8 Upon the provision of information by the lessor pursuant to  
9 this subsection, the county or municipality may issue the  
10 violation to the lessee of the vehicle in the same manner as it  
11 would issue a violation to a registered owner of a vehicle  
12 pursuant to this Section, and the lessee may be held liable for  
13 the violation.

14 (Source: P.A. 101-395, eff. 8-16-19.)

15 (625 ILCS 5/11-208.8)

16 Sec. 11-208.8. Automated speed enforcement systems in  
17 safety zones.

18 (a) As used in this Section:

19 "Automated speed enforcement system" means a photographic  
20 device, radar device, laser device, or other electrical or  
21 mechanical device or devices installed or utilized in a safety  
22 zone and designed to record the speed of a vehicle and obtain a  
23 clear photograph or other recorded image of the vehicle and the  
24 vehicle's registration plate or digital registration plate  
25 while the driver is violating Article VI of Chapter 11 of this

1 Code or a similar provision of a local ordinance.

2 An automated speed enforcement system is a system, located  
3 in a safety zone which is under the jurisdiction of a  
4 municipality, that produces a recorded image of a motor  
5 vehicle's violation of a provision of this Code or a local  
6 ordinance and is designed to obtain a clear recorded image of  
7 the vehicle and the vehicle's license plate. The recorded image  
8 must also display the time, date, and location of the  
9 violation.

10 "Owner" means the person or entity to whom the vehicle is  
11 registered.

12 "Recorded image" means images recorded by an automated  
13 speed enforcement system on:

- 14 (1) 2 or more photographs;  
15 (2) 2 or more microphotographs;  
16 (3) 2 or more electronic images; or  
17 (4) a video recording showing the motor vehicle and, on  
18 at least one image or portion of the recording, clearly  
19 identifying the registration plate or digital registration  
20 plate number of the motor vehicle.

21 "Safety zone" means an area that is within one-eighth of a  
22 mile from the nearest property line of any public or private  
23 elementary or secondary school, or from the nearest property  
24 line of any facility, area, or land owned by a school district  
25 that is used for educational purposes approved by the Illinois  
26 State Board of Education, not including school district

1 headquarters or administrative buildings. A safety zone also  
2 includes an area that is within one-eighth of a mile from the  
3 nearest property line of any facility, area, or land owned by a  
4 park district used for recreational purposes. However, if any  
5 portion of a roadway is within either one-eighth mile radius,  
6 the safety zone also shall include the roadway extended to the  
7 furthest portion of the next furthest intersection. The term  
8 "safety zone" does not include any portion of the roadway known  
9 as Lake Shore Drive or any controlled access highway with 8 or  
10 more lanes of traffic.

11 (a-5) The automated speed enforcement system shall be  
12 operational and violations shall be recorded only at the  
13 following times:

14 (i) if the safety zone is based upon the property line  
15 of any facility, area, or land owned by a school district,  
16 only on school days and no earlier than 6 a.m. and no later  
17 than 8:30 p.m. if the school day is during the period of  
18 Monday through Thursday, or 9 p.m. if the school day is a  
19 Friday; and

20 (ii) if the safety zone is based upon the property line  
21 of any facility, area, or land owned by a park district, no  
22 earlier than one hour prior to the time that the facility,  
23 area, or land is open to the public or other patrons, and  
24 no later than one hour after the facility, area, or land is  
25 closed to the public or other patrons.

26 (b) A municipality that produces a recorded image of a

1 motor vehicle's violation of a provision of this Code or a  
2 local ordinance must make the recorded images of a violation  
3 accessible to the alleged violator by providing the alleged  
4 violator with a website address, accessible through the  
5 Internet.

6 (c) Notwithstanding any penalties for any other violations  
7 of this Code, the owner of a motor vehicle used in a traffic  
8 violation recorded by an automated speed enforcement system  
9 shall be subject to the following penalties:

10 (1) if the recorded speed is no less than 6 miles per  
11 hour and no more than 10 miles per hour over the legal  
12 speed limit, a civil penalty not exceeding \$50, plus an  
13 additional penalty of not more than \$50 for failure to pay  
14 the original penalty in a timely manner; or

15 (2) if the recorded speed is more than 10 miles per  
16 hour over the legal speed limit, a civil penalty not  
17 exceeding \$100, plus an additional penalty of not more than  
18 \$100 for failure to pay the original penalty in a timely  
19 manner.

20 A penalty may not be imposed under this Section if the  
21 driver of the motor vehicle received a Uniform Traffic Citation  
22 from a police officer for a speeding violation occurring within  
23 one-eighth of a mile and 15 minutes of the violation that was  
24 recorded by the system. A violation for which a civil penalty  
25 is imposed under this Section is not a violation of a traffic  
26 regulation governing the movement of vehicles and may not be



1 recorded on the driving record of the owner of the vehicle. A  
2 law enforcement officer is not required to be present or to  
3 witness the violation. No penalty may be imposed under this  
4 Section if the recorded speed of a vehicle is 5 miles per hour  
5 or less over the legal speed limit. The municipality may send,  
6 in the same manner that notices are sent under this Section, a  
7 speed violation warning notice where the violation involves a  
8 speed of 5 miles per hour or less above the legal speed limit.

9 (d) The net proceeds that a municipality receives from  
10 civil penalties imposed under an automated speed enforcement  
11 system, after deducting all non-personnel and personnel costs  
12 associated with the operation and maintenance of such system,  
13 shall be expended or obligated by the municipality for the  
14 following purposes:

15 (i) public safety initiatives to ensure safe passage  
16 around schools, and to provide police protection and  
17 surveillance around schools and parks, including but not  
18 limited to: (1) personnel costs; and (2) non-personnel  
19 costs such as construction and maintenance of public safety  
20 infrastructure and equipment;

21 (ii) initiatives to improve pedestrian and traffic  
22 safety;

23 (iii) construction and maintenance of infrastructure  
24 within the municipality, including but not limited to roads  
25 and bridges; and

26 (iv) after school programs.

1           (e) For each violation of a provision of this Code or a  
2 local ordinance recorded by an automated speed enforcement  
3 system, the municipality having jurisdiction shall issue a  
4 written notice of the violation to the registered owner of the  
5 vehicle as the alleged violator. The notice shall be delivered  
6 to the registered owner of the vehicle, by mail, within 30 days  
7 after the Secretary of State notifies the municipality of the  
8 identity of the owner of the vehicle, but in no event later  
9 than 90 days after the violation.

10           (f) The notice required under subsection (e) of this  
11 Section shall include:

12           (1) the name and address of the registered owner of the  
13 vehicle;

14           (2) the registration number of the motor vehicle  
15 involved in the violation;

16           (3) the violation charged;

17           (4) the date, time, and location where the violation  
18 occurred;

19           (5) a copy of the recorded image or images;

20           (6) the amount of the civil penalty imposed and the  
21 date by which the civil penalty should be paid;

22           (7) a statement that recorded images are evidence of a  
23 violation of a speed restriction;

24           (8) a warning that failure to pay the civil penalty or  
25 to contest liability in a timely manner is an admission of  
26 liability ~~and may result in a suspension of the driving~~

1 ~~privileges of the registered owner of the vehicle;~~

2 (9) a statement that the person may elect to proceed  
3 by:

4 (A) paying the fine; or

5 (B) challenging the charge in court, by mail, or by  
6 administrative hearing; and

7 (10) a website address, accessible through the  
8 Internet, where the person may view the recorded images of  
9 the violation.

10 (g) (Blank). ~~If a person charged with a traffic violation,~~  
11 ~~as a result of an automated speed enforcement system, does not~~  
12 ~~pay the fine or successfully contest the civil penalty~~  
13 ~~resulting from that violation, the Secretary of State shall~~  
14 ~~suspend the driving privileges of the registered owner of the~~  
15 ~~vehicle under Section 6 306.5 of this Code for failing to pay~~  
16 ~~any fine or penalty due and owing, or both, as a result of a~~  
17 ~~combination of 5 violations of the automated speed enforcement~~  
18 ~~system or the automated traffic law under Section 11 208.6 of~~  
19 ~~this Code.~~

20 (h) Based on inspection of recorded images produced by an  
21 automated speed enforcement system, a notice alleging that the  
22 violation occurred shall be evidence of the facts contained in  
23 the notice and admissible in any proceeding alleging a  
24 violation under this Section.

25 (i) Recorded images made by an automated speed enforcement  
26 system are confidential and shall be made available only to the

1 alleged violator and governmental and law enforcement agencies  
2 for purposes of adjudicating a violation of this Section, for  
3 statistical purposes, or for other governmental purposes. Any  
4 recorded image evidencing a violation of this Section, however,  
5 may be admissible in any proceeding resulting from the issuance  
6 of the citation.

7 (j) The court or hearing officer may consider in defense of  
8 a violation:

9 (1) that the motor vehicle or registration plates or  
10 digital registration plates of the motor vehicle were  
11 stolen before the violation occurred and not under the  
12 control or in the possession of the owner at the time of  
13 the violation;

14 (2) that the driver of the motor vehicle received a  
15 Uniform Traffic Citation from a police officer for a  
16 speeding violation occurring within one-eighth of a mile  
17 and 15 minutes of the violation that was recorded by the  
18 system; and

19 (3) any other evidence or issues provided by municipal  
20 ordinance.

21 (k) To demonstrate that the motor vehicle or the  
22 registration plates or digital registration plates were stolen  
23 before the violation occurred and were not under the control or  
24 possession of the owner at the time of the violation, the owner  
25 must submit proof that a report concerning the stolen motor  
26 vehicle or registration plates was filed with a law enforcement

1 agency in a timely manner.

2 (l) A roadway equipped with an automated speed enforcement  
3 system shall be posted with a sign conforming to the national  
4 Manual on Uniform Traffic Control Devices that is visible to  
5 approaching traffic stating that vehicle speeds are being  
6 photo-enforced and indicating the speed limit. The  
7 municipality shall install such additional signage as it  
8 determines is necessary to give reasonable notice to drivers as  
9 to where automated speed enforcement systems are installed.

10 (m) A roadway where a new automated speed enforcement  
11 system is installed shall be posted with signs providing 30  
12 days notice of the use of a new automated speed enforcement  
13 system prior to the issuance of any citations through the  
14 automated speed enforcement system.

15 (n) The compensation paid for an automated speed  
16 enforcement system must be based on the value of the equipment  
17 or the services provided and may not be based on the number of  
18 traffic citations issued or the revenue generated by the  
19 system.

20 (o) (Blank). ~~A municipality shall make a certified report~~  
21 ~~to the Secretary of State pursuant to Section 6-306.5 of this~~  
22 ~~Code whenever a registered owner of a vehicle has failed to pay~~  
23 ~~any fine or penalty due and owing as a result of a combination~~  
24 ~~of 5 offenses for automated speed or traffic law enforcement~~  
25 ~~system violations.~~

26 (p) No person who is the lessor of a motor vehicle pursuant

1 to a written lease agreement shall be liable for an automated  
2 speed or traffic law enforcement system violation involving  
3 such motor vehicle during the period of the lease; provided  
4 that upon the request of the appropriate authority received  
5 within 120 days after the violation occurred, the lessor  
6 provides within 60 days after such receipt the name and address  
7 of the lessee. The drivers license number of a lessee may be  
8 subsequently individually requested by the appropriate  
9 authority if needed for enforcement of this Section.

10 Upon the provision of information by the lessor pursuant to  
11 this subsection, the municipality may issue the violation to  
12 the lessee of the vehicle in the same manner as it would issue  
13 a violation to a registered owner of a vehicle pursuant to this  
14 Section, and the lessee may be held liable for the violation.

15 (q) A municipality using an automated speed enforcement  
16 system must provide notice to drivers by publishing the  
17 locations of all safety zones where system equipment is  
18 installed on the website of the municipality.

19 (r) A municipality operating an automated speed  
20 enforcement system shall conduct a statistical analysis to  
21 assess the safety impact of the system. The statistical  
22 analysis shall be based upon the best available crash, traffic,  
23 and other data, and shall cover a period of time before and  
24 after installation of the system sufficient to provide a  
25 statistically valid comparison of safety impact. The  
26 statistical analysis shall be consistent with professional

1 judgment and acceptable industry practice. The statistical  
2 analysis also shall be consistent with the data required for  
3 valid comparisons of before and after conditions and shall be  
4 conducted within a reasonable period following the  
5 installation of the automated traffic law enforcement system.  
6 The statistical analysis required by this subsection shall be  
7 made available to the public and shall be published on the  
8 website of the municipality.

9 (s) This Section applies only to municipalities with a  
10 population of 1,000,000 or more inhabitants.

11 (Source: P.A. 101-395, eff. 8-16-19.)

12 (625 ILCS 5/11-208.9)

13 Sec. 11-208.9. Automated traffic law enforcement system;  
14 approaching, overtaking, and passing a school bus.

15 (a) As used in this Section, "automated traffic law  
16 enforcement system" means a device with one or more motor  
17 vehicle sensors working in conjunction with the visual signals  
18 on a school bus, as specified in Sections 12-803 and 12-805 of  
19 this Code, to produce recorded images of motor vehicles that  
20 fail to stop before meeting or overtaking, from either  
21 direction, any school bus stopped at any location for the  
22 purpose of receiving or discharging pupils in violation of  
23 Section 11-1414 of this Code or a similar provision of a local  
24 ordinance.

25 An automated traffic law enforcement system is a system, in

1 a municipality or county operated by a governmental agency,  
2 that produces a recorded image of a motor vehicle's violation  
3 of a provision of this Code or a local ordinance and is  
4 designed to obtain a clear recorded image of the vehicle and  
5 the vehicle's license plate. The recorded image must also  
6 display the time, date, and location of the violation.

7 (b) As used in this Section, "recorded images" means images  
8 recorded by an automated traffic law enforcement system on:

9 (1) 2 or more photographs;

10 (2) 2 or more microphotographs;

11 (3) 2 or more electronic images; or

12 (4) a video recording showing the motor vehicle and, on  
13 at least one image or portion of the recording, clearly  
14 identifying the registration plate or digital registration  
15 plate number of the motor vehicle.

16 (c) A municipality or county that produces a recorded image  
17 of a motor vehicle's violation of a provision of this Code or a  
18 local ordinance must make the recorded images of a violation  
19 accessible to the alleged violator by providing the alleged  
20 violator with a website address, accessible through the  
21 Internet.

22 (d) For each violation of a provision of this Code or a  
23 local ordinance recorded by an automated traffic law  
24 enforcement system, the county or municipality having  
25 jurisdiction shall issue a written notice of the violation to  
26 the registered owner of the vehicle as the alleged violator.



1 The notice shall be delivered to the registered owner of the  
2 vehicle, by mail, within 30 days after the Secretary of State  
3 notifies the municipality or county of the identity of the  
4 owner of the vehicle, but in no event later than 90 days after  
5 the violation.

6 (e) The notice required under subsection (d) shall include:

7 (1) the name and address of the registered owner of the  
8 vehicle;

9 (2) the registration number of the motor vehicle  
10 involved in the violation;

11 (3) the violation charged;

12 (4) the location where the violation occurred;

13 (5) the date and time of the violation;

14 (6) a copy of the recorded images;

15 (7) the amount of the civil penalty imposed and the  
16 date by which the civil penalty should be paid;

17 (8) a statement that recorded images are evidence of a  
18 violation of overtaking or passing a school bus stopped for  
19 the purpose of receiving or discharging pupils;

20 (9) a warning that failure to pay the civil penalty or  
21 to contest liability in a timely manner is an admission of  
22 liability ~~and may result in a suspension of the driving~~  
23 ~~privileges of the registered owner of the vehicle;~~

24 (10) a statement that the person may elect to proceed  
25 by:

26 (A) paying the fine; or

1 (B) challenging the charge in court, by mail, or by  
2 administrative hearing; and

3 (11) a website address, accessible through the  
4 Internet, where the person may view the recorded images of  
5 the violation.

6 (f) (Blank). ~~If a person charged with a traffic violation,~~  
7 ~~as a result of an automated traffic law enforcement system~~  
8 ~~under this Section, does not pay the fine or successfully~~  
9 ~~contest the civil penalty resulting from that violation, the~~  
10 ~~Secretary of State shall suspend the driving privileges of the~~  
11 ~~registered owner of the vehicle under Section 6-306.5 of this~~  
12 ~~Code for failing to pay any fine or penalty due and owing as a~~  
13 ~~result of a combination of 5 violations of the automated~~  
14 ~~traffic law enforcement system or the automated speed~~  
15 ~~enforcement system under Section 11-208.8 of this Code.~~

16 (g) Based on inspection of recorded images produced by an  
17 automated traffic law enforcement system, a notice alleging  
18 that the violation occurred shall be evidence of the facts  
19 contained in the notice and admissible in any proceeding  
20 alleging a violation under this Section.

21 (h) Recorded images made by an automated traffic law  
22 enforcement system are confidential and shall be made available  
23 only to the alleged violator and governmental and law  
24 enforcement agencies for purposes of adjudicating a violation  
25 of this Section, for statistical purposes, or for other  
26 governmental purposes. Any recorded image evidencing a

1 violation of this Section, however, may be admissible in any  
2 proceeding resulting from the issuance of the citation.

3 (i) The court or hearing officer may consider in defense of  
4 a violation:

5 (1) that the motor vehicle or registration plates or  
6 digital registration plates of the motor vehicle were  
7 stolen before the violation occurred and not under the  
8 control of or in the possession of the owner at the time of  
9 the violation;

10 (2) that the driver of the motor vehicle received a  
11 Uniform Traffic Citation from a police officer for a  
12 violation of Section 11-1414 of this Code within one-eighth  
13 of a mile and 15 minutes of the violation that was recorded  
14 by the system;

15 (3) that the visual signals required by Sections 12-803  
16 and 12-805 of this Code were damaged, not activated, not  
17 present in violation of Sections 12-803 and 12-805, or  
18 inoperable; and

19 (4) any other evidence or issues provided by municipal  
20 or county ordinance.

21 (j) To demonstrate that the motor vehicle or the  
22 registration plates or digital registration plates were stolen  
23 before the violation occurred and were not under the control or  
24 possession of the owner at the time of the violation, the owner  
25 must submit proof that a report concerning the stolen motor  
26 vehicle or registration plates was filed with a law enforcement

1 agency in a timely manner.

2 (k) Unless the driver of the motor vehicle received a  
3 Uniform Traffic Citation from a police officer at the time of  
4 the violation, the motor vehicle owner is subject to a civil  
5 penalty not exceeding \$150 for a first time violation or \$500  
6 for a second or subsequent violation, plus an additional  
7 penalty of not more than \$100 for failure to pay the original  
8 penalty in a timely manner, if the motor vehicle is recorded by  
9 an automated traffic law enforcement system. A violation for  
10 which a civil penalty is imposed under this Section is not a  
11 violation of a traffic regulation governing the movement of  
12 vehicles and may not be recorded on the driving record of the  
13 owner of the vehicle, but may be recorded by the municipality  
14 or county for the purpose of determining if a person is subject  
15 to the higher fine for a second or subsequent offense.

16 (l) A school bus equipped with an automated traffic law  
17 enforcement system must be posted with a sign indicating that  
18 the school bus is being monitored by an automated traffic law  
19 enforcement system.

20 (m) A municipality or county that has one or more school  
21 buses equipped with an automated traffic law enforcement system  
22 must provide notice to drivers by posting a list of school  
23 districts using school buses equipped with an automated traffic  
24 law enforcement system on the municipality or county website.  
25 School districts that have one or more school buses equipped  
26 with an automated traffic law enforcement system must provide

1 notice to drivers by posting that information on their  
2 websites.

3 (n) A municipality or county operating an automated traffic  
4 law enforcement system shall conduct a statistical analysis to  
5 assess the safety impact in each school district using school  
6 buses equipped with an automated traffic law enforcement system  
7 following installation of the system. The statistical analysis  
8 shall be based upon the best available crash, traffic, and  
9 other data, and shall cover a period of time before and after  
10 installation of the system sufficient to provide a  
11 statistically valid comparison of safety impact. The  
12 statistical analysis shall be consistent with professional  
13 judgment and acceptable industry practice. The statistical  
14 analysis also shall be consistent with the data required for  
15 valid comparisons of before and after conditions and shall be  
16 conducted within a reasonable period following the  
17 installation of the automated traffic law enforcement system.  
18 The statistical analysis required by this subsection shall be  
19 made available to the public and shall be published on the  
20 website of the municipality or county. If the statistical  
21 analysis for the 36-month period following installation of the  
22 system indicates that there has been an increase in the rate of  
23 accidents at the approach to school buses monitored by the  
24 system, the municipality or county shall undertake additional  
25 studies to determine the cause and severity of the accidents,  
26 and may take any action that it determines is necessary or

1 appropriate to reduce the number or severity of the accidents  
2 involving school buses equipped with an automated traffic law  
3 enforcement system.

4 (o) The compensation paid for an automated traffic law  
5 enforcement system must be based on the value of the equipment  
6 or the services provided and may not be based on the number of  
7 traffic citations issued or the revenue generated by the  
8 system.

9 (p) No person who is the lessor of a motor vehicle pursuant  
10 to a written lease agreement shall be liable for an automated  
11 speed or traffic law enforcement system violation involving  
12 such motor vehicle during the period of the lease; provided  
13 that upon the request of the appropriate authority received  
14 within 120 days after the violation occurred, the lessor  
15 provides within 60 days after such receipt the name and address  
16 of the lessee. ~~The drivers license number of a lessee may be~~  
17 ~~subsequently individually requested by the appropriate~~  
18 ~~authority if needed for enforcement of this Section.~~

19 Upon the provision of information by the lessor pursuant to  
20 this subsection, the county or municipality may issue the  
21 violation to the lessee of the vehicle in the same manner as it  
22 would issue a violation to a registered owner of a vehicle  
23 pursuant to this Section, and the lessee may be held liable for  
24 the violation.

25 (q) (Blank). ~~A municipality or county shall make a~~  
26 ~~certified report to the Secretary of State pursuant to Section~~

1 ~~6-306.5 of this Code whenever a registered owner of a vehicle~~  
2 ~~has failed to pay any fine or penalty due and owing as a result~~  
3 ~~of a combination of 5 offenses for automated traffic law or~~  
4 ~~speed enforcement system violations.~~

5 (r) After a municipality or county enacts an ordinance  
6 providing for automated traffic law enforcement systems under  
7 this Section, each school district within that municipality or  
8 county's jurisdiction may implement an automated traffic law  
9 enforcement system under this Section. The elected school board  
10 for that district must approve the implementation of an  
11 automated traffic law enforcement system. The school district  
12 shall be responsible for entering into a contract, approved by  
13 the elected school board of that district, with vendors for the  
14 installation, maintenance, and operation of the automated  
15 traffic law enforcement system. The school district must enter  
16 into an intergovernmental agreement, approved by the elected  
17 school board of that district, with the municipality or county  
18 with jurisdiction over that school district for the  
19 administration of the automated traffic law enforcement  
20 system. The proceeds from a school district's automated traffic  
21 law enforcement system's fines shall be divided equally between  
22 the school district and the municipality or county  
23 administering the automated traffic law enforcement system.

24 (Source: P.A. 101-395, eff. 8-16-19.)

1           Sec. 11-1201.1. Automated Railroad Crossing Enforcement  
2 System.

3           (a) For the purposes of this Section, an automated railroad  
4 grade crossing enforcement system is a system in a municipality  
5 or county operated by a governmental agency that produces a  
6 recorded image of a motor vehicle's violation of a provision of  
7 this Code or local ordinance and is designed to obtain a clear  
8 recorded image of the vehicle and vehicle's license plate. The  
9 recorded image must also display the time, date, and location  
10 of the violation.

11           As used in this Section, "recorded images" means images  
12 recorded by an automated railroad grade crossing enforcement  
13 system on:

- 14           (1) 2 or more photographs;  
15           (2) 2 or more microphotographs;  
16           (3) 2 or more electronic images; or  
17           (4) a video recording showing the motor vehicle and, on  
18 at least one image or portion of the recording, clearly  
19 identifying the registration plate or digital registration  
20 plate number of the motor vehicle.

21           (b) The Illinois Commerce Commission may, in cooperation  
22 with a local law enforcement agency, establish in any county or  
23 municipality an automated railroad grade crossing enforcement  
24 system at any railroad grade crossing equipped with a crossing  
25 gate designated by local authorities. Local authorities  
26 desiring the establishment of an automated railroad crossing



1 enforcement system must initiate the process by enacting a  
2 local ordinance requesting the creation of such a system. After  
3 the ordinance has been enacted, and before any additional steps  
4 toward the establishment of the system are undertaken, the  
5 local authorities and the Commission must agree to a plan for  
6 obtaining, from any combination of federal, State, and local  
7 funding sources, the moneys required for the purchase and  
8 installation of any necessary equipment.

9 (b-1) (Blank.)

10 (c) For each violation of Section 11-1201 of this Code or a  
11 local ordinance recorded by an automated railroad grade  
12 crossing enforcement system, the county or municipality having  
13 jurisdiction shall issue a written notice of the violation to  
14 the registered owner of the vehicle as the alleged violator.  
15 The notice shall be delivered to the registered owner of the  
16 vehicle, by mail, no later than 90 days after the violation.

17 The notice shall include:

18 (1) the name and address of the registered owner of the  
19 vehicle;

20 (2) the registration number of the motor vehicle  
21 involved in the violation;

22 (3) the violation charged;

23 (4) the location where the violation occurred;

24 (5) the date and time of the violation;

25 (6) a copy of the recorded images;

26 (7) the amount of the civil penalty imposed and the

1 date by which the civil penalty should be paid;

2 (8) a statement that recorded images are evidence of a  
3 violation of a railroad grade crossing;

4 (9) a warning that failure to pay the civil penalty or  
5 to contest liability in a timely manner is an admission of  
6 liability ~~and may result in a suspension of the driving~~  
7 ~~privileges of the registered owner of the vehicle;~~ and

8 (10) a statement that the person may elect to proceed  
9 by:

10 (A) paying the fine; or

11 (B) challenging the charge in court, by mail, or by  
12 administrative hearing.

13 (d) (Blank). ~~If a person charged with a traffic violation,~~  
14 ~~as a result of an automated railroad grade crossing enforcement~~  
15 ~~system, does not pay or successfully contest the civil penalty~~  
16 ~~resulting from that violation, the Secretary of State shall~~  
17 ~~suspend the driving privileges of the registered owner of the~~  
18 ~~vehicle under Section 6-306.5 of this Code for failing to pay~~  
19 ~~any fine or penalty due and owing as a result of 5 violations~~  
20 ~~of the automated railroad grade crossing enforcement system.~~

21 (d-1) (Blank.)

22 (d-2) (Blank.)

23 (e) Based on inspection of recorded images produced by an  
24 automated railroad grade crossing enforcement system, a notice  
25 alleging that the violation occurred shall be evidence of the  
26 facts contained in the notice and admissible in any proceeding

1 alleging a violation under this Section.

2 (e-1) Recorded images made by an automated railroad grade  
3 crossing enforcement system are confidential and shall be made  
4 available only to the alleged violator and governmental and law  
5 enforcement agencies for purposes of adjudicating a violation  
6 of this Section, for statistical purposes, or for other  
7 governmental purposes. Any recorded image evidencing a  
8 violation of this Section, however, may be admissible in any  
9 proceeding resulting from the issuance of the citation.

10 (e-2) The court or hearing officer may consider the  
11 following in the defense of a violation:

12 (1) that the motor vehicle or registration plates or  
13 digital registration plates of the motor vehicle were  
14 stolen before the violation occurred and not under the  
15 control of or in the possession of the owner at the time of  
16 the violation;

17 (2) that the driver of the motor vehicle received a  
18 Uniform Traffic Citation from a police officer at the time  
19 of the violation for the same offense;

20 (3) any other evidence or issues provided by municipal  
21 or county ordinance.

22 (e-3) To demonstrate that the motor vehicle or the  
23 registration plates or digital registration plates were stolen  
24 before the violation occurred and were not under the control or  
25 possession of the owner at the time of the violation, the owner  
26 must submit proof that a report concerning the stolen motor

1 vehicle or registration plates was filed with a law enforcement  
2 agency in a timely manner.

3 (f) Rail crossings equipped with an automatic railroad  
4 grade crossing enforcement system shall be posted with a sign  
5 visible to approaching traffic stating that the railroad grade  
6 crossing is being monitored, that citations will be issued, and  
7 the amount of the fine for violation.

8 (g) The compensation paid for an automated railroad grade  
9 crossing enforcement system must be based on the value of the  
10 equipment or the services provided and may not be based on the  
11 number of citations issued or the revenue generated by the  
12 system.

13 (h) (Blank.)

14 (i) If any part or parts of this Section are held by a  
15 court of competent jurisdiction to be unconstitutional, the  
16 unconstitutionality shall not affect the validity of the  
17 remaining parts of this Section. The General Assembly hereby  
18 declares that it would have passed the remaining parts of this  
19 Section if it had known that the other part or parts of this  
20 Section would be declared unconstitutional.

21 (j) Penalty. A civil fine of \$250 shall be imposed for a  
22 first violation of this Section, and a civil fine of \$500 shall  
23 be imposed for a second or subsequent violation of this  
24 Section.

25 (Source: P.A. 101-395, eff. 8-16-19.)

1 Article 115.

2 Section 115-5. The School Code is amended by changing  
3 Section 21B-50 as follows:

4 (105 ILCS 5/21B-50)

5 Sec. 21B-50. Alternative Educator Licensure Program.

6 (a) There is established an alternative educator licensure  
7 program, to be known as the Alternative Educator Licensure  
8 Program for Teachers.

9 (b) The Alternative Educator Licensure Program for  
10 Teachers may be offered by a recognized institution approved to  
11 offer educator preparation programs by the State Board of  
12 Education, in consultation with the State Educator Preparation  
13 and Licensure Board.

14 The program shall be comprised of 4 phases:

15 (1) A course of study that at a minimum includes  
16 instructional planning; instructional strategies,  
17 including special education, reading, and English language  
18 learning; classroom management; and the assessment of  
19 students and use of data to drive instruction.

20 (2) A year of residency, which is a candidate's  
21 assignment to a full-time teaching position or as a  
22 co-teacher for one full school year. An individual must  
23 hold an Educator License with Stipulations with an  
24 alternative provisional educator endorsement in order to

1 enter the residency and must complete additional program  
2 requirements that address required State and national  
3 standards, pass the State Board's teacher performance  
4 assessment no later than the end of the first semester of  
5 the second year of residency, as required under phase (3)  
6 of this subsection (b), and be recommended by the principal  
7 or qualified equivalent of a principal, as required under  
8 subsection (d) of this Section, and the program coordinator  
9 to continue with the second year of the residency.

10 (3) A second year of residency, which shall include the  
11 candidate's assignment to a full-time teaching position  
12 for one school year. The candidate must be assigned an  
13 experienced teacher to act as a mentor and coach the  
14 candidate through the second year of residency.

15 (4) A comprehensive assessment of the candidate's  
16 teaching effectiveness, as evaluated by the principal or  
17 qualified equivalent of a principal, as required under  
18 subsection (d) of this Section, and the program  
19 coordinator, at the end of the second year of residency. If  
20 there is disagreement between the 2 evaluators about the  
21 candidate's teaching effectiveness, the candidate may  
22 complete one additional year of residency teaching under a  
23 professional development plan developed by the principal  
24 or qualified equivalent and the preparation program. At the  
25 completion of the third year, a candidate must have  
26 positive evaluations and a recommendation for full

1 licensure from both the principal or qualified equivalent  
2 and the program coordinator or no Professional Educator  
3 License shall be issued.

4 Successful completion of the program shall be deemed to  
5 satisfy any other practice or student teaching and content  
6 matter requirements established by law.

7 (c) An alternative provisional educator endorsement on an  
8 Educator License with Stipulations is valid for 2 years of  
9 teaching in the public schools, including without limitation a  
10 preschool educational program under Section 2-3.71 of this Code  
11 or charter school, or in a State-recognized nonpublic school in  
12 which the chief administrator is required to have the licensure  
13 necessary to be a principal in a public school in this State  
14 and in which a majority of the teachers are required to have  
15 the licensure necessary to be instructors in a public school in  
16 this State, but may be renewed for a third year if needed to  
17 complete the Alternative Educator Licensure Program for  
18 Teachers. The endorsement shall be issued only once to an  
19 individual who meets all of the following requirements:

20 (1) Has graduated from a regionally accredited college  
21 or university with a bachelor's degree or higher.

22 (2) (Blank). ~~Has a cumulative grade point average of~~  
23 ~~3.0 or greater on a 4.0 scale or its equivalent on another~~  
24 ~~scale.~~

25 (3) Has completed a major in the content area if  
26 seeking a middle or secondary level endorsement or, if

1 seeking an early childhood, elementary, or special  
2 education endorsement, has completed a major in the content  
3 area of reading, English/language arts, mathematics, or  
4 one of the sciences. If the individual does not have a  
5 major in a content area for any level of teaching, he or  
6 she must submit transcripts to the State Board of Education  
7 to be reviewed for equivalency.

8 (4) Has successfully completed phase (1) of subsection  
9 (b) of this Section.

10 (5) Has passed a content area test required for the  
11 specific endorsement for admission into the program, as  
12 required under Section 21B-30 of this Code.

13 A candidate possessing the alternative provisional  
14 educator endorsement may receive a salary, benefits, and any  
15 other terms of employment offered to teachers in the school who  
16 are members of an exclusive bargaining representative, if any,  
17 but a school is not required to provide these benefits during  
18 the years of residency if the candidate is serving only as a  
19 co-teacher. If the candidate is serving as the teacher of  
20 record, the candidate must receive a salary, benefits, and any  
21 other terms of employment. Residency experiences must not be  
22 counted towards tenure.

23 (d) The recognized institution offering the Alternative  
24 Educator Licensure Program for Teachers must partner with a  
25 school district, including without limitation a preschool  
26 educational program under Section 2-3.71 of this Code or



1 charter school, or a State-recognized, nonpublic school in this  
2 State in which the chief administrator is required to have the  
3 licensure necessary to be a principal in a public school in  
4 this State and in which a majority of the teachers are required  
5 to have the licensure necessary to be instructors in a public  
6 school in this State. A recognized institution that partners  
7 with a public school district administering a preschool  
8 educational program under Section 2-3.71 of this Code must  
9 require a principal to recommend or evaluate candidates in the  
10 program. A recognized institution that partners with an  
11 eligible entity administering a preschool educational program  
12 under Section 2-3.71 of this Code and that is not a public  
13 school district must require a principal or qualified  
14 equivalent of a principal to recommend or evaluate candidates  
15 in the program. The program presented for approval by the State  
16 Board of Education must demonstrate the supports that are to be  
17 provided to assist the provisional teacher during the 2-year  
18 residency period. These supports must provide additional  
19 contact hours with mentors during the first year of residency.

20 (e) Upon completion of the 4 phases outlined in subsection  
21 (b) of this Section and all assessments required under Section  
22 21B-30 of this Code, an individual shall receive a Professional  
23 Educator License.

24 (f) The State Board of Education, in consultation with the  
25 State Educator Preparation and Licensure Board, may adopt such  
26 rules as may be necessary to establish and implement the

1 Alternative Educator Licensure Program for Teachers.

2 (Source: P.A. 100-596, eff. 7-1-18; 100-822, eff. 1-1-19;  
3 101-220, eff. 8-7-19; 101-570, eff. 8-23-19; 101-643, eff.  
4 6-18-20.)

5 Article 120.

6 Section 120-5. The Higher Education Student Assistance Act  
7 is amended by changing Section 50 as follows:

8 (110 ILCS 947/50)

9 Sec. 50. Minority Teachers of Illinois scholarship  
10 program.

11 (a) As used in this Section:

12 "Eligible applicant" means a minority student who has  
13 graduated from high school or has received a high school  
14 equivalency certificate and has maintained a cumulative  
15 grade point average of no less than 2.5 on a 4.0 scale, and  
16 who by reason thereof is entitled to apply for scholarships  
17 to be awarded under this Section.

18 "Minority student" means a student who is any of the  
19 following:

20 (1) American Indian or Alaska Native (a person  
21 having origins in any of the original peoples of North  
22 and South America, including Central America, and who  
23 maintains tribal affiliation or community attachment).

1           (2) Asian (a person having origins in any of the  
2 original peoples of the Far East, Southeast Asia, or  
3 the Indian subcontinent, including, but not limited  
4 to, Cambodia, China, India, Japan, Korea, Malaysia,  
5 Pakistan, the Philippine Islands, Thailand, and  
6 Vietnam).

7           (3) Black or African American (a person having  
8 origins in any of the black racial groups of Africa).  
9 Terms such as "Haitian" or "Negro" can be used in  
10 addition to "Black or African American".

11           (4) Hispanic or Latino (a person of Cuban, Mexican,  
12 Puerto Rican, South or Central American, or other  
13 Spanish culture or origin, regardless of race).

14           (5) Native Hawaiian or Other Pacific Islander (a  
15 person having origins in any of the original peoples of  
16 Hawaii, Guam, Samoa, or other Pacific Islands).

17           "Qualified bilingual minority applicant" means a  
18 minority student who demonstrates proficiency in a  
19 language other than English by (i) receiving a State Seal  
20 of Biliteracy from the State Board of Education or (ii)  
21 receiving a passing score on an educator licensure target  
22 language proficiency test.

23           "Qualified student" means a person (i) who is a  
24 resident of this State and eligible for State financial aid  
25 under Section 15 of the Retention of Illinois Students and  
26 Equity Act ~~a citizen or permanent resident of the United~~

1 ~~States~~; (ii) who is a minority student, as defined in this  
2 Section; (iii) who, as an eligible applicant, has made a  
3 timely application for a minority teaching scholarship  
4 under this Section; (iv) who is enrolled on at least a  
5 half-time basis at a qualified Illinois institution of  
6 higher learning; (v) who is enrolled in a course of study  
7 leading to teacher licensure, including alternative  
8 teacher licensure, or, if the student is already licensed  
9 to teach, in a course of study leading to an additional  
10 teaching endorsement or a master's degree in an academic  
11 field in which he or she is teaching or plans to teach or  
12 who has received one or more College and Career Pathway  
13 Endorsements pursuant to Section 80 of the Postsecondary  
14 and Workforce Readiness Act and commits to enrolling in a  
15 course of study leading to teacher licensure, including  
16 alternative teacher licensure; (vi) who maintains a grade  
17 point average of no less than 2.5 on a 4.0 scale; and (vii)  
18 who continues to advance satisfactorily toward the  
19 attainment of a degree.

20 (b) In order to encourage academically talented Illinois  
21 minority students to pursue teaching careers at the preschool  
22 or elementary or secondary school level, each qualified student  
23 shall be awarded a minority teacher scholarship to any  
24 qualified Illinois institution of higher learning. However,  
25 preference may be given to qualified applicants enrolled at or  
26 above the junior level.

1           (c) Each minority teacher scholarship awarded under this  
2 Section shall be in an amount sufficient to pay the tuition and  
3 fees and room and board costs of the qualified Illinois  
4 institution of higher learning at which the recipient is  
5 enrolled, up to an annual maximum of \$5,000; except that in the  
6 case of a recipient who does not reside on-campus at the  
7 institution at which he or she is enrolled, the amount of the  
8 scholarship shall be sufficient to pay tuition and fee expenses  
9 and a commuter allowance, up to an annual maximum of \$5,000.  
10 However, if at least \$2,850,000 is appropriated in a given  
11 fiscal year for the Minority Teachers of Illinois scholarship  
12 program, then, in each fiscal year thereafter, each scholarship  
13 awarded under this Section shall be in an amount sufficient to  
14 pay the tuition and fees and room and board costs of the  
15 qualified Illinois institution of higher learning at which the  
16 recipient is enrolled, up to an annual maximum of \$7,500;  
17 except that in the case of a recipient who does not reside  
18 on-campus at the institution at which he or she is enrolled,  
19 the amount of the scholarship shall be sufficient to pay  
20 tuition and fee expenses and a commuter allowance, up to an  
21 annual maximum of \$7,500.

22           (d) The total amount of minority teacher scholarship  
23 assistance awarded by the Commission under this Section to an  
24 individual in any given fiscal year, when added to other  
25 financial assistance awarded to that individual for that year,  
26 shall not exceed the cost of attendance at the institution at

1 which the student is enrolled. If the amount of minority  
2 teacher scholarship to be awarded to a qualified student as  
3 provided in subsection (c) of this Section exceeds the cost of  
4 attendance at the institution at which the student is enrolled,  
5 the minority teacher scholarship shall be reduced by an amount  
6 equal to the amount by which the combined financial assistance  
7 available to the student exceeds the cost of attendance.

8 (e) The maximum number of academic terms for which a  
9 qualified student can receive minority teacher scholarship  
10 assistance shall be 8 semesters or 12 quarters.

11 (f) In any academic year for which an eligible applicant  
12 under this Section accepts financial assistance through the  
13 Paul Douglas Teacher Scholarship Program, as authorized by  
14 Section 551 et seq. of the Higher Education Act of 1965, the  
15 applicant shall not be eligible for scholarship assistance  
16 awarded under this Section.

17 (g) All applications for minority teacher scholarships to  
18 be awarded under this Section shall be made to the Commission  
19 on forms which the Commission shall provide for eligible  
20 applicants. The form of applications and the information  
21 required to be set forth therein shall be determined by the  
22 Commission, and the Commission shall require eligible  
23 applicants to submit with their applications such supporting  
24 documents or recommendations as the Commission deems  
25 necessary.

26 (h) Subject to a separate appropriation for such purposes,

1 payment of any minority teacher scholarship awarded under this  
2 Section shall be determined by the Commission. All scholarship  
3 funds distributed in accordance with this subsection shall be  
4 paid to the institution and used only for payment of the  
5 tuition and fee and room and board expenses incurred by the  
6 student in connection with his or her attendance at a qualified  
7 Illinois institution of higher learning. Any minority teacher  
8 scholarship awarded under this Section shall be applicable to 2  
9 semesters or 3 quarters of enrollment. If a qualified student  
10 withdraws from enrollment prior to completion of the first  
11 semester or quarter for which the minority teacher scholarship  
12 is applicable, the school shall refund to the Commission the  
13 full amount of the minority teacher scholarship.

14 (i) The Commission shall administer the minority teacher  
15 scholarship aid program established by this Section and shall  
16 make all necessary and proper rules not inconsistent with this  
17 Section for its effective implementation.

18 (j) When an appropriation to the Commission for a given  
19 fiscal year is insufficient to provide scholarships to all  
20 qualified students, the Commission shall allocate the  
21 appropriation in accordance with this subsection. If funds are  
22 insufficient to provide all qualified students with a  
23 scholarship as authorized by this Section, the Commission shall  
24 allocate the available scholarship funds for that fiscal year  
25 to qualified students who submit a complete application form on  
26 or before a date specified by the Commission based on the

1 following order of priority:

2 (1) To students who received a scholarship under this  
3 Section in the prior academic year and who remain eligible  
4 for a minority teacher scholarship under this Section.

5 (2) Except as otherwise provided in subsection (k), to  
6 students who demonstrate financial need, as determined by  
7 the Commission. ~~on the basis of the date the Commission~~  
8 ~~receives a complete application form.~~

9 (k) Notwithstanding paragraph (2) of the provisions of  
10 subsection (j) ~~or any other provision of this Section,~~ at least  
11 35% ~~30%~~ of the funds appropriated for scholarships awarded  
12 under this Section in each fiscal year shall be reserved for  
13 qualified male minority applicants, with priority being given  
14 to qualified Black male applicants beginning with fiscal year  
15 2023. If the Commission does not receive enough applications  
16 from qualified male minorities on or before January 1 of each  
17 fiscal year to award 35% ~~30%~~ of the funds appropriated for  
18 these scholarships to qualified male minority applicants, then  
19 the Commission may award a portion of the reserved funds to  
20 qualified female minority applicants in accordance with  
21 subsection (j).

22 Beginning with fiscal year 2023, if at least \$2,850,000 but  
23 less than \$4,200,000 is appropriated in a given fiscal year for  
24 scholarships awarded under this Section, then at least 10% of  
25 the funds appropriated shall be reserved for qualified  
26 bilingual minority applicants, with priority being given to



1 qualified bilingual minority applicants who are enrolled in an  
2 educator preparation program with a concentration in  
3 bilingual, bicultural education. Beginning with fiscal year  
4 2023, if at least \$4,200,000 is appropriated in a given fiscal  
5 year for the Minority Teachers of Illinois scholarship program,  
6 then at least 30% of the funds appropriated shall be reserved  
7 for qualified bilingual minority applicants, with priority  
8 being given to qualified bilingual minority applicants who are  
9 enrolled in an educator preparation program with a  
10 concentration in bilingual, bicultural education. Beginning  
11 with fiscal year 2023, if at least \$2,850,000 is appropriated  
12 in a given fiscal year for scholarships awarded under this  
13 Section but the Commission does not receive enough applications  
14 from qualified bilingual minority applicants on or before  
15 January 1 of that fiscal year to award at least 10% of the  
16 funds appropriated to qualified bilingual minority applicants,  
17 then the Commission may, in its discretion, award a portion of  
18 the reserved funds to other qualified students in accordance  
19 with subsection (j).

20 (1) Prior to receiving scholarship assistance for any  
21 academic year, each recipient of a minority teacher scholarship  
22 awarded under this Section shall be required by the Commission  
23 to sign an agreement under which the recipient pledges that,  
24 within the one-year period following the termination of the  
25 program for which the recipient was awarded a minority teacher  
26 scholarship, the recipient (i) shall begin teaching for a

1 period of not less than one year for each year of scholarship  
2 assistance he or she was awarded under this Section; ~~and~~ (ii)  
3 shall fulfill this teaching obligation at a nonprofit Illinois  
4 public, private, or parochial preschool, elementary school, or  
5 secondary school at which no less than 30% of the enrolled  
6 students are minority students in the year during which the  
7 recipient begins teaching at the school or may instead, if the  
8 recipient received a scholarship as a qualified bilingual  
9 minority applicant, fulfill this teaching obligation in a  
10 program in transitional bilingual education pursuant to  
11 Article 14C of the School Code or in a school in which 20 or  
12 more English learner students in the same language  
13 classification are enrolled; and (iii) shall, upon request by  
14 the Commission, provide the Commission with evidence that he or  
15 she is fulfilling or has fulfilled the terms of the teaching  
16 agreement provided for in this subsection.

17 (m) If a recipient of a minority teacher scholarship  
18 awarded under this Section fails to fulfill the teaching  
19 obligation set forth in subsection (l) of this Section, the  
20 Commission shall require the recipient to repay the amount of  
21 the scholarships received, prorated according to the fraction  
22 of the teaching obligation not completed, at a rate of interest  
23 equal to 5%, and, if applicable, reasonable collection fees.  
24 The Commission is authorized to establish rules relating to its  
25 collection activities for repayment of scholarships under this  
26 Section. All repayments collected under this Section shall be

1 forwarded to the State Comptroller for deposit into the State's  
2 General Revenue Fund.

3 (n) A recipient of minority teacher scholarship shall not  
4 be considered in violation of the agreement entered into  
5 pursuant to subsection (l) if the recipient (i) enrolls on a  
6 full time basis as a graduate student in a course of study  
7 related to the field of teaching at a qualified Illinois  
8 institution of higher learning; (ii) is serving, not in excess  
9 of 3 years, as a member of the armed services of the United  
10 States; (iii) is a person with a temporary total disability for  
11 a period of time not to exceed 3 years as established by sworn  
12 affidavit of a qualified physician; (iv) is seeking and unable  
13 to find full time employment as a teacher at an Illinois  
14 public, private, or parochial preschool or elementary or  
15 secondary school that satisfies the criteria set forth in  
16 subsection (l) of this Section and is able to provide evidence  
17 of that fact; (v) becomes a person with a permanent total  
18 disability as established by sworn affidavit of a qualified  
19 physician; (vi) is taking additional courses, on at least a  
20 half-time basis, needed to obtain licensure as a teacher in  
21 Illinois; or (vii) is fulfilling teaching requirements  
22 associated with other programs administered by the Commission  
23 and cannot concurrently fulfill them under this Section in a  
24 period of time equal to the length of the teaching obligation.

25 (o) Scholarship recipients under this Section who withdraw  
26 from a program of teacher education but remain enrolled in

1 school to continue their postsecondary studies in another  
2 academic discipline shall not be required to commence repayment  
3 of their Minority Teachers of Illinois scholarship so long as  
4 they remain enrolled in school on a full-time basis or if they  
5 can document for the Commission special circumstances that  
6 warrant extension of repayment.

7 (p) If the Minority Teachers of Illinois scholarship  
8 program does not expend at least 90% of the amount appropriated  
9 for the program in a given fiscal year for 3 consecutive fiscal  
10 years and the Commission does not receive enough applications  
11 from the groups identified in subsection (k) on or before  
12 January 1 in each of those fiscal years to meet the percentage  
13 reserved for those groups under subsection (k), then up to 3%  
14 of amount appropriated for the program for each of next 3  
15 fiscal years shall be allocated to increasing awareness of the  
16 program and for the recruitment of Black male applicants. The  
17 Commission shall make a recommendation to the General Assembly  
18 by January 1 of the year immediately following the end of that  
19 third fiscal year regarding whether the amount allocated to  
20 increasing awareness and recruitment should continue.

21 (q) Each qualified Illinois institution of higher learning  
22 that receives funds from the Minority Teachers of Illinois  
23 scholarship program shall host an annual information session at  
24 the institution about the program for teacher candidates of  
25 color in accordance with rules adopted by the Commission.  
26 Additionally, the institution shall ensure that each

1 scholarship recipient enrolled at the institution meets with an  
2 academic advisor at least once per academic year to facilitate  
3 on-time completion of the recipient's educator preparation  
4 program.

5 (Source: P.A. 99-143, eff. 7-27-15; 100-235, eff. 6-1-18.)

6 Article 125.

7 Section 125-5. The Higher Education Student Assistance Act  
8 is amended by changing Section 65.100 as follows:

9 (110 ILCS 947/65.100)

10 (Section scheduled to be repealed on October 1, 2024)

11 Sec. 65.100. AIM HIGH Grant Pilot Program.

12 (a) The General Assembly makes all of the following  
13 findings:

14 (1) Both access and affordability are important  
15 aspects of the Illinois Public Agenda for College and  
16 Career Success report.

17 (2) This State is in the top quartile with respect to  
18 the percentage of family income needed to pay for college.

19 (3) Research suggests that as loan amounts increase,  
20 rather than an increase in grant amounts, the probability  
21 of college attendance decreases.

22 (4) There is further research indicating that  
23 socioeconomic status may affect the willingness of

1 students to use loans to attend college.

2 (5) Strategic use of tuition discounting can decrease  
3 the amount of loans that students must use to pay for  
4 tuition.

5 (6) A modest, individually tailored tuition discount  
6 can make the difference in a student choosing to attend  
7 college and enhance college access for low-income and  
8 middle-income families.

9 (7) Even if the federally calculated financial need for  
10 college attendance is met, the federally determined  
11 Expected Family Contribution can still be a daunting  
12 amount.

13 (8) This State is the second largest exporter of  
14 students in the country.

15 (9) When talented Illinois students attend  
16 universities in this State, the State and those  
17 universities benefit.

18 (10) State universities in other states have adopted  
19 pricing and incentives that allow many Illinois residents  
20 to pay less to attend an out-of-state university than to  
21 remain in this State for college.

22 (11) Supporting Illinois student attendance at  
23 Illinois public universities can assist in State efforts to  
24 maintain and educate a highly trained workforce.

25 (12) Modest tuition discounts that are individually  
26 targeted and tailored can result in enhanced revenue for

1 public universities.

2 (13) By increasing a public university's capacity to  
3 strategically use tuition discounting, the public  
4 university will be capable of creating enhanced tuition  
5 revenue by increasing enrollment yields.

6 (b) In this Section:

7 "Eligible applicant" means a student from any high school  
8 in this State, whether or not recognized by the State Board of  
9 Education, who is engaged in a program of study that in due  
10 course will be completed by the end of the school year and who  
11 meets all of the qualifications and requirements under this  
12 Section.

13 "Tuition and other necessary fees" includes the customary  
14 charge for instruction and use of facilities in general and the  
15 additional fixed fees charged for specified purposes that are  
16 required generally of non-grant recipients for each academic  
17 period for which the grant applicant actually enrolls, but does  
18 not include fees payable only once or breakage fees and other  
19 contingent deposits that are refundable in whole or in part.  
20 The Commission may adopt, by rule not inconsistent with this  
21 Section, detailed provisions concerning the computation of  
22 tuition and other necessary fees.

23 (c) Beginning with the 2019-2020 academic year, each public  
24 university may establish a merit-based scholarship pilot  
25 program known as the AIM HIGH Grant Pilot Program. Each year,  
26 the Commission shall receive and consider applications from

1 public universities under this Section. Subject to  
2 appropriation and any tuition waiver limitation established by  
3 the Board of Higher Education, a public university campus may  
4 award a grant to a student under this Section if it finds that  
5 the applicant meets all of the following criteria:

6 (1) He or she is a resident of this State and a citizen  
7 or eligible noncitizen of the United States.

8 (2) He or she files a Free Application for Federal  
9 Student Aid and demonstrates financial need with a  
10 household income no greater than 6 times the poverty  
11 guidelines updated periodically in the Federal Register by  
12 the U.S. Department of Health and Human Services under the  
13 authority of 42 U.S.C. 9902(2). The household income of the  
14 applicant at the time of initial application shall be  
15 deemed to be the household income of the applicant for the  
16 duration of the pilot program.

17 (3) He or she meets the minimum cumulative grade point  
18 average or ACT or SAT college admissions test score, as  
19 determined by the public university campus.

20 (4) He or she is enrolled in a public university as an  
21 undergraduate student on a full-time basis.

22 (5) He or she has not yet received a baccalaureate  
23 degree or the equivalent of 135 semester credit hours.

24 (6) He or she is not incarcerated.

25 (7) He or she is not in default on any student loan or  
26 does not owe a refund or repayment on any State or federal



1 grant or scholarship.

2 (8) Any other reasonable criteria, as determined by the  
3 public university campus.

4 (d) Each public university campus shall determine grant  
5 renewal criteria consistent with the requirements under this  
6 Section.

7 (e) Each participating public university campus shall post  
8 on its Internet website criteria and eligibility requirements  
9 for receiving awards that use funds under this Section that  
10 include a range in the sizes of these individual awards. The  
11 criteria and amounts must also be reported to the Commission  
12 and the Board of Higher Education, who shall post the  
13 information on their respective Internet websites.

14 (f) After enactment of an appropriation for this Program,  
15 the Commission shall determine an allocation of funds to each  
16 public university in an amount proportionate to the number of  
17 undergraduate students who are residents of this State and  
18 citizens or eligible noncitizens of the United States and who  
19 were enrolled at each public university campus in the previous  
20 academic year. All applications must be made to the Commission  
21 on or before a date determined by the Commission and on forms  
22 that the Commission shall provide to each public university  
23 campus. The form of the application and the information  
24 required shall be determined by the Commission and shall  
25 include, without limitation, the total public university  
26 campus funds used to match funds received from the Commission

1 in the previous academic year under this Section, if any, the  
2 total enrollment of undergraduate students who are residents of  
3 this State from the previous academic year, and any supporting  
4 documents as the Commission deems necessary. Each public  
5 university campus shall match the amount of funds received by  
6 the Commission with financial aid for eligible students.

7 A public university that has reported to the Commission  
8 that at least 49% of its student body received financial aid  
9 under the federal Pell Grant program for the previous academic  
10 year shall match 20% of the amount of funds received from the  
11 Commission for financial aid for eligible students.

12 A public university that has reported to the Commission  
13 that less than 49% of its student body received financial aid  
14 under the federal Pell Grant program for the previous academic  
15 year shall match 60% of the amount of funds received from the  
16 Commission for financial aid for eligible students.

17 A public university campus is not required to claim its  
18 entire allocation. The Commission shall make available to all  
19 public universities, on a date determined by the Commission,  
20 any unclaimed funds and the funds must be made available to  
21 those public university campuses in the proportion determined  
22 under this subsection (f), excluding from the calculation those  
23 public university campuses not claiming their full  
24 allocations.

25 Each public university campus may determine the award  
26 amounts for eligible students on an individual or broad basis,

1 but, subject to renewal eligibility, each renewed award may not  
2 be less than the amount awarded to the eligible student in his  
3 or her first year attending the public university campus.  
4 Notwithstanding this limitation, a renewal grant may be reduced  
5 due to changes in the student's cost of attendance, including,  
6 but not limited to, if a student reduces the number of credit  
7 hours in which he or she is enrolled, but remains a full-time  
8 student, or switches to a course of study with a lower tuition  
9 rate.

10 An eligible applicant awarded grant assistance under this  
11 Section is eligible to receive other financial aid. Total grant  
12 aid to the student from all sources may not exceed the total  
13 cost of attendance at the public university campus.

14 (g) All money allocated to a public university campus under  
15 this Section may be used only for financial aid purposes for  
16 students attending the public university campus during the  
17 academic year, not including summer terms. Notwithstanding any  
18 other provision of law to the contrary, any funds received by a  
19 public university campus under this Section that are not  
20 granted to students in the academic year for which the funds  
21 are received may be retained by the public university campus  
22 for expenditure on students participating in the Program or  
23 students eligible to participate in the Program.

24 (h) Each public university campus that establishes a  
25 Program under this Section must annually report to the  
26 Commission, on or before a date determined by the Commission,

1 the number of undergraduate students enrolled at that campus  
2 who are residents of this State.

3 (i) Each public university campus must report to the  
4 Commission the total non-loan financial aid amount given by the  
5 public university campus to undergraduate students in the  
6 2017-2018 academic year, not including the summer term. To be  
7 eligible to receive funds under the Program, a public  
8 university campus may not decrease the total amount of non-loan  
9 financial aid it gives to undergraduate students, not including  
10 any funds received from the Commission under this Section or  
11 any funds used to match grant awards under this Section, to an  
12 amount lower than the reported amount for the 2017-2018  
13 academic year, not including the summer term.

14 (j) On or before a date determined by the Commission, each  
15 public university campus that participates in the Program under  
16 this Section shall annually submit a report to the Commission  
17 with all of the following information:

18 (1) The Program's impact on tuition revenue and  
19 enrollment goals and increase in access and affordability  
20 at the public university campus.

21 (2) Total funds received by the public university  
22 campus under the Program.

23 (3) Total non-loan financial aid awarded to  
24 undergraduate students attending the public university  
25 campus.

26 (4) Total amount of funds matched by the public

1 university campus.

2 (5) Total amount of claimed and unexpended funds  
3 retained by the public university campus.

4 (6) The percentage of total financial aid distributed  
5 under the Program by the public university campus.

6 (7) The total number of students receiving grants from  
7 the public university campus under the Program and those  
8 students' grade level, race, gender, income level, family  
9 size, Monetary Award Program eligibility, Pell Grant  
10 eligibility, and zip code of residence and the amount of  
11 each grant award. This information shall include unit  
12 record data on those students regarding variables  
13 associated with the parameters of the public university's  
14 Program, including, but not limited to, a student's ACT or  
15 SAT college admissions test score, high school or  
16 university cumulative grade point average, or program of  
17 study.

18 On or before October 1, 2020 and annually on or before  
19 October 1 thereafter, the Commission shall submit a report with  
20 the findings under this subsection (j) and any other  
21 information regarding the AIM HIGH Grant Pilot Program to (i)  
22 the Governor, (ii) the Speaker of the House of Representatives,  
23 (iii) the Minority Leader of the House of Representatives, (iv)  
24 the President of the Senate, and (v) the Minority Leader of the  
25 Senate. The reports to the General Assembly shall be filed with  
26 the Clerk of the House of Representatives and the Secretary of

1 the Senate in electronic form only, in the manner that the  
2 Clerk and the Secretary shall direct. The Commission's report  
3 may not disaggregate data to a level that may disclose  
4 personally identifying information of individual students.

5 The sharing and reporting of student data under this  
6 subsection (j) must be in accordance with the requirements  
7 under the federal Family Educational Rights and Privacy Act of  
8 1974 and the Illinois School Student Records Act. All parties  
9 must preserve the confidentiality of the information as  
10 required by law. The names of the grant recipients under this  
11 Section are not subject to disclosure under the Freedom of  
12 Information Act.

13 Public university campuses that fail to submit a report  
14 under this subsection (j) or that fail to adhere to any other  
15 requirements under this Section may not be eligible for  
16 distribution of funds under the Program for the next academic  
17 year, but may be eligible for distribution of funds for each  
18 academic year thereafter.

19 (k) The Commission shall adopt rules to implement this  
20 Section.

21 (l) This Section is repealed on October 1, 2024.

22 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;  
23 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19; 101-613, eff.  
24 6-1-20; 101-643, eff. 6-18-20.)

1           Section 130-1. Short title. This Article may be cited as  
2 the Transitions in Education Act. References in this Article to  
3 "this Act" mean this Article.

4           Section 130-5. Findings; policies.

5           (a) The General Assembly finds the following:

6                 (1) Teachers are the single most important in-school  
7 factor in supporting student outcomes and success; yet,  
8 Illinois is suffering from a profound teacher shortage  
9 across the State.

10                (2) To reverse this shortage, Illinois needs to develop  
11 and invest in a robust and diverse educator pipeline,  
12 addressing any barriers or gaps that limit high quality  
13 candidates, particularly candidates of color, from  
14 becoming teachers.

15                (3) Illinois loses many high quality, diverse educator  
16 candidates in postsecondary programs due to confusion or  
17 lack of course transfer credits and course articulation  
18 from Illinois's 2-year to 4-year institutions.

19                (4) Lack of alignment and transferability of course  
20 credits may often force candidates to spend additional time  
21 and money to earn a degree or lead to an inability to  
22 complete a degree.

23                (5) In 1993, the Board of Higher Education, the  
24 Illinois Community College Board, and the Transfer

1 Coordinators of Illinois Colleges and Universities brought  
2 together faculty from public and independent, associate,  
3 and baccalaureate degree-granting institutions across the  
4 State to develop the Illinois Articulation Initiative  
5 (IAI).

6 (6) The goal of IAI is to facilitate the transfer of  
7 courses from one participating college or university to  
8 another in order to complete a baccalaureate degree.

9 (7) The Student Transfer Achievement Reform (STAR)  
10 Act, as mandated by subsection (b) of Section 25 of the  
11 Act, is designed to facilitate transfer among Illinois  
12 public institutions, particularly for students with a  
13 completed Associate of Arts or an Associate of Science  
14 degree.

15 (8) While Illinois is a leading state for college  
16 completion rates for adult learners and transfer students  
17 from community colleges, it needs to increase the number of  
18 high-quality postsecondary teaching credentials to meet  
19 the demands of our schools and education workforce.

20 (9) With the rising costs of higher education for  
21 Illinois students and families, the State needs to ensure  
22 to the maximize extent possible that community college  
23 courses will transfer with full credit for the student and  
24 be accepted at an Illinois public or private institution as  
25 they pursue a baccalaureate degree in education.

26 (10) Illinois can do this by improving transitions all



1 along the education pipeline; for postsecondary education,  
2 this means strengthening articulation through stable  
3 funding and the expansion of transfer tools, such as  
4 Transferology and the IAI through development of an  
5 objective measure of transfer and acceptance of credits in  
6 education degrees.

7 (11) The IAI Education Pathway can be modeled off of  
8 existing IAI major pathways like Early Childhood Education  
9 and Criminal Justice.

10 (b) The General Assembly encourages the Board of Higher  
11 Education, the State Board of Education, and the Illinois  
12 Community College Board, as part of the IAI, to do all of the  
13 following:

14 (1) To jointly establish a task force for a Major Panel  
15 in Education and identify respective recommended major  
16 courses that would be accepted as credit toward the  
17 education major at the receiving institutions.

18 (2) As part of the report on the status of the Illinois  
19 Articulation Initiative pursuant to Section 25 of the  
20 Illinois Articulation Initiative Act, the Board of Higher  
21 Education and the Illinois Community College Board are  
22 encourage to include in the annual report to the General  
23 Assembly, the Governor, and the Illinois P-20 Council the  
24 progress made on the task force on the Education Major  
25 Panel.

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Article 999.

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Section 999-999. Effective date. This Act takes effect upon becoming law, except that Article 115 takes effect July 1, 2021."

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