



Rep. William Davis

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1 AMENDMENT TO SENATE BILL 2096

2 AMENDMENT NO. _____. Amend Senate Bill 2096 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 2-3.155, 2-3.170, 14-7.03, 18-3, 18-8.15, 28-1, 28-4, 28-7,
6 28-8, 28-9, and 28-21 as follows:

7 (105 ILCS 5/2-3.155)

8 Sec. 2-3.155. Textbook block grant program.

9 (a) The provisions of this Section are in the public
10 interest, for the public benefit, and serve secular public
11 purposes.

12 (b) As used in this Section, "textbook" means any book or
13 book substitute that a pupil uses as a text or text substitute,
14 including electronic textbooks. "Textbook" includes books,
15 reusable workbooks, manuals, whether bound or in loose-leaf
16 form, instructional computer software, and electronic

1 textbooks and the technological equipment necessary to gain
2 access to and use electronic textbooks intended as a principal
3 source of study material for a given class or group of
4 students. "Textbook" also includes science curriculum
5 materials in a kit format that includes pre-packaged consumable
6 materials if (i) it is shown that the materials serve as a
7 textbook substitute, (ii) the materials are for use by the
8 pupils as a principal learning source, (iii) each component of
9 the materials is integrally necessary to teach the requirements
10 of the intended course, (iv) the kit includes teacher guidance
11 materials, and (v) the purchase of individual consumable
12 materials is not allowed.

13 (c) Subject ~~Beginning July 1, 2011, subject~~ to annual
14 appropriation by the General Assembly, the State Board of
15 Education is authorized to provide annual funding to public
16 school districts and State-recognized, non-public schools
17 serving students in grades kindergarten through 12 for the
18 purchase of selected textbooks. The textbooks authorized to be
19 purchased under this Section are limited without exception to
20 textbooks ~~that have been preapproved and designated by the~~
21 ~~State Board of Education~~ for use in any public school and that
22 are secular, non-religious, and non-sectarian. ~~The State Board~~
23 ~~of Education shall annually publish a list of the textbooks~~
24 ~~authorized to be purchased under this Section.~~ Each public
25 school district and State-recognized, non-public school shall,
26 subject to appropriations for that purpose, receive a per pupil

1 grant for the purchase of secular textbooks. The per pupil
2 grant amount must be calculated by the State Board of Education
3 utilizing the total appropriation made for these purposes
4 divided by the most current student enrollment data available.

5 (d) The State Board of Education may adopt rules as
6 necessary for the implementation of this Section and to ensure
7 the religious neutrality of the textbook block grant program,
8 as well as provide for the monitoring of all textbooks
9 authorized in this Section to be purchased directly by
10 State-recognized, nonpublic schools serving students in grades
11 kindergarten through 12.

12 (Source: P.A. 97-570, eff. 8-25-11; 97-813, eff. 7-13-12.)

13 (105 ILCS 5/2-3.170)

14 Sec. 2-3.170. Property tax relief pool grants.

15 (a) As used in this Section,

16 "EAV" means equalized assessed valuation as defined under
17 Section 18-8.15 of this Code.

18 "Property tax multiplier" equals one minus the square of
19 the school district's Local Capacity Percentage, as defined in
20 Section 18-8.15 of this Code.

21 "Local capacity percentage multiplier" means one minus the
22 school district's Local Capacity Percentage, as defined in
23 Section 18-8.15.

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

25 ~~"Unit equivalent tax rate" means the Adjusted Operating Tax~~

1 ~~Rate, as defined in Section 18-8.15 of this Code, multiplied by~~
2 ~~a factor of 1 for unit school districts, 13/9 for elementary~~
3 ~~school districts, and 13/4 for high school districts.~~

4 (b) Subject to appropriation, the State Board shall provide
5 grants to eligible school districts that provide tax relief to
6 the school district's residents, which may be no greater than
7 1% of EAV for a unit district, 0.69% of EAV for an elementary
8 school district, or 0.31% of EAV for a high school district, as
9 provided in this Section.

10 (b-5) ~~Each year, the State Board shall set a threshold~~
11 ~~above which any school district in this State may apply for~~
12 ~~property tax relief under this Section.~~ School districts may
13 apply for property tax ~~this~~ relief under this Section
14 concurrently to setting their levy for the fiscal year. The
15 intended relief may not be greater than 1% of the EAV for a
16 unit district, 0.69% of the EAV for an elementary school
17 district, or 0.31% of the EAV for a high school district,
18 multiplied by the school district's local capacity percentage
19 multiplier. The State Board shall process applications for
20 relief, providing a grant to those districts with the highest
21 operating tax rate, as determined by those districts with the
22 highest percentage of the simple average operating tax rate of
23 districts of the same type, either elementary, high school, or
24 unit, the highest unit equivalent tax rate first, in an amount
25 equal to the intended relief multiplied by the property tax
26 multiplier. The State Board shall provide grants to school

1 districts in order of priority until the property tax relief
2 pool is exhausted. If more school districts apply for relief
3 under this subsection than there are funds available, the State
4 Board must distribute the grants and prorate any remaining
5 funds to the final school district that qualifies for grant
6 relief. The abatement amount for that district must be equal to
7 the grant amount divided by the property tax multiplier.

8 If a school district receives the State Board's approval of
9 a grant under this Section by March 1 of the fiscal year, the
10 school district shall present a duly authorized and approved
11 abatement resolution by March 30 of the fiscal year to the
12 county clerk of each county in which the school files its levy,
13 authorizing the county clerk to lower the school district's
14 levy by the amount designated in its application to the State
15 Board. When the preceding requisites are satisfied, the county
16 clerk shall reduce the amount collected for the school district
17 by the amount indicated in the school district's abatement
18 resolution for that fiscal year.

19 (c) (Blank). ~~Each year, the State Board shall publish an~~
20 ~~estimated threshold unit equivalent tax rate. School districts~~
21 ~~whose adjusted operating tax rate, as defined in this Section,~~
22 ~~is greater than the estimated threshold unit equivalent tax~~
23 ~~rate are eligible for relief under this Section. This estimated~~
24 ~~tax rate shall be based on the most recent available data~~
25 ~~provided by school districts pursuant to Section 18-8.15 of~~
26 ~~this Code. The State Board shall estimate this property tax~~

1 ~~rate based on the amount appropriated to the grant program and~~
2 ~~the assumption that a set of school districts, based on~~
3 ~~criteria established by the State Board, will apply for grants~~
4 ~~under this Section. The criteria shall be based on reasonable~~
5 ~~assumptions about when school districts will apply for the~~
6 ~~grant.~~

7 (d) School districts seeking grants under this Section
8 shall apply to the State Board each year. All applications to
9 the State Board for grants shall include the amount of the tax
10 relief intended by the school district.

11 (e) Each year, based on the most recent available data
12 provided by school districts pursuant to Section 18-8.15 of
13 this Code, the State Board shall calculate the order of
14 priority for grant eligibility under subsection (b-5) ~~the unit~~
15 ~~equivalent tax rate, based on the applications received by the~~
16 ~~State Board, above which the appropriations are sufficient to~~
17 ~~provide relief~~ and publish a list of the school districts
18 eligible for relief. The State Board shall ~~first~~ provide grants
19 in the manner provided under subsection (b-5) ~~to those~~
20 ~~districts with the highest unit equivalent tax rates.~~

21 (f) The State Board shall publish a final list of eligible
22 grant recipients and provide payment of the grants by March 1
23 of each year.

24 (g) If notice of eligibility payment from the State Board
25 is received by a school district by March 1, then by March 30,
26 the school district shall file an abatement of its property tax

1 levy in an amount equal to the grant received under this
2 Section divided by the property tax multiplier. Payment of all
3 grant amounts shall be made by June 1 each fiscal year. The
4 State Superintendent of Education shall establish the timeline
5 in such cases in which notice cannot be made by March 1.

6 (h) The total property tax relief allowable to a school
7 district under this Section shall be calculated based on the
8 total amount of reduction in the school district's aggregate
9 extension. The total grant shall be equal to the reduction,
10 multiplied by the property tax multiplier. The reduction shall
11 be equal ~~limited to the lesser of (i)~~ 1% of a district's EAV
12 for a unit school district, 0.69% for an elementary school
13 district, or 0.31% for a high school district, multiplied by
14 the school district's local capacity percentage multiplier ~~or~~
15 ~~(ii) the amount that the unit equivalent tax rate is greater~~
16 ~~than the threshold unit equivalent tax rate determined by the~~
17 ~~State Board, multiplied by the school district's EAV. If clause~~
18 ~~(ii) of this subsection (h) is the lesser value and the~~
19 ~~difference between the school district's unit equivalent tax~~
20 ~~rate and the threshold unit equivalent tax rate is less than~~
21 ~~1%, then the difference is multiplied by 1 for a unit school~~
22 ~~district, by 0.69 for an elementary school district, or by 0.31~~
23 ~~for a high school district.~~

24 (i) If the State Board does not expend all appropriations
25 allocated pursuant to this Section, then any remaining funds
26 shall be allocated pursuant to Section 18-8.15 of this Code.

1 (j) The State Board shall prioritize payments under Section
2 18-8.15 of this Code over payments under this Section, if
3 necessary.

4 (k) Any grants received by a school district shall be
5 included in future calculations of that school district's Base
6 Funding Minimum under Section 18-8.15 of this Code. Beginning
7 with Fiscal Year 2020, if a school district receives a grant
8 under this Section, the school district must present to the
9 county clerk a duly authorized and approved abatement
10 resolution by March 30 for the year in which the school
11 district receives the grant and the successive fiscal year
12 following the receipt of the grant, authorizing the county
13 clerk to lower the school district's levy by the amount
14 designated in its original application to the State Board.
15 After receiving a resolution, the county clerk must reduce the
16 amount collected for the school district by the amount
17 indicated in the school district's abatement resolution for
18 that fiscal year. If a school district does not abate in this
19 amount for the successive fiscal year, the grant amount may not
20 be included in the school district's Base Funding Minimum under
21 Section 18-8.15 in the fiscal year following the tax year in
22 which the abatement is not authorized and in any future fiscal
23 year thereafter, and the county clerk must notify the State
24 Board of the increase no later 30 days after it occurs.

25 (l) In the tax year following receipt of a Property Tax
26 Pool Relief Grant, the aggregate levy of any school district

1 receiving a grant under this Section, for purposes of the
2 Property Tax Extension Limitation Law, shall include the tax
3 relief the school district provided in the previous taxable
4 year under this Section.

5 (Source: P.A. 100-465, eff. 8-31-17; 100-582, eff. 3-23-18;
6 100-863, eff. 8-14-18.)

7 (105 ILCS 5/14-7.03) (from Ch. 122, par. 14-7.03)

8 Sec. 14-7.03. Special education classes ~~Education Classes~~
9 for children ~~Children~~ from orphanages ~~Orphanages~~, foster
10 family homes, children's homes ~~Foster Family Homes, Children's~~
11 ~~Homes~~, or ~~in~~ State residential units ~~Housing Units~~. If a school
12 district maintains special education classes on the site of
13 orphanages and children's homes, or if children from the
14 orphanages, children's homes, foster family homes, other State
15 agencies, or State residential units for children attend
16 classes for children with disabilities in which the school
17 district is a participating member of a joint agreement, or if
18 the children from the orphanages, children's homes, foster
19 family homes, other State agencies, or State residential units
20 attend classes for the children with disabilities maintained by
21 the school district, then reimbursement shall be paid to
22 eligible districts in accordance with the provisions of this
23 Section by the Comptroller as directed by the State
24 Superintendent of Education.

25 The amount of tuition for such children shall be determined

1 by the actual cost of maintaining such classes, using the per
2 capita cost formula set forth in Section 14-7.01, such program
3 and cost to be pre-approved by the State Superintendent of
4 Education.

5 If a school district makes a claim for reimbursement under
6 Section 18-3 ~~or 18-4~~ of this Code Act it shall not include in
7 any claim filed under this Section a claim for such children.
8 Payments authorized by law, including State or federal grants
9 for education of children included in this Section, shall be
10 deducted in determining the tuition amount.

11 Nothing in this Code Act shall be construed so as to
12 prohibit reimbursement for the tuition of children placed in
13 for profit facilities. Private facilities shall provide
14 adequate space at the facility for special education classes
15 provided by a school district or joint agreement for children
16 with disabilities who are residents of the facility at no cost
17 to the school district or joint agreement upon request of the
18 school district or joint agreement. If such a private facility
19 provides space at no cost to the district or joint agreement
20 for special education classes provided to children with
21 disabilities who are residents of the facility, the district or
22 joint agreement shall not include any costs for the use of
23 those facilities in its claim for reimbursement.

24 Reimbursement for tuition may include the cost of providing
25 summer school programs for children with severe and profound
26 disabilities served under this Section. Claims for that

1 reimbursement shall be filed by November 1 and shall be paid on
2 or before December 15 from appropriations made for the purposes
3 of this Section.

4 The State Board of Education shall establish such rules and
5 regulations as may be necessary to implement the provisions of
6 this Section.

7 Claims filed on behalf of programs operated under this
8 Section housed in an orphanage, children's home, private
9 facility, State residential unit, district or joint agreement
10 site, a jail, detention center, or county-owned shelter care
11 facility shall be on an individual student basis only for
12 eligible students with disabilities. These claims shall be in
13 accordance with applicable rules.

14 ~~Each district claiming reimbursement for a program~~
15 ~~operated as a group program shall have an approved budget on~~
16 ~~file with the State Board of Education prior to the initiation~~
17 ~~of the program's operation. On September 30, December 31, and~~
18 ~~March 31, the State Board of Education shall voucher payments~~
19 ~~to group programs based upon the approved budget during the~~
20 ~~year of operation. Final claims for group payments shall be~~
21 ~~filed on or before July 15. Final claims for group programs~~
22 ~~received at the State Board of Education on or before June 15~~
23 ~~shall be vouchered by June 30. Final claims received at the~~
24 ~~State Board of Education between June 16 and July 15 shall be~~
25 ~~vouchered by August 30. Claims for group programs received~~
26 ~~after July 15 shall not be honored.~~

1 Each district claiming reimbursement for individual
2 students shall have the eligibility of those students verified
3 by the State Board of Education. On September 30, December 31,
4 and March 31, the State Board of Education shall voucher
5 payments for individual students based upon an estimated cost
6 calculated from the prior year's claim. Final claims for
7 individual students for the regular school term must be
8 received at the State Board of Education by June ~~July~~ 15.
9 Claims for individual students received after June ~~July~~ 15
10 shall not be honored. Claims received by June 15 may be amended
11 until August 1. Final claims for individual students shall be
12 vouchered by August ~~31~~ 30. However, notwithstanding any other
13 provisions of this Section or this Code, if the amount
14 appropriated for any fiscal year is less than the amount
15 required for purposes of this Section, the amount required to
16 eliminate any insufficient reimbursement for each district
17 claim under this Section shall be reimbursed on August 31 of
18 the next fiscal year. Payments required to eliminate any
19 insufficiency for prior fiscal year claims shall be made before
20 any claims are paid for the current fiscal year.

21 ~~Reimbursement shall be made based upon approved group~~
22 ~~programs or individual students. The State Superintendent of~~
23 ~~Education shall direct the Comptroller to pay a specified~~
24 ~~amount to the district by the 30th day of September, December,~~
25 ~~March, June, or August, respectively. However, notwithstanding~~
26 ~~any other provisions of this Section or the School Code,~~

1 ~~beginning with fiscal year 1994 and each fiscal year~~
2 ~~thereafter, if the amount appropriated for any fiscal year is~~
3 ~~less than the amount required for purposes of this Section, the~~
4 ~~amount required to eliminate any insufficient reimbursement~~
5 ~~for each district claim under this Section shall be reimbursed~~
6 ~~on August 30 of the next fiscal year. Payments required to~~
7 ~~eliminate any insufficiency for prior fiscal year claims shall~~
8 ~~be made before any claims are paid for the current fiscal year.~~

9 ~~The claim of a school district otherwise eligible to be~~
10 ~~reimbursed in accordance with Section 14-12.01 for the 1976-77~~
11 ~~school year but for this amendatory Act of 1977 shall not be~~
12 ~~paid unless the district ceases to maintain such classes for~~
13 ~~one entire school year.~~

14 ~~If a school district's current reimbursement payment for~~
15 ~~the 1977-78 school year only is less than the prior year's~~
16 ~~reimbursement payment owed, the district shall be paid the~~
17 ~~amount of the difference between the payments in addition to~~
18 ~~the current reimbursement payment, and the amount so paid shall~~
19 ~~be subtracted from the amount of prior year's reimbursement~~
20 ~~payment owed to the district.~~

21 Regional superintendents may operate special education
22 classes for children from orphanages, foster family homes,
23 children's homes, or State residential ~~housing~~ units located
24 within the educational services region upon consent of the
25 school board otherwise so obligated. In electing to assume the
26 powers and duties of a school district in providing and

1 maintaining such a special education program, the regional
2 superintendent may enter into joint agreements with other
3 districts and may contract with public or private schools or
4 the orphanage, foster family home, children's home, or State
5 residential housing unit for provision of the special education
6 program. The regional superintendent exercising the powers
7 granted under this Section shall be reimbursed for the actual
8 cost of providing such programs by the resident district as
9 defined in Section 14-1.11a ~~claim the reimbursement authorized~~
10 ~~by this Section directly from the State Board of Education.~~

11 Any child who is not a resident of Illinois who is placed
12 in a child welfare institution, private facility, foster family
13 home, State operated program, orphanage, or children's home
14 shall have the payment for his educational tuition and any
15 related services assured by the placing agent.

16 For each student with a disability who is placed in a
17 residential facility by an Illinois public agency or by any
18 court in this State, the costs for educating the student are
19 eligible for reimbursement under this Section.

20 The district of residence of the student with a disability
21 as defined in Section 14-1.11a is responsible for the actual
22 costs of the student's special education program and is
23 eligible for reimbursement under this Section when placement is
24 made by a State agency or the courts.

25 When a dispute arises over the determination of the
26 district of residence under this Section, the district or

1 districts may appeal the decision in writing to the State
2 Superintendent of Education, who, upon review of materials
3 submitted and any other items or information he or she may
4 request for submission, shall issue a written decision on the
5 matter. The decision of the State Superintendent of Education
6 shall be final.

7 In the event a district does not make a tuition payment to
8 another district that is providing the special education
9 program and services, the State Board of Education shall
10 immediately withhold 125% of the then remaining annual tuition
11 cost from the State aid or categorical aid payment due to the
12 school district that is determined to be the resident school
13 district. All funds withheld by the State Board of Education
14 shall immediately be forwarded to the school district where the
15 student is being served.

16 When a child eligible for services under this Section
17 14-7.03 must be placed in a nonpublic facility, that facility
18 shall meet the programmatic requirements of Section 14-7.02 and
19 its regulations, and the educational services shall be funded
20 only in accordance with this Section 14-7.03.

21 (Source: P.A. 98-739, eff. 7-16-14; 99-143, eff. 7-27-15.)

22 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

23 Sec. 18-3. Tuition of children from orphanages and
24 children's homes. When the children from any home for orphans,
25 dependent, abandoned or maladjusted children maintained by any

1 organization or association admitting to such home children
2 from the State in general or when children residing in a school
3 district wherein the State of Illinois maintains and operates
4 any welfare or penal institution on property owned by the State
5 of Illinois, which contains houses, housing units or housing
6 accommodations within a school district, attend grades
7 kindergarten through 12 of the public schools maintained by
8 that school district, the State Superintendent of Education
9 shall direct the State Comptroller to pay a specified amount
10 sufficient to pay the annual tuition cost of such children who
11 attended such public schools during the regular school year
12 ending on June 30. The Comptroller shall pay the amount after
13 receipt of a voucher submitted by the State Superintendent of
14 Education.

15 The amount of the tuition for such children attending the
16 public schools of the district shall be determined by the State
17 Superintendent of Education by multiplying the number of such
18 children in average daily attendance in such schools by 1.2
19 times the total annual per capita cost of administering the
20 schools of the district. Such total annual per capita cost
21 shall be determined by totaling all expenses of the school
22 district in the educational, operations and maintenance, bond
23 and interest, transportation, Illinois municipal retirement,
24 and rent funds for the school year preceding the filing of such
25 tuition claims less expenditures not applicable to the regular
26 K-12 program, less offsetting revenues from State sources

1 except those from the common school fund, less offsetting
2 revenues from federal sources except those from federal
3 impactation aid, less student and community service revenues,
4 plus a depreciation allowance; and dividing such total by the
5 average daily attendance for the year.

6 Annually on or before June ~~July~~ 15 the superintendent of
7 the district shall certify to the State Superintendent of
8 Education the following:

9 1. The name of the home and of the organization or
10 association maintaining it; or the legal description of the
11 real estate upon which the house, housing units, or housing
12 accommodations are located and that no taxes or service
13 charges or other payments authorized by law to be made in
14 lieu of taxes were collected therefrom or on account
15 thereof during either of the calendar years included in the
16 school year for which claim is being made;

17 2. The number of children from the home or living in
18 such houses, housing units or housing accommodations and
19 attending the schools of the district;

20 3. The total number of children attending the schools
21 of the district;

22 4. The per capita tuition charge of the district; and

23 5. The computed amount of the tuition payment claimed
24 as due.

25 Whenever the persons in charge of such home for orphans,
26 dependent, abandoned or maladjusted children have received

1 from the parent or guardian of any such child or by virtue of
2 an order of court a specific allowance for educating such
3 child, such persons shall pay to the school board in the
4 district where the child attends school such amount of the
5 allowance as is necessary to pay the tuition required by such
6 district for the education of the child. If the allowance is
7 insufficient to pay the tuition in full the State
8 Superintendent of Education shall direct the Comptroller to pay
9 to the district the difference between the total tuition
10 charged and the amount of the allowance.

11 Whenever the facilities of a school district in which such
12 house, housing units or housing accommodations are located, are
13 limited, pupils may be assigned by that district to the schools
14 of any adjacent district to the limit of the facilities of the
15 adjacent district to properly educate such pupils as shall be
16 determined by the school board of the adjacent district, and
17 the State Superintendent of Education shall direct the
18 Comptroller to pay a specified amount sufficient to pay the
19 annual tuition of the children so assigned to and attending
20 public schools in the adjacent districts and the Comptroller
21 shall draw his warrant upon the State Treasurer for the payment
22 of such amount for the benefit of the adjacent school districts
23 in the same manner as for districts in which the houses,
24 housing units or housing accommodations are located.

25 ~~The school district shall certify to the State~~
26 ~~Superintendent of Education the report of claims due for such~~

1 ~~tuition payments on or before July 15. The State Superintendent~~
2 ~~of Education shall direct the Comptroller to pay to the~~
3 ~~district, on or before August 15, the amount due the district~~
4 ~~for the school year in accordance with the calculation of the~~
5 ~~claim as set forth in this Section.~~

6 Summer session costs shall be reimbursed based on the
7 actual expenditures for providing these services. On or before
8 November 1 of each year, the superintendent of each eligible
9 school district shall certify to the State Superintendent of
10 Education the claim of the district for the summer session
11 following the regular school year just ended. The State
12 Superintendent of Education shall transmit to the Comptroller
13 no later than December 15th of each year vouchers for payment
14 of amounts due to school districts for summer session.

15 Claims for tuition for children from any home for orphans
16 or dependent, abandoned, or maladjusted children ~~beginning~~
17 ~~with the 1993-1994 school year~~ shall be paid on a current year
18 basis. On September 30, December 31, and March 31, the State
19 Board of Education shall voucher payments for districts with
20 those students based on an estimated cost calculated from the
21 prior year's claim. The school district shall certify to the
22 State Superintendent of Education the report of claims due for
23 such tuition payments on or before June 15. Claims received by
24 June 15 may be amended until August 1. The State Superintendent
25 of Education shall direct the State Comptroller to pay to the
26 district, on or before August 31, the amount due for the

1 district for the school year in accordance with the calculation
2 of the claim as set forth in this Section. ~~Final claims for~~
3 ~~those students for the regular school term must be received at~~
4 ~~the State Board of Education by July 15 following the end of~~
5 ~~the regular school year. Final claims for those students shall~~
6 ~~be vouchered by August 30. During fiscal year 1994 both the~~
7 ~~1992-1993 school year and the 1993-1994 school year shall be~~
8 ~~paid in order to change the cycle of payment from a~~
9 ~~reimbursement basis to a current year funding basis of payment.~~

10 However, notwithstanding any other provisions of this Section
11 or the School Code, beginning with fiscal year 1994 and each
12 fiscal year thereafter, if the amount appropriated for any
13 fiscal year is less than the amount required for purposes of
14 this Section, the amount required to eliminate any insufficient
15 reimbursement for each district claim under this Section shall
16 be reimbursed on August 31 ~~30~~ of the next fiscal year. Payments
17 required to eliminate any insufficiency for prior fiscal year
18 claims shall be made before any claims are paid for the current
19 fiscal year.

20 If a school district makes a claim for reimbursement under
21 Section 14-7.03 it shall not include in any claim filed under
22 this Section children residing on the property of State
23 institutions included in its claim under Section 14-7.03.

24 Any child who is not a resident of Illinois who is placed
25 in a child welfare institution, private facility, State
26 operated program, orphanage or children's home shall have the

1 payment for his educational tuition and any related services
2 assured by the placing agent.

3 In order to provide services appropriate to allow a student
4 under the legal guardianship or custodianship of the State to
5 participate in local school district educational programs,
6 costs may be incurred in appropriate cases by the district that
7 are in excess of 1.2 times the district per capita tuition
8 charge allowed under the provisions of this Section. In the
9 event such excess costs are incurred, they must be documented
10 in accordance with cost rules established under the authority
11 of this Section and may then be claimed for reimbursement under
12 this Section.

13 Planned services for students eligible for this funding
14 must be a collaborative effort between the appropriate State
15 agency or the student's group home or institution and the local
16 school district.

17 (Source: P.A. 96-734, eff. 8-25-09; 97-256, eff. 1-1-12.)

18 (105 ILCS 5/18-8.15)

19 Sec. 18-8.15. Evidence-based funding for student success
20 for the 2017-2018 and subsequent school years.

21 (a) General provisions.

22 (1) The purpose of this Section is to ensure that, by
23 June 30, 2027 and beyond, this State has a kindergarten
24 through grade 12 public education system with the capacity
25 to ensure the educational development of all persons to the

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

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

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

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

26 (D) ensure this State satisfies its obligation to

1 assume the primary responsibility to fund public
2 education and simultaneously relieve the
3 disproportionate burden placed on local property taxes
4 to fund schools.

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

13 (A) First, the model calculates a unique adequacy
14 target for each Organizational Unit in this State that
15 considers the costs to implement research-based
16 activities, the unit's student demographics, and
17 regional wage difference.

18 (B) Second, the model calculates each
19 Organizational Unit's local capacity, or the amount
20 each Organizational Unit is assumed to contribute
21 towards its adequacy target from local resources.

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

1 (D) Finally, the model's distribution method
2 allocates new State funding to those Organizational
3 Units that are least well-funded, considering both
4 local capacity and State funding, in relation to their
5 adequacy target.

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

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

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

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

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

18 "Adjusted Operating Tax Rate" means a tax rate for all
19 Organizational Units, for which the State Superintendent
20 shall calculate and subtract for the Operating Tax Rate a
21 transportation rate based on total expenses for
22 transportation services under this Code, as reported on the
23 most recent Annual Financial Report in Pupil
24 Transportation Services, function 2550 in both the
25 Education and Transportation funds and functions 4110 and
26 4120 in the Transportation fund, less any corresponding

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

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

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

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

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

26 "Assistant principal" means a school administrator

1 duly endorsed to be employed as an assistant principal in
2 this State.

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

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

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

1 intent to implement full-day kindergarten district-wide
2 for all students, then all students attending kindergarten
3 shall be counted as 1.0. Special education
4 pre-kindergarten students shall be counted as 0.5 each. If
5 the State Board does not collect or has not collected both
6 an October 1 and March 1 enrollment count by grade or a
7 December 1 collection of special education
8 pre-kindergarten students as of the effective date of this
9 amendatory Act of the 100th General Assembly, it shall
10 establish such collection for all future years. For any
11 year where a count by grade level was collected only once,
12 that count shall be used as the single count available for
13 computing a 3-year average ASE. School districts shall
14 submit the data for the ASE calculation to the State Board
15 within 45 days of the dates required in this Section for
16 submission of enrollment data in order for it to be
17 included in the ASE calculation. For fiscal year 2018 only,
18 the ASE calculation shall include only enrollment taken on
19 October 1.

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

22 "Base Funding Minimum" is defined in subsection (e) of
23 this Section.

24 "Base Tax Year" means the property tax levy year used
25 to calculate the Budget Year allocation of primary State
26 aid.

1 "Base Tax Year's Extension" means the product of the
2 equalized assessed valuation utilized by the county clerk
3 in the Base Tax Year multiplied by the limiting rate as
4 calculated by the county clerk and defined in PTELL.

5 "Bilingual Education Allocation" means the amount of
6 an Organizational Unit's final Adequacy Target
7 attributable to bilingual education divided by the
8 Organizational Unit's final Adequacy Target, the product
9 of which shall be multiplied by the amount of new funding
10 received pursuant to this Section. An Organizational
11 Unit's final Adequacy Target attributable to bilingual
12 education shall include all additional investments in
13 English learner students' adequacy elements.

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

16 "Central office" means individual administrators and
17 support service personnel charged with managing the
18 instructional programs, business and operations, and
19 security of the Organizational Unit.

20 "Comparable Wage Index" or "CWI" means a regional cost
21 differentiation metric that measures systemic, regional
22 variations in the salaries of college graduates who are not
23 educators. The CWI utilized for this Section shall, for the
24 first 3 years of Evidence-Based Funding implementation, be
25 the CWI initially developed by the National Center for
26 Education Statistics, as most recently updated by Texas A &

1 M University. In the fourth and subsequent years of
2 Evidence-Based Funding implementation, the State
3 Superintendent shall re-determine the CWI using a similar
4 methodology to that identified in the Texas A & M
5 University study, with adjustments made no less frequently
6 than once every 5 years.

7 "Computer technology and equipment" means computers
8 servers, notebooks, network equipment, copiers, printers,
9 instructional software, security software, curriculum
10 management courseware, and other similar materials and
11 equipment.

12 "Computer technology and equipment investment
13 allocation" means the final Adequacy Target amount of an
14 Organizational Unit assigned to Tier 1 or Tier 2 in the
15 prior school year attributable to the additional \$285.50
16 per student computer technology and equipment investment
17 grant divided by the Organizational Unit's final Adequacy
18 Target, the result of which shall be multiplied by the
19 amount of new funding received pursuant to this Section. An
20 Organizational Unit assigned to a Tier 1 or Tier 2 final
21 Adequacy Target attributable to the received computer
22 technology and equipment investment grant shall include
23 all additional investments in computer technology and
24 equipment adequacy elements.

25 "Core subject" means mathematics; science; reading,
26 English, writing, and language arts; history and social

1 studies; world languages; and subjects taught as Advanced
2 Placement in high schools.

3 "Core teacher" means a regular classroom teacher in
4 elementary schools and teachers of a core subject in middle
5 and high schools.

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

9 "CPPRT" means corporate personal property replacement
10 tax funds paid to an Organizational Unit during the
11 calendar year one year before the calendar year in which a
12 school year begins, pursuant to "An Act in relation to the
13 abolition of ad valorem personal property tax and the
14 replacement of revenues lost thereby, and amending and
15 repealing certain Acts and parts of Acts in connection
16 therewith", certified August 14, 1979, as amended (Public
17 Act 81-1st S.S.-1).

18 "EAV" means equalized assessed valuation as defined in
19 paragraph (2) of subsection (d) of this Section and
20 calculated in accordance with paragraph (3) of subsection
21 (d) of this Section.

22 "ECI" means the Bureau of Labor Statistics' national
23 employment cost index for civilian workers in educational
24 services in elementary and secondary schools on a
25 cumulative basis for the 12-month calendar year preceding
26 the fiscal year of the Evidence-Based Funding calculation.

1 "EIS Data" means the employment information system
2 data maintained by the State Board on educators within
3 Organizational Units.

4 "Employee benefits" means health, dental, and vision
5 insurance offered to employees of an Organizational Unit,
6 the costs associated with statutorily required payment of
7 the normal cost of the Organizational Unit's teacher
8 pensions, Social Security employer contributions, and
9 Illinois Municipal Retirement Fund employer contributions.

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

21 "Essential Elements" means those elements, resources,
22 and educational programs that have been identified through
23 academic research as necessary to improve student success,
24 improve academic performance, close achievement gaps, and
25 provide for other per student costs related to the delivery
26 and leadership of the Organizational Unit, as well as the

1 maintenance and operations of the unit, and which are
2 specified in paragraph (2) of subsection (b) of this
3 Section.

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

6 "Extended day" means academic and enrichment programs
7 provided to students outside the regular school day before
8 and after school or during non-instructional times during
9 the school day.

10 "Extension Limitation Ratio" means a numerical ratio
11 in which the numerator is the Base Tax Year's Extension and
12 the denominator is the Preceding Tax Year's Extension.

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

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

17 "Full-time equivalent" or "FTE" means the full-time
18 equivalency compensation for staffing the relevant
19 position at an Organizational Unit.

20 "Funding Gap" is defined in paragraph (1) of subsection
21 (g).

22 "Guidance counselor" means a licensed guidance
23 counselor who provides guidance and counseling support for
24 students within an Organizational Unit.

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

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

4 "Instructional facilitator" means a qualified teacher
5 or licensed teacher leader who facilitates and coaches
6 continuous improvement in classroom instruction; provides
7 instructional support to teachers in the elements of
8 research-based instruction or demonstrates the alignment
9 of instruction with curriculum standards and assessment
10 tools; develops or coordinates instructional programs or
11 strategies; develops and implements training; chooses
12 standards-based instructional materials; provides teachers
13 with an understanding of current research; serves as a
14 mentor, site coach, curriculum specialist, or lead
15 teacher; or otherwise works with fellow teachers, in
16 collaboration, to use data to improve instructional
17 practice or develop model lessons.

18 "Instructional materials" means relevant instructional
19 materials for student instruction, including, but not
20 limited to, textbooks, consumable workbooks, laboratory
21 equipment, library books, and other similar materials.

22 "Laboratory School" means a public school that is
23 created and operated by a public university and approved by
24 the State Board.

25 "Librarian" means a teacher with an endorsement as a
26 library information specialist or another individual whose

1 primary responsibility is overseeing library resources
2 within an Organizational Unit.

3 "Limiting rate for Hybrid Districts" means the
4 combined elementary school and high school limited rates.

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

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

9 "Local Capacity Ratio" is defined in subparagraph (B)
10 of paragraph (2) of subsection (c) of this Section.

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

13 "Low-Income Count" means, for an Organizational Unit
14 in a fiscal year, the higher of the average number of
15 students for the prior school year or the immediately
16 preceding 3 school years who, as of July 1 of the
17 immediately preceding fiscal year (as determined by the
18 Department of Human Services), are eligible for at least
19 one of the following low income programs: Medicaid, the
20 Children's Health Insurance Program, TANF, or the
21 Supplemental Nutrition Assistance Program, excluding
22 pupils who are eligible for services provided by the
23 Department of Children and Family Services. Until such time
24 that grade level low-income populations become available,
25 grade level low-income populations shall be determined by
26 applying the low-income percentage to total student

1 enrollments by grade level. The low-income percentage is
2 determined by dividing the Low-Income Count by the Average
3 Student Enrollment.

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 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, or high schools
15 typically serving 9th through 12th grades. The General
16 Assembly acknowledges that the actual grade levels served
17 by a particular Organizational Unit may vary slightly from
18 what is typical.

19 "Organizational Unit CWI" is determined by calculating
20 the CWI in the region and original county in which an
21 Organizational Unit's primary administrative office is
22 located as set forth in this paragraph, provided that if
23 the Organizational Unit CWI as calculated in accordance
24 with this paragraph is less than 0.9, the Organizational
25 Unit CWI shall be increased to 0.9. Each county's current
26 CWI value shall be adjusted based on the CWI value of that

1 county's neighboring Illinois counties, to create a
2 "weighted adjusted index value". This shall be calculated
3 by summing the CWI values of all of a county's adjacent
4 Illinois counties and dividing by the number of adjacent
5 Illinois counties, then taking the weighted value of the
6 original county's CWI value and the adjacent Illinois
7 county average. To calculate this weighted value, if the
8 number of adjacent Illinois counties is greater than 2, the
9 original county's CWI value will be weighted at 0.25 and
10 the adjacent Illinois county average will be weighted at
11 0.75. If the number of adjacent Illinois counties is 2, the
12 original county's CWI value will be weighted at 0.33 and
13 the adjacent Illinois county average will be weighted at
14 0.66. The greater of the county's current CWI value and its
15 weighted adjusted index value shall be used as the
16 Organizational Unit CWI.

17 "Preceding Tax Year" means the property tax levy year
18 immediately preceding the Base Tax Year.

19 "Preceding Tax Year's Extension" means the product of
20 the equalized assessed valuation utilized by the county
21 clerk in the Preceding Tax Year multiplied by the Operating
22 Tax Rate.

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

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

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

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

13 "Prototypical" means 450 special education
14 pre-kindergarten and kindergarten through grade 5 students
15 for an elementary school, 450 grade 6 through 8 students
16 for a middle school, and 600 grade 9 through 12 students
17 for a high school.

18 "PTELL" means the Property Tax Extension Limitation
19 Law.

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

22 "Pupil support staff" means a nurse, psychologist,
23 social worker, family liaison personnel, or other staff
24 member who provides support to at-risk or struggling
25 students.

26 "Real Receipts" is defined in paragraph (1) of

1 subsection (d) of this Section.

2 "Regionalization Factor" means, for a particular
3 Organizational Unit, the figure derived by dividing the
4 Organizational Unit CWI by the Statewide Weighted CWI.

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

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

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

18 "Specialist teacher" means a teacher who provides
19 instruction in subject areas not included in core subjects,
20 including, but not limited to, art, music, physical
21 education, health, driver education, career-technical
22 education, and such other subject areas as may be mandated
23 by State law or provided by an Organizational Unit.

24 "Specially Funded Unit" means an Alternative School,
25 safe school, Department of Juvenile Justice school,
26 special education cooperative or entity recognized by the

1 State Board as a special education cooperative,
2 State-approved charter school, or alternative learning
3 opportunities program that received direct funding from
4 the State Board during the 2016-2017 school year through
5 any of the funding sources included within the calculation
6 of the Base Funding Minimum or Glenwood Academy.

7 "Supplemental Grant Funding" means supplemental
8 general State aid funding received by an Organization Unit
9 during the 2016-2017 school year pursuant to subsection (H)
10 of Section 18-8.05 of this Code (now repealed).

11 "State Adequacy Level" is the sum of the Adequacy
12 Targets of all Organizational Units.

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

14 "State Superintendent" means the State Superintendent
15 of Education.

16 "Statewide Weighted CWI" means a figure determined by
17 multiplying each Organizational Unit CWI times the ASE for
18 that Organizational Unit creating a weighted value,
19 summing all Organizational Unit's weighted values, and
20 dividing by the total ASE of all Organizational Units,
21 thereby creating an average weighted index.

22 "Student activities" means non-credit producing
23 after-school programs, including, but not limited to,
24 clubs, bands, sports, and other activities authorized by
25 the school board of the Organizational Unit.

26 "Substitute teacher" means an individual teacher or

1 teaching assistant who is employed by an Organizational
2 Unit and is temporarily serving the Organizational Unit on
3 a per diem or per period-assignment basis replacing another
4 staff member.

5 "Summer school" means academic and enrichment programs
6 provided to students during the summer months outside of
7 the regular school year.

8 "Supervisory aide" means a non-licensed staff member
9 who helps in supervising students of an Organizational
10 Unit, but does so outside of the classroom, in situations
11 such as, but not limited to, monitoring hallways and
12 playgrounds, supervising lunchrooms, or supervising
13 students when being transported in buses serving the
14 Organizational Unit.

15 "Target Ratio" is defined in paragraph (4) of
16 subsection (g).

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

19 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
20 Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate
21 Funding" are defined in paragraph (1) of subsection (g).

22 (b) Adequacy Target calculation.

23 (1) Each Organizational Unit's Adequacy Target is the
24 sum of the Organizational Unit's cost of providing
25 Essential Elements, as calculated in accordance with this
26 subsection (b), with the salary amounts in the Essential

1 Elements multiplied by a Regionalization Factor calculated
2 pursuant to paragraph (3) of this subsection (b).

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

11 (A) Core class size investments. Each
12 Organizational Unit shall receive the funding required
13 to support that number of FTE core teacher positions as
14 is needed to keep the respective class sizes of the
15 Organizational Unit to the following maximum numbers:

16 (i) For grades kindergarten through 3, the
17 Organizational Unit shall receive funding required
18 to support one FTE core teacher position for every
19 15 Low-Income Count students in those grades and
20 one FTE core teacher position for every 20
21 non-Low-Income Count students in those grades.

22 (ii) For grades 4 through 12, the
23 Organizational Unit shall receive funding required
24 to support one FTE core teacher position for every
25 20 Low-Income Count students in those grades and
26 one FTE core teacher position for every 25

1 non-Low-Income Count students in those grades.

2 The number of non-Low-Income Count students in a
3 grade shall be determined by subtracting the
4 Low-Income students in that grade from the ASE of the
5 Organizational Unit for that grade.

6 (B) Specialist teacher investments. Each
7 Organizational Unit shall receive the funding needed
8 to cover that number of FTE specialist teacher
9 positions that correspond to the following
10 percentages:

11 (i) if the Organizational Unit operates an
12 elementary or middle school, then 20.00% of the
13 number of the Organizational Unit's core teachers,
14 as determined under subparagraph (A) of this
15 paragraph (2); and

16 (ii) if such Organizational Unit operates a
17 high school, then 33.33% of the number of the
18 Organizational Unit's core teachers.

19 (C) Instructional facilitator investments. Each
20 Organizational Unit shall receive the funding needed
21 to cover one FTE instructional facilitator position
22 for every 200 combined ASE of pre-kindergarten
23 children with disabilities and all kindergarten
24 through grade 12 students of the Organizational Unit.

25 (D) Core intervention teacher (tutor) investments.
26 Each Organizational Unit shall receive the funding

1 needed to cover one FTE teacher position for each
2 prototypical elementary, middle, and high school.

3 (E) Substitute teacher investments. Each
4 Organizational Unit shall receive the funding needed
5 to cover substitute teacher costs that is equal to
6 5.70% of the minimum pupil attendance days required
7 under Section 10-19 of this Code for all full-time
8 equivalent core, specialist, and intervention
9 teachers, school nurses, special education teachers
10 and instructional assistants, instructional
11 facilitators, and summer school and extended-day
12 teacher positions, as determined under this paragraph
13 (2), at a salary rate of 33.33% of the average salary
14 for grade K through 12 teachers and 33.33% of the
15 average salary of each instructional assistant
16 position.

17 (F) Core guidance counselor investments. Each
18 Organizational Unit shall receive the funding needed
19 to cover one FTE guidance counselor for each 450
20 combined ASE of pre-kindergarten children with
21 disabilities and all kindergarten through grade 5
22 students, plus one FTE guidance counselor for each 250
23 grades 6 through 8 ASE middle school students, plus one
24 FTE guidance counselor for each 250 grades 9 through 12
25 ASE high school students.

26 (G) Nurse investments. Each Organizational Unit

1 shall receive the funding needed to cover one FTE nurse
2 for each 750 combined ASE of pre-kindergarten children
3 with disabilities and all kindergarten through grade
4 12 students across all grade levels it serves.

5 (H) Supervisory aide investments. Each
6 Organizational Unit shall receive the funding needed
7 to cover one FTE for each 225 combined ASE of
8 pre-kindergarten children with disabilities and all
9 kindergarten through grade 5 students, plus one FTE for
10 each 225 ASE middle school students, plus one FTE for
11 each 200 ASE high school students.

12 (I) Librarian investments. Each Organizational
13 Unit shall receive the funding needed to cover one FTE
14 librarian for each prototypical elementary school,
15 middle school, and high school and one FTE aide or
16 media technician for every 300 combined ASE of
17 pre-kindergarten children with disabilities and all
18 kindergarten through grade 12 students.

19 (J) Principal investments. Each Organizational
20 Unit shall receive the funding needed to cover one FTE
21 principal position for each prototypical elementary
22 school, plus one FTE principal position for each
23 prototypical middle school, plus one FTE principal
24 position for each prototypical high school.

25 (K) Assistant principal investments. Each
26 Organizational Unit shall receive the funding needed

1 to cover one FTE assistant principal position for each
2 prototypical elementary school, plus one FTE assistant
3 principal position for each prototypical middle
4 school, plus one FTE assistant principal position for
5 each prototypical high school.

6 (L) School site staff investments. Each
7 Organizational Unit shall receive the funding needed
8 for one FTE position for each 225 ASE of
9 pre-kindergarten children with disabilities and all
10 kindergarten through grade 5 students, plus one FTE
11 position for each 225 ASE middle school students, plus
12 one FTE position for each 200 ASE high school students.

13 (M) Gifted investments. Each Organizational Unit
14 shall receive \$40 per kindergarten through grade 12
15 ASE.

16 (N) Professional development investments. Each
17 Organizational Unit shall receive \$125 per student of
18 the combined ASE of pre-kindergarten children with
19 disabilities and all kindergarten through grade 12
20 students for trainers and other professional
21 development-related expenses for supplies and
22 materials.

23 (O) Instructional material investments. Each
24 Organizational Unit shall receive \$190 per student of
25 the combined ASE of pre-kindergarten children with
26 disabilities and all kindergarten through grade 12

1 students to cover instructional material costs.

2 (P) Assessment investments. Each Organizational
3 Unit shall receive \$25 per student of the combined ASE
4 of pre-kindergarten children with disabilities and all
5 kindergarten through grade 12 students student to
6 cover assessment costs.

7 (Q) Computer technology and equipment investments.
8 Each Organizational Unit shall receive \$285.50 per
9 student of the combined ASE of pre-kindergarten
10 children with disabilities and all kindergarten
11 through grade 12 students to cover computer technology
12 and equipment costs. For the 2018-2019 school year and
13 subsequent school years, Organizational Units assigned
14 to Tier 1 and Tier 2 in the prior school year shall
15 receive an additional \$285.50 per student of the
16 combined ASE of pre-kindergarten children with
17 disabilities and all kindergarten through grade 12
18 students to cover computer technology and equipment
19 costs in the Organization Unit's Adequacy Target. The
20 State Board may establish additional requirements for
21 Organizational Unit expenditures of funds received
22 pursuant to this subparagraph (Q), including a
23 requirement that funds received pursuant to this
24 subparagraph (Q) may be used only for serving the
25 technology needs of the district. It is the intent of
26 this amendatory Act of the 100th General Assembly that

1 all Tier 1 and Tier 2 districts receive the addition to
2 their Adequacy Target in the following year, subject to
3 compliance with the requirements of the State Board.

4 (R) Student activities investments. Each
5 Organizational Unit shall receive the following
6 funding amounts to cover student activities: \$100 per
7 kindergarten through grade 5 ASE student in elementary
8 school, plus \$200 per ASE student in middle school,
9 plus \$675 per ASE student in high school.

10 (S) Maintenance and operations investments. Each
11 Organizational Unit shall receive \$1,038 per student
12 of the combined ASE of pre-kindergarten children with
13 disabilities and all kindergarten through grade 12 for
14 day-to-day maintenance and operations expenditures,
15 including salary, supplies, and materials, as well as
16 purchased services, but excluding employee benefits.
17 The proportion of salary for the application of a
18 Regionalization Factor and the calculation of benefits
19 is equal to \$352.92.

20 (T) Central office investments. Each
21 Organizational Unit shall receive \$742 per student of
22 the combined ASE of pre-kindergarten children with
23 disabilities and all kindergarten through grade 12
24 students to cover central office operations, including
25 administrators and classified personnel charged with
26 managing the instructional programs, business and

1 operations of the school district, and security
2 personnel. The proportion of salary for the
3 application of a Regionalization Factor and the
4 calculation of benefits is equal to \$368.48.

5 (U) Employee benefit investments. Each
6 Organizational Unit shall receive 30% of the total of
7 all salary-calculated elements of the Adequacy Target,
8 excluding substitute teachers and student activities
9 investments, to cover benefit costs. For central
10 office and maintenance and operations investments, the
11 benefit calculation shall be based upon the salary
12 proportion of each investment. If at any time the
13 responsibility for funding the employer normal cost of
14 teacher pensions is assigned to school districts, then
15 that amount certified by the Teachers' Retirement
16 System of the State of Illinois to be paid by the
17 Organizational Unit for the preceding school year
18 shall be added to the benefit investment. For any
19 fiscal year in which a school district organized under
20 Article 34 of this Code is responsible for paying the
21 employer normal cost of teacher pensions, then that
22 amount of its employer normal cost plus the amount for
23 retiree health insurance as certified by the Public
24 School Teachers' Pension and Retirement Fund of
25 Chicago to be paid by the school district for the
26 preceding school year that is statutorily required to

1 cover employer normal costs and the amount for retiree
2 health insurance shall be added to the 30% specified in
3 this subparagraph (U). The Teachers' Retirement System
4 of the State of Illinois and the Public School
5 Teachers' Pension and Retirement Fund of Chicago shall
6 submit such information as the State Superintendent
7 may require for the calculations set forth in this
8 subparagraph (U).

9 (V) Additional investments in low-income students.
10 In addition to and not in lieu of all other funding
11 under this paragraph (2), each Organizational Unit
12 shall receive funding based on the average teacher
13 salary for grades K through 12 to cover the costs of:

14 (i) one FTE intervention teacher (tutor)
15 position for every 125 Low-Income Count students;

16 (ii) one FTE pupil support staff position for
17 every 125 Low-Income Count students;

18 (iii) one FTE extended day teacher position
19 for every 120 Low-Income Count students; and

20 (iv) one FTE summer school teacher position
21 for every 120 Low-Income Count students.

22 (W) Additional investments in English learner
23 students. In addition to and not in lieu of all other
24 funding under this paragraph (2), each Organizational
25 Unit shall receive funding based on the average teacher
26 salary for grades K through 12 to cover the costs of:

1 (i) one FTE intervention teacher (tutor)
2 position for every 125 English learner students;

3 (ii) one FTE pupil support staff position for
4 every 125 English learner students;

5 (iii) one FTE extended day teacher position
6 for every 120 English learner students;

7 (iv) one FTE summer school teacher position
8 for every 120 English learner students; and

9 (v) one FTE core teacher position for every 100
10 English learner students.

11 (X) Special education investments. Each
12 Organizational Unit shall receive funding based on the
13 average teacher salary for grades K through 12 to cover
14 special education as follows:

15 (i) one FTE teacher position for every 141
16 combined ASE of pre-kindergarten children with
17 disabilities and all kindergarten through grade 12
18 students;

19 (ii) one FTE instructional assistant for every
20 141 combined ASE of pre-kindergarten children with
21 disabilities and all kindergarten through grade 12
22 students; and

23 (iii) one FTE psychologist position for every
24 1,000 combined ASE of pre-kindergarten children
25 with disabilities and all kindergarten through
26 grade 12 students.

1 (3) For calculating the salaries included within the
2 Essential Elements, the State Superintendent shall
3 annually calculate average salaries to the nearest dollar
4 using the employment information system data maintained by
5 the State Board, limited to public schools only and
6 excluding special education and vocational cooperatives,
7 schools operated by the Department of Juvenile Justice, and
8 charter schools, for the following positions:

9 (A) Teacher for grades K through 8.

10 (B) Teacher for grades 9 through 12.

11 (C) Teacher for grades K through 12.

12 (D) Guidance counselor for grades K through 8.

13 (E) Guidance counselor for grades 9 through 12.

14 (F) Guidance counselor for grades K through 12.

15 (G) Social worker.

16 (H) Psychologist.

17 (I) Librarian.

18 (J) Nurse.

19 (K) Principal.

20 (L) Assistant principal.

21 For the purposes of this paragraph (3), "teacher"
22 includes core teachers, specialist and elective teachers,
23 instructional facilitators, tutors, special education
24 teachers, pupil support staff teachers, English learner
25 teachers, extended-day teachers, and summer school
26 teachers. Where specific grade data is not required for the

1 Essential Elements, the average salary for corresponding
2 positions shall apply. For substitute teachers, the
3 average teacher salary for grades K through 12 shall apply.

4 For calculating the salaries included within the
5 Essential Elements for positions not included within EIS
6 Data, the following salaries shall be used in the first
7 year of implementation of Evidence-Based Funding:

8 (i) school site staff, \$30,000; and

9 (ii) non-instructional assistant, instructional
10 assistant, library aide, library media tech, or
11 supervisory aide: \$25,000.

12 In the second and subsequent years of implementation of
13 Evidence-Based Funding, the amounts in items (i) and (ii)
14 of this paragraph (3) shall annually increase by the ECI.

15 The salary amounts for the Essential Elements
16 determined pursuant to subparagraphs (A) through (L), (S)
17 and (T), and (V) through (X) of paragraph (2) of subsection
18 (b) of this Section shall be multiplied by a
19 Regionalization Factor.

20 (c) Local capacity calculation.

21 (1) Each Organizational Unit's Local Capacity
22 represents an amount of funding it is assumed to contribute
23 toward its Adequacy Target for purposes of the
24 Evidence-Based Funding formula calculation. "Local
25 Capacity" means either (i) the Organizational Unit's Local
26 Capacity Target as calculated in accordance with paragraph

1 (2) of this subsection (c) if its Real Receipts are equal
2 to or less than its Local Capacity Target or (ii) the
3 Organizational Unit's Adjusted Local Capacity, as
4 calculated in accordance with paragraph (3) of this
5 subsection (c) if Real Receipts are more than its Local
6 Capacity Target.

7 (2) "Local Capacity Target" means, for an
8 Organizational Unit, that dollar amount that is obtained by
9 multiplying its Adequacy Target by its Local Capacity
10 Ratio.

11 (A) An Organizational Unit's Local Capacity
12 Percentage is the conversion of the Organizational
13 Unit's Local Capacity Ratio, as such ratio is
14 determined in accordance with subparagraph (B) of this
15 paragraph (2), into a cumulative distribution
16 resulting in a percentile ranking to determine each
17 Organizational Unit's relative position to all other
18 Organizational Units in this State. The calculation of
19 Local Capacity Percentage is described in subparagraph
20 (C) of this paragraph (2).

21 (B) An Organizational Unit's Local Capacity Ratio
22 in a given year is the percentage obtained by dividing
23 its Adjusted EAV or PTELL EAV, whichever is less, by
24 its Adequacy Target, with the resulting ratio further
25 adjusted as follows:

26 (i) for Organizational Units serving grades

1 kindergarten through 12 and Hybrid Districts, no
2 further adjustments shall be made;

3 (ii) for Organizational Units serving grades
4 kindergarten through 8, the ratio shall be
5 multiplied by 9/13;

6 (iii) for Organizational Units serving grades
7 9 through 12, the Local Capacity Ratio shall be
8 multiplied by 4/13; and

9 (iv) for an Organizational Unit with a
10 different grade configuration than those specified
11 in items (i) through (iii) of this subparagraph
12 (B), the State Superintendent shall determine a
13 comparable adjustment based on the grades served.

14 (C) The Local Capacity Percentage is equal to the
15 percentile ranking of the district. Local Capacity
16 Percentage converts each Organizational Unit's Local
17 Capacity Ratio to a cumulative distribution resulting
18 in a percentile ranking to determine each
19 Organizational Unit's relative position to all other
20 Organizational Units in this State. The Local Capacity
21 Percentage cumulative distribution resulting in a
22 percentile ranking for each Organizational Unit shall
23 be calculated using the standard normal distribution
24 of the score in relation to the weighted mean and
25 weighted standard deviation and Local Capacity Ratios
26 of all Organizational Units. If the value assigned to

1 any Organizational Unit is in excess of 90%, the value
2 shall be adjusted to 90%. For Laboratory Schools, the
3 Local Capacity Percentage shall be set at 10% in
4 recognition of the absence of EAV and resources from
5 the public university that are allocated to the
6 Laboratory School. The weighted mean for the Local
7 Capacity Percentage shall be determined by multiplying
8 each Organizational Unit's Local Capacity Ratio times
9 the ASE for the unit creating a weighted value, summing
10 the weighted values of all Organizational Units, and
11 dividing by the total ASE of all Organizational Units.
12 The weighted standard deviation shall be determined by
13 taking the square root of the weighted variance of all
14 Organizational Units' Local Capacity Ratio, where the
15 variance is calculated by squaring the difference
16 between each unit's Local Capacity Ratio and the
17 weighted mean, then multiplying the variance for each
18 unit times the ASE for the unit to create a weighted
19 variance for each unit, then summing all units'
20 weighted variance and dividing by the total ASE of all
21 units.

22 (D) For any Organizational Unit, the
23 Organizational Unit's Adjusted Local Capacity Target
24 shall be reduced by either (i) the school board's
25 remaining contribution pursuant to paragraph (ii) of
26 subsection (b-4) of Section 16-158 of the Illinois

1 Pension Code in a given year, or (ii) the board of
2 education's remaining contribution pursuant to
3 paragraph (iv) of subsection (b) of Section 17-129 of
4 the Illinois Pension Code absent the employer normal
5 cost portion of the required contribution and amount
6 allowed pursuant to subdivision (3) of Section
7 17-142.1 of the Illinois Pension Code in a given year.
8 In the preceding sentence, item (i) shall be certified
9 to the State Board of Education by the Teachers'
10 Retirement System of the State of Illinois and item
11 (ii) shall be certified to the State Board of Education
12 by the Public School Teachers' Pension and Retirement
13 Fund of the City of Chicago.

14 (3) If an Organizational Unit's Real Receipts are more
15 than its Local Capacity Target, then its Local Capacity
16 shall equal an Adjusted Local Capacity Target as calculated
17 in accordance with this paragraph (3). The Adjusted Local
18 Capacity Target is calculated as the sum of the
19 Organizational Unit's Local Capacity Target and its Real
20 Receipts Adjustment. The Real Receipts Adjustment equals
21 the Organizational Unit's Real Receipts less its Local
22 Capacity Target, with the resulting figure multiplied by
23 the Local Capacity Percentage.

24 As used in this paragraph (3), "Real Percent of
25 Adequacy" means the sum of an Organizational Unit's Real
26 Receipts, CPPRT, and Base Funding Minimum, with the

1 resulting figure divided by the Organizational Unit's
2 Adequacy Target.

3 (d) Calculation of Real Receipts, EAV, and Adjusted EAV for
4 purposes of the Local Capacity calculation.

5 (1) An Organizational Unit's Real Receipts are the
6 product of its Applicable Tax Rate and its Adjusted EAV. An
7 Organizational Unit's Applicable Tax Rate is its Adjusted
8 Operating Tax Rate for property within the Organizational
9 Unit.

10 (2) The State Superintendent shall calculate the
11 Equalized Assessed Valuation, or EAV, of all taxable
12 property of each Organizational Unit as of September 30 of
13 the previous year in accordance with paragraph (3) of this
14 subsection (d). The State Superintendent shall then
15 determine the Adjusted EAV of each Organizational Unit in
16 accordance with paragraph (4) of this subsection (d), which
17 Adjusted EAV figure shall be used for the purposes of
18 calculating Local Capacity.

19 (3) To calculate Real Receipts and EAV, the Department
20 of Revenue shall supply to the State Superintendent the
21 value as equalized or assessed by the Department of Revenue
22 of all taxable property of every Organizational Unit,
23 together with (i) the applicable tax rate used in extending
24 taxes for the funds of the Organizational Unit as of
25 September 30 of the previous year and (ii) the limiting
26 rate for all Organizational Units subject to property tax

1 extension limitations as imposed under PTELL.

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

1 Code for owners with a household income of \$30,000 or
2 less. It is the intent of this subparagraph (A) that if
3 the general homestead exemption for a parcel of
4 property is determined under Section 15-176 or 15-177
5 of the Property Tax Code rather than Section 15-175,
6 then the calculation of EAV shall not be affected by
7 the difference, if any, between the amount of the
8 general homestead exemption allowed for that parcel of
9 property under Section 15-176 or 15-177 of the Property
10 Tax Code and the amount that would have been allowed
11 had the general homestead exemption for that parcel of
12 property been determined under Section 15-175 of the
13 Property Tax Code. It is further the intent of this
14 subparagraph (A) that if additional exemptions are
15 allowed under Section 15-175 of the Property Tax Code
16 for owners with a household income of less than
17 \$30,000, then the calculation of EAV shall not be
18 affected by the difference, if any, because of those
19 additional exemptions.

20 (B) With respect to any part of an Organizational
21 Unit within a redevelopment project area in respect to
22 which a municipality has adopted tax increment
23 allocation financing pursuant to the Tax Increment
24 Allocation Redevelopment Act, Division 74.4 of Article
25 11 of the Illinois Municipal Code, or the Industrial
26 Jobs Recovery Law, Division 74.6 of Article 11 of the

1 Illinois Municipal Code, no part of the current EAV of
2 real property located in any such project area which is
3 attributable to an increase above the total initial EAV
4 of such property shall be used as part of the EAV of
5 the Organizational Unit, until such time as all
6 redevelopment project costs have been paid, as
7 provided in Section 11-74.4-8 of the Tax Increment
8 Allocation Redevelopment Act or in Section 11-74.6-35
9 of the Industrial Jobs Recovery Law. For the purpose of
10 the EAV of the Organizational Unit, the total initial
11 EAV or the current EAV, whichever is lower, shall be
12 used until such time as all redevelopment project costs
13 have been paid.

14 (B-5) The real property equalized assessed
15 valuation for a school district shall be adjusted by
16 subtracting from the real property value, as equalized
17 or assessed by the Department of Revenue, for the
18 district an amount computed by dividing the amount of
19 any abatement of taxes under Section 18-170 of the
20 Property Tax Code by 3.00% for a district maintaining
21 grades kindergarten through 12, by 2.30% for a district
22 maintaining grades kindergarten through 8, or by 1.05%
23 for a district maintaining grades 9 through 12 and
24 adjusted by an amount computed by dividing the amount
25 of any abatement of taxes under subsection (a) of
26 Section 18-165 of the Property Tax Code by the same

1 percentage rates for district type as specified in this
2 subparagraph (B-5).

3 (C) For Organizational Units that are Hybrid
4 Districts, the State Superintendent shall use the
5 lesser of the adjusted equalized assessed valuation
6 for property within the partial elementary unit
7 district for elementary purposes, as defined in
8 Article 11E of this Code, or the adjusted equalized
9 assessed valuation for property within the partial
10 elementary unit district for high school purposes, as
11 defined in Article 11E of this Code.

12 (4) An Organizational Unit's Adjusted EAV shall be the
13 average of its EAV over the immediately preceding 3 years
14 or its EAV in the immediately preceding year if the EAV in
15 the immediately preceding year has declined by 10% or more
16 compared to the 3-year average. In the event of
17 Organizational Unit reorganization, consolidation, or
18 annexation, the Organizational Unit's Adjusted EAV for the
19 first 3 years after such change shall be as follows: the
20 most current EAV shall be used in the first year, the
21 average of a 2-year EAV or its EAV in the immediately
22 preceding year if the EAV declines by 10% or more compared
23 to the 2-year average for the second year, and a 3-year
24 average EAV or its EAV in the immediately preceding year if
25 the adjusted EAV declines by 10% or more compared to the
26 3-year average for the third year. For any school district

1 whose EAV in the immediately preceding year is used in
2 calculations, in the following year, the Adjusted EAV shall
3 be the average of its EAV over the immediately preceding 2
4 years or the immediately preceding year if that year
5 represents a decline of 10% or more compared to the 2-year
6 average.

7 "PTELL EAV" means a figure calculated by the State
8 Board for Organizational Units subject to PTELL as
9 described in this paragraph (4) for the purposes of
10 calculating an Organizational Unit's Local Capacity Ratio.
11 Except as otherwise provided in this paragraph (4), the
12 PTELL EAV of an Organizational Unit shall be equal to the
13 product of the equalized assessed valuation last used in
14 the calculation of general State aid under Section 18-8.05
15 of this Code (now repealed) or Evidence-Based Funding under
16 this Section and the Organizational Unit's Extension
17 Limitation Ratio. If an Organizational Unit has approved or
18 does approve an increase in its limiting rate, pursuant to
19 Section 18-190 of the Property Tax Code, affecting the Base
20 Tax Year, the PTELL EAV shall be equal to the product of
21 the equalized assessed valuation last used in the
22 calculation of general State aid under Section 18-8.05 of
23 this Code (now repealed) or Evidence-Based Funding under
24 this Section multiplied by an amount equal to one plus the
25 percentage increase, if any, in the Consumer Price Index
26 for All Urban Consumers for all items published by the

1 United States Department of Labor for the 12-month calendar
2 year preceding the Base Tax Year, plus the equalized
3 assessed valuation of new property, annexed property, and
4 recovered tax increment value and minus the equalized
5 assessed valuation of disconnected property.

6 As used in this paragraph (4), "new property" and
7 "recovered tax increment value" shall have the meanings set
8 forth in the Property Tax Extension Limitation Law.

9 (e) Base Funding Minimum calculation.

10 (1) For the 2017-2018 school year, the Base Funding
11 Minimum of an Organizational Unit or a Specially Funded
12 Unit shall be the amount of State funds distributed to the
13 Organizational Unit or Specially Funded Unit during the
14 2016-2017 school year prior to any adjustments and
15 specified appropriation amounts described in this
16 paragraph (1) from the following Sections, as calculated by
17 the State Superintendent: Section 18-8.05 of this Code (now
18 repealed); Section 5 of Article 224 of Public Act 99-524
19 (equity grants); Section 14-7.02b of this Code (funding for
20 children requiring special education services); Section
21 14-13.01 of this Code (special education facilities and
22 staffing), except for reimbursement of the cost of
23 transportation pursuant to Section 14-13.01; Section
24 14C-12 of this Code (English learners); and Section 18-4.3
25 of this Code (summer school), based on an appropriation
26 level of \$13,121,600. For a school district organized under

1 Article 34 of this Code, the Base Funding Minimum also
2 includes (i) the funds allocated to the school district
3 pursuant to Section 1D-1 of this Code attributable to
4 funding programs authorized by the Sections of this Code
5 listed in the preceding sentence; and (ii) the difference
6 between (I) the funds allocated to the school district
7 pursuant to Section 1D-1 of this Code attributable to the
8 funding programs authorized by Section 14-7.02 (non-public
9 special education reimbursement), subsection (b) of
10 Section 14-13.01 (special education transportation),
11 Section 29-5 (transportation), Section 2-3.80
12 (agricultural education), Section 2-3.66 (truants'
13 alternative education), Section 2-3.62 (educational
14 service centers), and Section 14-7.03 (special education -
15 orphanage) of this Code and Section 15 of the Childhood
16 Hunger Relief Act (free breakfast program) and (II) the
17 school district's actual expenditures for its non-public
18 special education, special education transportation,
19 transportation programs, agricultural education, truants'
20 alternative education, services that would otherwise be
21 performed by a regional office of education, special
22 education orphanage expenditures, and free breakfast, as
23 most recently calculated and reported pursuant to
24 subsection (f) of Section 1D-1 of this Code. The Base
25 Funding Minimum for Glenwood Academy shall be \$625,500.

26 (2) For the 2018-2019 and subsequent school years, the

1 Base Funding Minimum of Organizational Units and Specially
2 Funded Units shall be the sum of (i) the amount of
3 Evidence-Based Funding for the prior school year, (ii) the
4 Base Funding Minimum for the prior school year, and (iii)
5 any amount received by a school district pursuant to
6 Section 7 of Article 97 of Public Act 100-21.

7 (f) Percent of Adequacy and Final Resources calculation.

8 (1) The Evidence-Based Funding formula establishes a
9 Percent of Adequacy for each Organizational Unit in order
10 to place such units into tiers for the purposes of the
11 funding distribution system described in subsection (g) of
12 this Section. Initially, an Organizational Unit's
13 Preliminary Resources and Preliminary Percent of Adequacy
14 are calculated pursuant to paragraph (2) of this subsection
15 (f). Then, an Organizational Unit's Final Resources and
16 Final Percent of Adequacy are calculated to account for the
17 Organizational Unit's poverty concentration levels
18 pursuant to paragraphs (3) and (4) of this subsection (f).

19 (2) An Organizational Unit's Preliminary Resources are
20 equal to the sum of its Local Capacity Target, CPPRT, and
21 Base Funding Minimum. An Organizational Unit's Preliminary
22 Percent of Adequacy is the lesser of (i) its Preliminary
23 Resources divided by its Adequacy Target or (ii) 100%.

24 (3) Except for Specially Funded Units, an
25 Organizational Unit's Final Resources are equal the sum of
26 its Local Capacity, CPPRT, and Adjusted Base Funding

1 Minimum. The Base Funding Minimum of each Specially Funded
2 Unit shall serve as its Final Resources, except that the
3 Base Funding Minimum for State-approved charter schools
4 shall not include any portion of general State aid
5 allocated in the prior year based on the per capita tuition
6 charge times the charter school enrollment.

7 (4) An Organizational Unit's Final Percent of Adequacy
8 is its Final Resources divided by its Adequacy Target. An
9 Organizational Unit's Adjusted Base Funding Minimum is
10 equal to its Base Funding Minimum less its Supplemental
11 Grant Funding, with the resulting figure added to the
12 product of its Supplemental Grant Funding and Preliminary
13 Percent of Adequacy.

14 (g) Evidence-Based Funding formula distribution system.

15 (1) In each school year under the Evidence-Based
16 Funding formula, each Organizational Unit receives funding
17 equal to the sum of its Base Funding Minimum and the unit's
18 allocation of New State Funds determined pursuant to this
19 subsection (g). To allocate New State Funds, the
20 Evidence-Based Funding formula distribution system first
21 places all Organizational Units into one of 4 tiers in
22 accordance with paragraph (3) of this subsection (g), based
23 on the Organizational Unit's Final Percent of Adequacy. New
24 State Funds are allocated to each of the 4 tiers as
25 follows: Tier 1 Aggregate Funding equals 50% of all New
26 State Funds, Tier 2 Aggregate Funding equals 49% of all New

1 State Funds, Tier 3 Aggregate Funding equals 0.9% of all
2 New State Funds, and Tier 4 Aggregate Funding equals 0.1%
3 of all New State Funds. Each Organizational Unit within
4 Tier 1 or Tier 2 receives an allocation of New State Funds
5 equal to its tier Funding Gap, as defined in the following
6 sentence, multiplied by the tier's Allocation Rate
7 determined pursuant to paragraph (4) of this subsection
8 (g). For Tier 1, an Organizational Unit's Funding Gap
9 equals the tier's Target Ratio, as specified 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. For Tier 2, an Organizational Unit's Funding Gap
14 equals the tier's Target Ratio, as described in paragraph
15 (5) of this subsection (g), multiplied by the
16 Organizational Unit's Adequacy Target, with the resulting
17 amount reduced by the Organizational Unit's Final
18 Resources and its Tier 1 funding allocation. To determine
19 the Organizational Unit's Funding Gap, the resulting
20 amount is then multiplied by a factor equal to one minus
21 the Organizational Unit's Local Capacity Target
22 percentage. Each Organizational Unit within Tier 3 or Tier
23 4 receives an allocation of New State Funds equal to the
24 product of its Adequacy Target and the tier's Allocation
25 Rate, as specified in paragraph (4) of this subsection (g).

26 (2) To ensure equitable distribution of dollars for all

1 Tier 2 Organizational Units, no Tier 2 Organizational Unit
2 shall receive fewer dollars per ASE than any Tier 3
3 Organizational Unit. Each Tier 2 and Tier 3 Organizational
4 Unit shall have its funding allocation divided by its ASE.
5 Any Tier 2 Organizational Unit with a funding allocation
6 per ASE below the greatest Tier 3 allocation per ASE shall
7 get a funding allocation equal to the greatest Tier 3
8 funding allocation per ASE multiplied by the
9 Organizational Unit's ASE. Each Tier 2 Organizational
10 Unit's Tier 2 funding allocation shall be multiplied by the
11 percentage calculated by dividing the original Tier 2
12 Aggregate Funding by the sum of all Tier 2 Organizational
13 Unit's Tier 2 funding allocation after adjusting
14 districts' funding below Tier 3 levels.

15 (3) Organizational Units are placed into one of 4 tiers
16 as follows:

17 (A) Tier 1 consists of all Organizational Units,
18 except for Specially Funded Units, with a Percent of
19 Adequacy less than the Tier 1 Target Ratio. The Tier 1
20 Target Ratio is the ratio level that allows for Tier 1
21 Aggregate Funding to be distributed, with the Tier 1
22 Allocation Rate determined pursuant to paragraph (4)
23 of this subsection (g).

24 (B) Tier 2 consists of all Tier 1 Units and all
25 other Organizational Units, except for Specially
26 Funded Units, with a Percent of Adequacy of less than

1 0.90.

2 (C) Tier 3 consists of all Organizational Units,
3 except for Specially Funded Units, with a Percent of
4 Adequacy of at least 0.90 and less than 1.0.

5 (D) Tier 4 consists of all Organizational Units
6 with a Percent of Adequacy of at least 1.0.

7 (4) The Allocation Rates for Tiers 1 through 4 is
8 determined as follows:

9 (A) The Tier 1 Allocation Rate is 30%.

10 (B) The Tier 2 Allocation Rate is the result of the
11 following equation: Tier 2 Aggregate Funding, divided
12 by the sum of the Funding Gaps for all Tier 2
13 Organizational Units, unless the result of such
14 equation is higher than 1.0. If the result of such
15 equation is higher than 1.0, then the Tier 2 Allocation
16 Rate is 1.0.

17 (C) The Tier 3 Allocation Rate is the result of the
18 following equation: Tier 3 Aggregate Funding, divided
19 by the sum of the Adequacy Targets of all Tier 3
20 Organizational Units.

21 (D) The Tier 4 Allocation Rate is the result of the
22 following equation: Tier 4 Aggregate Funding, divided
23 by the sum of the Adequacy Targets of all Tier 4
24 Organizational Units.

25 (5) A tier's Target Ratio is determined as follows:

26 (A) The Tier 1 Target Ratio is the ratio level that

1 allows for Tier 1 Aggregate Funding to be distributed
2 with the Tier 1 Allocation Rate.

3 (B) The Tier 2 Target Ratio is 0.90.

4 (C) The Tier 3 Target Ratio is 1.0.

5 (6) If, at any point, the Tier 1 Target Ratio is
6 greater than 90%, than all Tier 1 funding shall be
7 allocated to Tier 2 and no Tier 1 Organizational Unit's
8 funding may be identified.

9 (7) In the event that all Tier 2 Organizational Units
10 receive funding at the Tier 2 Target Ratio level, any
11 remaining New State Funds shall be allocated to Tier 3 and
12 Tier 4 Organizational Units.

13 (8) If any Specially Funded Units, excluding Glenwood
14 Academy, recognized by the State Board do not qualify for
15 direct funding following the implementation of this
16 amendatory Act of the 100th General Assembly from any of
17 the funding sources included within the definition of Base
18 Funding Minimum, the unqualified portion of the Base
19 Funding Minimum shall be transferred to one or more
20 appropriate Organizational Units as determined by the
21 State Superintendent based on the prior year ASE of the
22 Organizational Units.

23 (8.5) If a school district withdraws from a special
24 education cooperative, the portion of the Base Funding
25 Minimum that is attributable to the school district may be
26 redistributed to the school district upon withdrawal. The

1 school district and the cooperative must include the amount
2 of the Base Funding Minimum that is to be re-apportioned in
3 their withdrawal agreement and notify the State Board of
4 the change with a copy of the agreement upon withdrawal.

5 (9) The Minimum Funding Level is intended to establish
6 a target for State funding that will keep pace with
7 inflation and continue to advance equity through the
8 Evidence-Based Funding formula. The target for State
9 funding of New Property Tax Relief Pool Funds is
10 \$50,000,000 for State fiscal year 2019 and subsequent State
11 fiscal years. The Minimum Funding Level is equal to
12 \$350,000,000. In addition to any New State Funds, no more
13 than \$50,000,000 New Property Tax Relief Pool Funds may be
14 counted towards the Minimum Funding Level. If the sum of
15 New State Funds and applicable New Property Tax Relief Pool
16 Funds are less than the Minimum Funding Level, than funding
17 for tiers shall be reduced in the following manner:

18 (A) First, Tier 4 funding shall be reduced by an
19 amount equal to the difference between the Minimum
20 Funding Level and New State Funds until such time as
21 Tier 4 funding is exhausted.

22 (B) Next, Tier 3 funding shall be reduced by an
23 amount equal to the difference between the Minimum
24 Funding Level and New State Funds and the reduction in
25 Tier 4 funding until such time as Tier 3 funding is
26 exhausted.

1 (C) Next, Tier 2 funding shall be reduced by an
2 amount equal to the difference between the Minimum
3 Funding level and new State Funds and the reduction
4 Tier 4 and Tier 3.

5 (D) Finally, Tier 1 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 2, 3, and 4 funding. In addition, the Allocation
9 Rate for Tier 1 shall be reduced to a percentage equal
10 to the Tier 1 allocation rate set by paragraph (4) of
11 this subsection (g), multiplied by the result of New
12 State Funds divided by the Minimum Funding Level.

13 (9.5) For State fiscal year 2019 and subsequent State
14 fiscal years, if New State Funds exceed \$300,000,000, then
15 any amount in excess of \$300,000,000 shall be dedicated for
16 purposes of Section 2-3.170 of this Code up to a maximum of
17 \$50,000,000.

18 (10) In the event of a decrease in the amount of the
19 appropriation for this Section in any fiscal year after
20 implementation of this Section, the Organizational Units
21 receiving Tier 1 and Tier 2 funding, as determined under
22 paragraph (3) of this subsection (g), shall be held
23 harmless by establishing a Base Funding Guarantee equal to
24 the per pupil kindergarten through grade 12 funding
25 received in accordance with this Section in the prior
26 fiscal year. Reductions shall be made to the Base Funding

1 Minimum of Organizational Units in Tier 3 and Tier 4 on a
2 per pupil basis equivalent to the total number of the ASE
3 in Tier 3-funded and Tier 4-funded Organizational Units
4 divided by the total reduction in State funding. The Base
5 Funding Minimum as reduced shall continue to be applied to
6 Tier 3 and Tier 4 Organizational Units and adjusted by the
7 relative formula when increases in appropriations for this
8 Section resume. In no event may State funding reductions to
9 Organizational Units in Tier 3 or Tier 4 exceed an amount
10 that would be less than the Base Funding Minimum
11 established in the first year of implementation of this
12 Section. If additional reductions are required, all school
13 districts shall receive a reduction by a per pupil amount
14 equal to the aggregate additional appropriation reduction
15 divided by the total ASE of all Organizational Units.

16 (11) The State Superintendent shall make minor
17 adjustments to the distribution formula set forth in this
18 subsection (g) to account for the rounding of percentages
19 to the nearest tenth of a percentage and dollar amounts to
20 the nearest whole dollar.

21 (h) State Superintendent administration of funding and
22 district submission requirements.

23 (1) The State Superintendent shall, in accordance with
24 appropriations made by the General Assembly, meet the
25 funding obligations created under this Section.

26 (2) The State Superintendent shall calculate the

1 Adequacy Target for each Organizational Unit and Net State
2 Contribution Target for each Organizational Unit under
3 this Section. ~~The State Superintendent shall also certify~~
4 ~~the actual amounts of the New State Funds payable for each~~
5 ~~eligible Organizational Unit based on the equitable~~
6 ~~distribution calculation to the unit's treasurer, as soon~~
7 ~~as possible after such amounts are calculated, including~~
8 ~~any applicable adjusted charge off increase.~~ No
9 Evidence-Based Funding shall be distributed within an
10 Organizational Unit without the approval of the unit's
11 school board.

12 (3) Annually, the State Superintendent shall calculate
13 and report to each Organizational Unit the unit's aggregate
14 financial adequacy amount, which shall be the sum of the
15 Adequacy Target for each Organizational Unit. The State
16 Superintendent shall calculate and report separately for
17 each Organizational Unit the unit's total State funds
18 allocated for its students with disabilities. The State
19 Superintendent shall calculate and report separately for
20 each Organizational Unit the amount of funding and
21 applicable FTE calculated for each Essential Element of the
22 unit's Adequacy Target.

23 (4) Annually, the State Superintendent shall calculate
24 and report to each Organizational Unit the amount the unit
25 must expend on special education and bilingual education
26 and computer technology and equipment for Organizational

1 Units assigned to Tier 1 or Tier 2 that received an
2 additional \$285.50 per student computer technology and
3 equipment investment grant to their Adequacy Target
4 pursuant to the unit's Base Funding Minimum, Special
5 Education Allocation, Bilingual Education Allocation, and
6 computer technology and equipment investment allocation.

7 (5) Moneys distributed under this Section shall be
8 calculated on a school year basis, but paid on a fiscal
9 year basis, with payments beginning in August and extending
10 through June. Unless otherwise provided, the moneys
11 appropriated for each fiscal year shall be distributed in
12 22 equal payments at least 2 times monthly to each
13 Organizational Unit. ~~The State Board shall publish a yearly~~
14 ~~distribution schedule at its meeting in June.~~ If moneys
15 appropriated for any fiscal year are distributed other than
16 monthly, the distribution shall be on the same basis for
17 each Organizational Unit.

18 (6) Any school district that fails, for any given
19 school year, to maintain school as required by law or to
20 maintain a recognized school is not eligible to receive
21 Evidence-Based Funding. In case of non-recognition of one
22 or more attendance centers in a school district otherwise
23 operating recognized schools, the claim of the district
24 shall be reduced in the proportion that the enrollment in
25 the attendance center or centers bears to the enrollment of
26 the school district. "Recognized school" means any public

1 school that meets the standards for recognition by the
2 State Board. A school district or attendance center not
3 having recognition status at the end of a school term is
4 entitled to receive State aid payments due upon a legal
5 claim that was filed while it was recognized.

6 (7) School district claims filed under this Section are
7 subject to Sections 18-9 and 18-12 of this Code, except as
8 otherwise provided in this Section.

9 (8) Each fiscal year, the State Superintendent shall
10 calculate for each Organizational Unit an amount of its
11 Base Funding Minimum and Evidence-Based Funding that shall
12 be deemed attributable to the provision of special
13 educational facilities and services, as defined in Section
14 14-1.08 of this Code, in a manner that ensures compliance
15 with maintenance of State financial support requirements
16 under the federal Individuals with Disabilities Education
17 Act. An Organizational Unit must use such funds only for
18 the provision of special educational facilities and
19 services, as defined in Section 14-1.08 of this Code, and
20 must comply with any expenditure verification procedures
21 adopted by the State Board.

22 (9) All Organizational Units in this State must submit
23 annual spending plans by the end of September of each year
24 to the State Board as part of the annual budget process,
25 which shall describe how each Organizational Unit will
26 utilize the Base Minimum Funding and Evidence-Based

1 funding it receives from this State under this Section with
2 specific identification of the intended utilization of
3 Low-Income, English learner, and special education
4 resources. Additionally, the annual spending plans of each
5 Organizational Unit shall describe how the Organizational
6 Unit expects to achieve student growth and how the
7 Organizational Unit will achieve State education goals, as
8 defined by the State Board. The State Superintendent may,
9 from time to time, identify additional requisites for
10 Organizational Units to satisfy when compiling the annual
11 spending plans required under this subsection (h). The
12 format and scope of annual spending plans shall be
13 developed by the State Superintendent and the State Board
14 of Education ~~in conjunction with the Professional Review~~
15 ~~Panel~~. School districts that serve students under Article
16 14C of this Code shall continue to submit information as
17 required under Section 14C-12 of this Code.

18 (10) No later than January 1, 2018, the State
19 Superintendent shall develop a 5-year strategic plan for
20 all Organizational Units to help in planning for adequacy
21 funding under this Section. The State Superintendent shall
22 submit the plan to the Governor and the General Assembly,
23 as provided in Section 3.1 of the General Assembly
24 Organization Act. The plan shall include recommendations
25 for:

26 (A) a framework for collaborative, professional,

1 innovative, and 21st century learning environments
2 using the Evidence-Based Funding model;

3 (B) ways to prepare and support this State's
4 educators for successful instructional careers;

5 (C) application and enhancement of the current
6 financial accountability measures, the approved State
7 plan to comply with the federal Every Student Succeeds
8 Act, and the Illinois Balanced Accountability Measures
9 in relation to student growth and elements of the
10 Evidence-Based Funding model; and

11 (D) implementation of an effective school adequacy
12 funding system based on projected and recommended
13 funding levels from the General Assembly.

14 (11) On an annual basis, the State Superintendent must
15 recalibrate all of the following per pupil elements of the
16 Adequacy Target and applied to the formulas, based on the
17 study of average expenses and as reported in the most
18 recent annual financial report:

19 (A) Gifted under subparagraph (M) of paragraph (2)
20 of subsection (b).

21 (B) Instructional materials under subparagraph (O)
22 of paragraph (2) of subsection (b).

23 (C) Assessment under subparagraph (P) of paragraph
24 (2) of subsection (b).

25 (D) Student activities under subparagraph (R) of
26 paragraph (2) of subsection (b).

1 (E) Maintenance and operations under subparagraph
2 (S) of paragraph (2) of subsection (b).

3 (F) Central office under subparagraph (T) of
4 paragraph (2) of subsection (b).

5 (i) Professional Review Panel.

6 (1) A Professional Review Panel is created to study and
7 review topics related to the implementation and effect of
8 ~~the~~ Evidence-Based Funding, as assigned by a joint
9 resolution or Public Act of the General Assembly or a
10 motion passed by the State Board of Education. The Panel
11 must provide recommendations to and serve the Governor,
12 General Assembly, and the State Board ~~model under this~~
13 ~~Section and to recommend continual recalibration and~~
14 ~~future study topics and modifications to the~~
15 ~~Evidence Based Funding model.~~ The State Superintendent or
16 his or her designee must serve as a voting member and
17 chairperson of the Panel. The State Superintendent must
18 appoint a vice chairperson from the membership of the
19 Panel. The Panel must advance recommendations based on a
20 three-fifths majority vote of panel members present and
21 voting ~~Panel shall elect a chairperson and vice chairperson~~
22 ~~by a majority vote of the Panel and shall advance~~
23 ~~recommendations based on a majority vote of the Panel.~~ A
24 minority opinion may also accompany any recommendation ~~of~~
25 ~~the majority~~ of the Panel. The Panel shall be appointed by
26 the State Superintendent, except as otherwise provided in

1 paragraph (2) of this subsection (i) and include the
2 following members:

3 (A) Two appointees that represent district
4 superintendents, recommended by a statewide
5 organization that represents district superintendents.

6 (B) Two appointees that represent school boards,
7 recommended by a statewide organization that
8 represents school boards.

9 (C) Two appointees from districts that represent
10 school business officials, recommended by a statewide
11 organization that represents school business
12 officials.

13 (D) Two appointees that represent school
14 principals, recommended by a statewide organization
15 that represents school principals.

16 (E) Two appointees that represent teachers,
17 recommended by a statewide organization that
18 represents teachers.

19 (F) Two appointees that represent teachers,
20 recommended by another statewide organization that
21 represents teachers.

22 (G) Two appointees that represent regional
23 superintendents of schools, recommended by
24 organizations that represent regional superintendents.

25 (H) Two independent experts selected solely by the
26 State Superintendent.

1 (I) Two independent experts recommended by public
2 universities in this State.

3 (J) One member recommended by a statewide
4 organization that represents parents.

5 (K) Two representatives recommended by collective
6 impact organizations that represent major metropolitan
7 areas or geographic areas in Illinois.

8 (L) One member from a statewide organization
9 focused on research-based education policy to support
10 a school system that prepares all students for college,
11 a career, and democratic citizenship.

12 (M) One representative from a school district
13 organized under Article 34 of this Code.

14 The State Superintendent shall ensure that the
15 membership of the Panel includes representatives from
16 school districts and communities reflecting the
17 geographic, socio-economic, racial, and ethnic diversity
18 of this State. The State Superintendent shall additionally
19 ensure that the membership of the Panel includes
20 representatives with expertise in bilingual education and
21 special education. Staff from the State Board shall staff
22 the Panel.

23 (2) In addition to those Panel members appointed by the
24 State Superintendent, 4 members of the General Assembly
25 shall be appointed as follows: one member of the House of
26 Representatives appointed by the Speaker of the House of

1 Representatives, one member of the Senate appointed by the
2 President of the Senate, one member of the House of
3 Representatives appointed by the Minority Leader of the
4 House of Representatives, and one member of the Senate
5 appointed by the Minority Leader of the Senate. There shall
6 be one additional member appointed by the Governor. All
7 members appointed by legislative leaders or the Governor
8 shall be non-voting, ex officio members.

9 (3) The Panel must study topics at the direction of the
10 General Assembly or State Board of Education, as provided
11 under paragraph (1). The Panel may also study the following
12 topics at the direction of the chairperson: ~~On an annual~~
13 ~~basis, the State Superintendent shall recalibrate the~~
14 ~~following per pupil elements of the Adequacy Target and~~
15 ~~applied to the formulas, based on the Panel's study of~~
16 ~~average expenses as reported in the most recent annual~~
17 ~~financial report.~~

18 ~~(A) gifted under subparagraph (M) of paragraph (2)~~
19 ~~of subsection (b) of this Section;~~

20 ~~(B) instructional materials under subparagraph (O)~~
21 ~~of paragraph (2) of subsection (b) of this Section;~~

22 ~~(C) assessment under subparagraph (P) of paragraph~~
23 ~~(2) of subsection (b) of this Section;~~

24 ~~(D) student activities under subparagraph (R) of~~
25 ~~paragraph (2) of subsection (b) of this Section;~~

26 ~~(E) maintenance and operations under subparagraph~~

1 ~~(S) of paragraph (2) of subsection (b) of this Section;~~
2 and

3 ~~(F) central office under subparagraph (T) of~~
4 ~~paragraph (2) of subsection (b) of this Section.~~

5 ~~(4) On a periodic basis, the Panel shall study all the~~
6 ~~following elements and make recommendations to the State~~
7 ~~Board, the General Assembly, and the Governor for~~
8 ~~modification of this Section:-~~

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 ~~to be studied by the Panel and reestablished by the~~
14 ~~State Superintendent every 5 years.~~

15 (C) Maintenance and operations, including capital
16 maintenance and construction costs. ~~Within 5 years~~
17 ~~after the implementation of this Section, the Panel~~
18 ~~shall make recommendations for the further study of~~
19 ~~maintenance and operations costs, including capital~~
20 ~~maintenance costs, and recommend any additional~~
21 ~~reporting data required from Organizational Units.~~

22 (D) "At-risk student" definition. ~~Within 5 years~~
23 ~~after the implementation of this Section, the Panel~~
24 ~~shall make recommendations for the further study and~~
25 ~~determination of an "at risk student" definition.~~
26 ~~Within 5 years after the implementation of this~~

1 ~~Section, the Panel shall evaluate and make~~
2 ~~recommendations regarding adequate funding for poverty~~
3 ~~concentration under the Evidence Based Funding model.~~

4 (E) Benefits. ~~Within 5 years after the~~
5 ~~implementation of this Section, the Panel shall make~~
6 ~~recommendations for further study of benefit costs.~~

7 (F) Technology. ~~The per pupil target for~~
8 ~~technology shall be reviewed every 3 years to determine~~
9 ~~whether current allocations are sufficient to develop~~
10 ~~21st century learning in all classrooms in this State~~
11 ~~and supporting a one-to-one technological device~~
12 ~~program in each school. Recommendations shall be made~~
13 ~~no later than 3 years after the implementation of this~~
14 ~~Section.~~

15 (G) Local Capacity Target. ~~Within 3 years after the~~
16 ~~implementation of this Section, the Panel shall make~~
17 ~~recommendations for any additional data desired to~~
18 ~~analyze possible modifications to the Local Capacity~~
19 ~~Target, to be based on measures in addition to solely~~
20 ~~EAV and to be completed within 5 years after~~
21 ~~implementation of this Section.~~

22 (H) Funding for Alternative Schools, Laboratory
23 Schools, safe schools, and alternative learning
24 opportunities programs. ~~By the beginning of the~~
25 ~~2021-2022 school year, the Panel shall study and make~~
26 ~~recommendations regarding the funding levels for~~

1 ~~Alternative Schools, Laboratory Schools, safe schools,~~
2 ~~and alternative learning opportunities programs in~~
3 ~~this State.~~

4 (I) Funding for college and career acceleration
5 strategies. ~~By the beginning of the 2021 2022 school~~
6 ~~year, the Panel shall study and make recommendations~~
7 ~~regarding funding levels to support college and career~~
8 ~~acceleration strategies in high school that have been~~
9 ~~demonstrated to result in improved secondary and~~
10 ~~postsecondary outcomes, including Advanced Placement,~~
11 ~~dual credit opportunities, and college and career~~
12 ~~pathway systems.~~

13 (J) Special education investments. ~~By the~~
14 ~~beginning of the 2021 2022 school year, the Panel shall~~
15 ~~study and make recommendations on whether and how to~~
16 ~~account for disability types within the special~~
17 ~~education funding category.~~

18 (K) Early childhood investments, in ~~. In~~
19 collaboration with the Illinois Early Learning
20 Council, ~~the Panel shall include an analysis of what~~
21 ~~level of Preschool for All Children funding would be~~
22 ~~necessary to serve all children ages 0 through 5 years~~
23 ~~in the highest priority service tier, as specified in~~
24 ~~paragraph (4.5) of subsection (a) of Section 2-3.71 of~~
25 ~~this Code, and an analysis of the potential cost~~
26 ~~savings that that level of Preschool for All Children~~

1 ~~investment would have on the kindergarten through~~
2 ~~grade 12 system.~~

3 (4) (Blank).

4 (5) Within 5 years after the implementation of this
5 Section, the Panel shall complete an evaluative study of
6 the entire Evidence-Based Funding model, including an
7 assessment of whether or not the formula is achieving State
8 goals. The Panel shall report to the State Board, the
9 General Assembly, and the Governor on the findings of the
10 study.

11 (6) (Blank). ~~Within 3 years after the implementation of~~
12 ~~this Section, the Panel shall evaluate and provide~~
13 ~~recommendations to the Governor and the General Assembly on~~
14 ~~the hold harmless provisions of this Section found in the~~
15 ~~Base Funding Minimum.~~

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.)

23 (105 ILCS 5/28-1) (from Ch. 122, par. 28-1)

24 Sec. 28-1. Copies and prices filed - Bond. No publisher or
25 retail dealer ~~person~~ shall offer any school instructional

1 materials for adoption, sale, or exchange in the State until it
2 ~~he~~ has complied with the following conditions:

3 1. The publisher or retail dealer shall publish on its
4 website by July 15 each year a sworn statement ~~He shall file~~
5 ~~with the State Board of Education, annually, by July 15, a~~
6 ~~sworn statement~~ of the usual list price, the lowest net
7 wholesale price, and the lowest net exchange price at which the
8 material is sold or exchanged for old material on the same
9 subject of like grade and kind but of a different series taken
10 in part payment thereof.

11 2. The publisher or retail dealer shall obtain ~~He shall~~
12 ~~file with the State Board of Education~~ a bond payable to the
13 People of the State of Illinois with a surety company
14 authorized to do business in the State of Illinois as surety
15 thereon, ~~in a penal sum to be determined by the State Board of~~
16 ~~Education,~~ of not less than \$2,000 ~~\$2000~~ nor more than \$10,000
17 conditioned as follows:

18 (a) That the publisher or retail dealer ~~he~~ will furnish
19 annually any of the materials listed on the sworn statement on
20 its website ~~in any annual statement filed by him~~ to any school
21 district and any school corporation in this State at the lowest
22 net prices contained in the statements and that it ~~he~~ will
23 maintain said prices uniformly throughout the State.

24 (b) That the publisher or retail dealer ~~he~~ will reduce such
25 net prices in Illinois whenever they are reduced elsewhere in
26 the United States, and shall publish on its website ~~that he~~

1 ~~will file with the State Board of Education~~ a sworn statement
2 of reductions made elsewhere, so that at no time shall any
3 instructional material so filed and listed by the publisher or
4 retail dealer ~~him~~ be sold in this State at a higher net price
5 than is received for such material elsewhere in the United
6 States.

7 (c) The publisher or retail dealer ~~He~~ shall not enter into
8 any understanding, agreement or combination to control the
9 prices or to restrict competition in the sale of instructional
10 materials.

11 (Source: P.A. 81-1508.)

12 (105 ILCS 5/28-4) (from Ch. 122, par. 28-4)

13 Sec. 28-4. Notice of violations - Proceedings for
14 forfeiture of bond. The school board of each district wherein
15 the instructional materials listed under the provisions of this
16 Article have been adopted shall notify the State Board of
17 Education of any violation of any of the conditions contained
18 in said bond. The State Board of Education may ~~shall~~ thereupon
19 notify the person guilty of the violation and if such person
20 disregards the notification and fails to comply with the
21 requirements of the contract, the State Board of Education may
22 ~~shall~~ institute legal proceedings for the forfeiture of the
23 bond.

24 (Source: P.A. 81-1508.)

1 (105 ILCS 5/28-7) (from Ch. 122, par. 28-7)

2 Sec. 28-7. Retail prices of books. It is unlawful for any
3 retail dealer in textbooks to sell any books listed on the
4 sworn statement published on the retail dealer's website ~~with~~
5 ~~the State Board of Education~~ at a price to exceed a 15% advance
6 on the net prices as so listed.

7 (Source: P.A. 81-1508.)

8 (105 ILCS 5/28-8) (from Ch. 122, par. 28-8)

9 Sec. 28-8. Purchase by districts for resale at cost. School
10 districts may purchase textbooks and electronic textbooks and
11 the technological equipment necessary to gain access to and use
12 electronic textbooks from the publishers and manufacturers at
13 the prices listed on the sworn statement published on the
14 retail dealer's website ~~with the State Board of Education~~ and
15 sell them to the pupils at the listed prices or at such prices
16 as will include the cost of transportation and handling.

17 (Source: P.A. 96-1403, eff. 7-29-10.)

18 (105 ILCS 5/28-9) (from Ch. 122, par. 28-9)

19 Sec. 28-9. Purchase by districts - Designation of agent for
20 sale. School districts may purchase out of contingent funds
21 school textbooks or electronic textbooks, instructional
22 materials, and the technological equipment necessary to gain
23 access to and use electronic textbooks from the publishers and
24 manufacturers at the prices listed on the sworn statement

1 published on the retail dealer's website ~~with the State Board~~
2 ~~of Education~~ and may designate a retail dealer or dealers to
3 act as the agent of the district in selling them to pupils.
4 Such dealers shall at stated times make settlement with the
5 district for books sold. Such dealers shall not sell textbooks
6 at prices which exceed a 10% advance on the net prices as
7 listed on the sworn statement ~~with the State Board of~~
8 ~~Education.~~

9 (Source: P.A. 96-1403, eff. 7-29-10.)

10 (105 ILCS 5/28-21) (from Ch. 122, par. 28-21)

11 Sec. 28-21. The State Board of Education shall require each
12 publisher of any printed textbook or electronic textbook ~~that~~
13 ~~is listed for use by the State Board of Education under this~~
14 ~~Article or~~ that is furnished at public expense under Sections
15 28-14 through 28-19 and is first published after July 19, 2006
16 to furnish, as provided in this Section, an accessible
17 electronic file set of contracted print material to the
18 National Instructional Materials Access Center, which shall
19 then be available to the State Board of Education or its
20 authorized user for the purpose of conversion to an accessible
21 format for use by a child with a print disability and for
22 distribution to local education agencies. An "accessible
23 electronic file" means a file that conforms to specifications
24 of the national file format adopted by the United States
25 Department of Education. Other terms used in this Section shall

1 be construed in compliance with the federal Individuals with
2 Disabilities Education Act and related regulations.

3 (Source: P.A. 95-415, eff. 8-24-07; 96-1403, eff. 7-29-10.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".