



Rep. Rita Mayfield

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LRB102 02691 CMG 23739 a

1 AMENDMENT TO HOUSE BILL 7

2 AMENDMENT NO. _____. Amend House Bill 7 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Classrooms
5 First Act.

6 Section 5. The School Code is amended by changing Sections
7 11E-35, 11E-40, 11E-45, 11E-50, and 11E-135 and by adding
8 Section 11E-140 as follows:

9 (105 ILCS 5/11E-35)

10 Sec. 11E-35. Petition filing.

11 (a) A petition shall be filed with the regional
12 superintendent of schools of the educational service region in
13 which the territory described in the petition or that part of
14 the territory with the greater percentage of equalized
15 assessed valuation is situated. The petition must ~~do the~~

1 ~~following: (1)~~ be signed by at least 50 legal resident voters
2 or 10% of the legal resident voters, whichever is less,
3 residing within each affected district; ~~or (2) be approved by~~
4 ~~the school board in each affected district.~~

5 (b) The petition shall contain all of the following:

6 (1) A request to submit the proposition at a regular
7 scheduled election for the purpose of voting:

8 (A) for or against a high school - unit
9 conversion;

10 (B) for or against a unit to dual conversion;

11 (C) for or against the establishment of a combined
12 elementary district;

13 (D) for or against the establishment of a combined
14 high school district;

15 (E) for or against the establishment of a combined
16 unit district;

17 (F) for or against the establishment of a unit
18 district from dual district territory exclusively;

19 (G) for or against the establishment of a unit
20 district from both dual district and unit district
21 territory;

22 (H) for or against the establishment of a combined
23 high school - unit district from a combination of one
24 or more high school districts and one or more unit
25 districts;

26 (I) for or against the establishment of a combined

1 high school - unit district and one or more new
2 elementary districts through a multi-unit conversion;

3 (J) for or against the establishment of an
4 optional elementary unit district from a combination
5 of a substantially coterminous dual district; or

6 (K) for or against dissolving and becoming part of
7 an optional elementary unit district.

8 (2) A description of the territory comprising the
9 districts proposed to be dissolved and those to be
10 created, which, for an entire district, may be a general
11 reference to all of the territory included within that
12 district.

13 (3) A specification of the maximum tax rates for
14 various purposes the proposed district or districts shall
15 be authorized to levy for various purposes and, if
16 applicable, the specifications related to the Property Tax
17 Extension Limitation Law, in accordance with Section
18 11E-80 of this Code.

19 (4) A description of how supplementary State deficit
20 difference payments made under subsection (c) of Section
21 11E-135 of this Code will be allocated among the new
22 districts proposed to be formed.

23 (5) Where applicable, a division of assets and
24 liabilities to be allocated to the proposed new or
25 annexing school district or districts in the manner
26 provided in Section 11E-105 of this Code.

1 (6) If desired, a request that at that same election
2 as the reorganization proposition a school board or boards
3 be elected on a separate ballot or ballots to serve as the
4 school board or boards of the proposed new district or
5 districts. Any election of board members at the same
6 election at which the proposition to create the district
7 or districts to be served by the board or boards is
8 submitted to the voters shall proceed under the
9 supervision of the regional superintendent of schools as
10 provided in Section 11E-55 of this Code.

11 (7) If desired, a request that the referendum at which
12 the proposition is submitted for the purpose of voting for
13 or against the establishment of a unit district (other
14 than a partial elementary unit district) include as part
15 of the proposition the election of board members by school
16 board district rather than at large. Any petition
17 requesting the election of board members by district shall
18 divide the proposed school district into 7 school board
19 districts, each of which must be compact and contiguous
20 and substantially equal in population to each other school
21 board district. Any election of board members by school
22 board district shall proceed under the supervision of the
23 regional superintendent of schools as provided in Section
24 11E-55 of this Code.

25 (8) If desired, a request that the referendum at which
26 the proposition is submitted for the purpose of voting for

1 or against the establishment of a unit to dual conversion
2 include as part of the proposition the election of board
3 members for the new high school district (i) on an at large
4 basis, (ii) with board members representing each of the
5 forming elementary school districts, or (iii) a
6 combination of both. The format for the election of the
7 new high school board must be defined in the petition.
8 When 4 or more unit school districts and a combination of
9 board members representing each of the forming elementary
10 school districts are involved and at large formats are
11 used, one member must be elected from each of the forming
12 elementary school districts. The remaining members may be
13 elected on an at large basis, provided that none of the
14 underlying elementary school districts have a majority on
15 the resulting high school board. When 3 unit school
16 districts and a combination of board members representing
17 each of the forming elementary school districts are
18 involved and at large formats are used, 2 members must be
19 elected from each of the forming elementary school
20 districts. The remaining member must be elected at large.

21 (9) If desired, a request that the referendum at which
22 the proposition shall be submitted include a proposition
23 on a separate ballot authorizing the issuance of bonds by
24 the district or districts when organized in accordance
25 with this Article. However, if the petition is submitted
26 for the purpose of voting for or against the establishment

1 of an optional elementary unit district, the petition may
2 request only that the referendum at which the proposition
3 is submitted include a proposition on a separate ballot
4 authorizing the issuance of bonds for high school purposes
5 (and not elementary purposes) by the district when
6 organized in accordance with this Article. The principal
7 amount of the bonds and the purposes of issuance,
8 including a specification of elementary or high school
9 purposes if the proposed issuance is to be made by a
10 combined high school - unit district, shall be stated in
11 the petition and in all notices and propositions submitted
12 thereunder. Only residents in the territory of the
13 district proposing the bond issuance may vote on the bond
14 issuance.

15 (10) A designation of a committee of ten of the
16 petitioners as attorney in fact for all petitioners, any 7
17 of whom may at any time, prior to the final decision of the
18 regional superintendent of schools, amend the petition in
19 all respects (except that, for a unit district formation,
20 there may not be an increase or decrease of more than 25%
21 of the territory to be included in the proposed district)
22 and make binding stipulations on behalf of all petitioners
23 as to any question with respect to the petition, including
24 the power to stipulate to accountings or the waiver
25 thereof between school districts.

26 (c) The regional superintendent of schools shall not

1 accept for filing under the authority of this Section any
2 petition that includes any territory already included as part
3 of the territory described in another pending petition filed
4 under the authority of this Section.

5 (d)(1) Those designated as the Committee of Ten shall
6 serve in that capacity until such time as the regional
7 superintendent of schools determines that, because of death,
8 resignation, transfer of residency from the territory, failure
9 to qualify, or any other reason, the office of a particular
10 member of the Committee of Ten is vacant. Upon determination
11 by the regional superintendent of schools that these vacancies
12 exist, he or she shall declare the vacancies and shall notify
13 the remaining members to appoint a petitioner or petitioners,
14 as the case may be, to fill the vacancies in the Committee of
15 Ten so designated. An appointment by the Committee of Ten to
16 fill a vacancy shall be made by a simple majority vote of the
17 designated remaining members.

18 (2) Failure of a person designated as a member of the
19 Committee of Ten to sign the petition shall not disqualify
20 that person as a member of the Committee of Ten, and that
21 person may sign the petition at any time prior to final
22 disposition of the petition and the conclusion of the
23 proceedings to form a new school district or districts,
24 including all litigation pertaining to the petition or
25 proceedings.

26 (3) Except as stated in item (10) of subsection (b) of this

1 Section, the Committee of Ten shall act by majority vote of the
2 membership.

3 (4) The regional superintendent of schools may accept a
4 stipulation made by the Committee of Ten instead of evidence
5 or proof of the matter stipulated or may refuse to accept the
6 stipulation, provided that the regional superintendent sets
7 forth the basis for the refusal.

8 (5) The Committee of Ten may voluntarily dismiss its
9 petition at any time before a final decision is issued by the
10 State Superintendent of Education.

11 (Source: P.A. 94-1019, eff. 7-10-06; 95-903, eff. 8-25-08.)

12 (105 ILCS 5/11E-40)

13 Sec. 11E-40. Notice and petition amendments.

14 (a) Upon the filing of a petition with the regional
15 superintendent of schools as provided in Section 11E-35 of
16 this Code, the regional superintendent shall do all of the
17 following:

18 (1) Cause a copy of the petition to be given to each
19 school board of the affected districts and the regional
20 superintendent of schools of any other educational service
21 region in which territory described in the petition is
22 situated.

23 (2) Cause a notice thereof to be published at least
24 once each week for 3 successive weeks in at least one
25 newspaper having general circulation within the area of

1 all of the territory of the proposed district or
2 districts. The expense of publishing the notice shall be
3 borne by the petitioners and paid on behalf of the
4 petitioners by the Committee of Ten.

5 (a-5) Upon receiving the copy of the petition from the
6 regional superintendent, the school boards of the affected
7 districts shall, if those districts maintain an official
8 website, cause a copy of the petition to be published on the
9 website, with a link to the recommendation hosted prominently
10 on the homepage of the website through the date of the next
11 general election.

12 (b) The notice shall state all of the following:

13 (1) When and to whom the petition was presented.

14 (2) The prayer of the petition.

15 (3) A description of the territory comprising the
16 districts proposed to be dissolved and those to be
17 created, which, for an entire district, may be a general
18 reference to all of the territory included within that
19 district.

20 (4) If applicable, the proposition to elect, by
21 separate ballot, school board members at the same
22 election, indicating whether the board members are to be
23 elected at large or by school board district.

24 (5) If requested in the petition, the proposition to
25 issue bonds, indicating the amount and purpose thereof.

26 (6) The day, time, and location on which the hearing

1 on the action proposed in the petition shall be held.

2 (c) The requirements of subsection (g) of Section 28-2 of
3 the Election Code do not apply to any petition filed under this
4 Article. Notwithstanding any provision to the contrary
5 contained in the Election Code, the regional superintendent of
6 schools shall make all determinations regarding the validity
7 of the petition, including without limitation signatures on
8 the petition, subject to State Superintendent and
9 administrative review in accordance with Section 11E-50 of
10 this Code.

11 (d) Prior to the hearing described in Section 11E-45 of
12 this Code, the regional superintendent of schools shall inform
13 the Committee of Ten as to whether the petition, as amended or
14 filed, is proper and in compliance with all applicable
15 petition requirements set forth in the Election Code. If the
16 regional superintendent determines that the petition is not in
17 proper order or not in compliance with any applicable petition
18 requirements set forth in the Election Code, the regional
19 superintendent must identify the specific alleged defects in
20 the petition and include specific recommendations to cure the
21 alleged defects. The Committee of Ten may amend the petition
22 to cure the alleged defects at any time prior to the receipt of
23 the regional superintendent's written order made in accordance
24 with subsection (a) of Section 11E-50 of this Code or may elect
25 not to amend the petition, in which case the Committee of Ten
26 may appeal a denial by the regional superintendent following

1 the hearing in accordance with Section 11E-50 of this Code.

2 (Source: P.A. 94-1019, eff. 7-10-06; 95-903, eff. 8-25-08.)

3 (105 ILCS 5/11E-45)

4 Sec. 11E-45. Hearing.

5 (a) No more than 15 days after the last date on which the
6 required notice under Section 11E-40 of this Code is
7 published, the regional superintendent of schools with whom
8 the petition is required to be filed shall hold a hearing on
9 the petition. Prior to the hearing, the Committee of Ten shall
10 submit to the regional superintendent maps showing the
11 districts involved and any other information deemed pertinent
12 by the Committee of Ten to the proposed action. The regional
13 superintendent of schools may adjourn the hearing from time to
14 time or may continue the matter for want of sufficient notice
15 or other good cause.

16 (b) At the hearing, the regional superintendent of schools
17 shall allow public testimony on the action proposed in the
18 petition. The Committee of Ten shall present, or arrange for
19 the presentation of all of the following:

20 (1) Evidence as to the school needs and conditions in
21 the territory described in the petition and the area
22 adjacent thereto.

23 (2) Evidence with respect to the ability of the
24 proposed district or districts to meet standards of
25 recognition as prescribed by the State Board of Education.

1 (3) A consideration of the division of funds and
2 assets that will occur if the petition is approved.

3 (4) A description of the maximum tax rates the
4 proposed district or districts is authorized to levy for
5 various purposes and, if applicable, the specifications
6 related to the Property Tax Extension Limitation Law, in
7 accordance with Section 11E-80 of this Code.

8 (5) For a non-contiguous combined school district, as
9 specified in paragraph (3) of subsection (a), paragraph
10 (2) of subsection (b), or paragraph (2) of subsection (c)
11 of Section 11E-20 of this Code, evidence that the action
12 proposed in the petition meets the requirements of the
13 respective paragraph.

14 (c) Any regional superintendent of schools entitled under
15 the provisions of this Article to be given a copy of the
16 petition, ~~and~~ any resident or representative of a school
17 district in which any territory described in the petition is
18 situated, and, in the case of a hearing on a petition
19 recommended by the Efficient School District Commission under
20 Section 11E-140 of this Code, a member of the Efficient School
21 District Commission or one of its subcommittees may appear in
22 person or by an attorney at law to provide oral or written
23 testimony or both in relation to the action proposed in the
24 petition.

25 (d) The regional superintendent of schools shall arrange
26 for a written transcript of the hearing. The expense of the

1 written transcript shall be borne by the petitioners and paid
2 on behalf of the petitioners by the Committee of Ten.

3 (Source: P.A. 98-125, eff. 8-2-13.)

4 (105 ILCS 5/11E-50)

5 Sec. 11E-50. Approval or denial of the petition;
6 administrative review.

7 (a) Within 14 days after the conclusion of the hearing
8 under Section 11E-45 of this Code, the regional superintendent
9 of schools shall, upon determining the petition is in
10 compliance with applicable requirements set forth in the
11 Election Code, approve the proposition through a written order
12 or, if the regional superintendent of schools determines that
13 the petition is not in compliance with the Election Code, deny
14 the petition through a written order ~~take into consideration~~
15 ~~the school needs and conditions of the affected districts and~~
16 ~~in the area adjacent thereto, the division of funds and assets~~
17 ~~that will result from the action described in the petition,~~
18 ~~the best interests of the schools of the area, and the best~~
19 ~~interests and the educational welfare of the pupils residing~~
20 ~~therein and, through a written order, either approve or deny~~
21 ~~the petition. If the regional superintendent fails to act upon~~
22 ~~a petition within 14 days after the conclusion of the hearing,~~
23 ~~the regional superintendent shall be deemed to have denied the~~
24 ~~petition.~~

25 (b) Upon approving or denying the petition, the regional

1 superintendent of schools shall submit the petition and all
2 evidence to the State Superintendent of Education. The State
3 Superintendent shall review the petition, the record of the
4 hearing, and the written order of the regional superintendent,
5 if any. Within 21 days after the receipt of the regional
6 superintendent's decision, the State Superintendent shall,
7 upon determining the petition is in compliance with applicable
8 requirements set forth in the Election Code, approve the
9 petition through a written order or, if the State
10 Superintendent determines that the petition is not in
11 compliance with the Election Code, deny the petition through a
12 written order ~~take into consideration the school needs and~~
13 ~~conditions of the affected districts and in the area adjacent~~
14 ~~thereto, the division of funds and assets that will result~~
15 ~~from the action described in the petition, the best interests~~
16 ~~of the schools of the area, and the best interests and the~~
17 ~~educational welfare of the pupils residing therein and,~~
18 ~~through a written order, either approve or deny the petition.~~
19 If the State Superintendent denies the petition, the State
20 Superintendent shall set forth in writing the specific basis
21 for the denial. The decision of the State Superintendent shall
22 be deemed an administrative decision as defined in Section
23 3-101 of the Code of Civil Procedure. The State Superintendent
24 shall provide a copy of the decision by certified mail, return
25 receipt requested, to the Committee of Ten, any person
26 appearing in support or opposition of the petition at the

1 hearing, each school board of a district in which territory
2 described in the petition is situated, the regional
3 superintendent with whom the petition was filed, and the
4 regional superintendent of schools of any other educational
5 service region in which territory described in the petition is
6 situated.

7 (c) Any resident of any territory described in the
8 petition who appears in support of or opposition to the
9 petition at the hearing or any petitioner or school board of
10 any district in which territory described in the petition is
11 situated may, within 35 days after a copy of the decision
12 sought to be reviewed was served by certified mail, return
13 receipt requested, upon the party affected thereby or upon the
14 attorney of record for the party, apply for a review of an
15 administrative decision of the State Superintendent of
16 Education in accordance with the Administrative Review Law and
17 any rules adopted pursuant to the Administrative Review Law.
18 The commencement of any action for review shall operate as a
19 supersedeas, and no further proceedings shall be had until
20 final disposition of the review. The circuit court of the
21 county in which the petition is filed with the regional
22 superintendent of schools shall have sole jurisdiction to
23 entertain a complaint for the review.

24 (Source: P.A. 94-1019, eff. 7-10-06; 95-903, eff. 8-25-08.)

1 Sec. 11E-135. Incentives. Except as provided under Section
2 11E-140, for ~~For~~ districts reorganizing under this Article and
3 for a district or districts that annex all of the territory of
4 one or more entire other school districts in accordance with
5 Article 7 of this Code, the following payments shall be made
6 from appropriations made for these purposes:

7 (a)(1) For a combined school district, as defined in
8 Section 11E-20 of this Code, or for a unit district, as defined
9 in Section 11E-25 of this Code, for its first year of
10 existence, the general State aid and supplemental general
11 State aid calculated under Section 18-8.05 of this Code or the
12 evidence-based funding calculated under Section 18-8.15 of
13 this Code, as applicable, shall be computed for the new
14 district and for the previously existing districts for which
15 property is totally included within the new district. If the
16 computation on the basis of the previously existing districts
17 is greater, a supplementary payment equal to the difference
18 shall be made for the first 4 years of existence of the new
19 district.

20 (2) For a school district that annexes all of the
21 territory of one or more entire other school districts as
22 defined in Article 7 of this Code, for the first year during
23 which the change of boundaries attributable to the annexation
24 becomes effective for all purposes, as determined under
25 Section 7-9 of this Code, the general State aid and
26 supplemental general State aid calculated under Section

1 18-8.05 of this Code or the evidence-based funding calculated
2 under Section 18-8.15 of this Code, as applicable, shall be
3 computed for the annexing district as constituted after the
4 annexation and for the annexing and each annexed district as
5 constituted prior to the annexation; and if the computation on
6 the basis of the annexing and annexed districts as constituted
7 prior to the annexation is greater, then a supplementary
8 payment equal to the difference shall be made for the first 4
9 years of existence of the annexing school district as
10 constituted upon the annexation.

11 (3) For 2 or more school districts that annex all of the
12 territory of one or more entire other school districts, as
13 defined in Article 7 of this Code, for the first year during
14 which the change of boundaries attributable to the annexation
15 becomes effective for all purposes, as determined under
16 Section 7-9 of this Code, the general State aid and
17 supplemental general State aid calculated under Section
18 18-8.05 of this Code or the evidence-based funding calculated
19 under Section 18-8.15 of this Code, as applicable, shall be
20 computed for each annexing district as constituted after the
21 annexation and for each annexing and annexed district as
22 constituted prior to the annexation; and if the aggregate of
23 the general State aid and supplemental general State aid or
24 evidence-based funding, as applicable, as so computed for the
25 annexing districts as constituted after the annexation is less
26 than the aggregate of the general State aid and supplemental

1 general State aid or evidence-based funding, as applicable, as
2 so computed for the annexing and annexed districts, as
3 constituted prior to the annexation, then a supplementary
4 payment equal to the difference shall be made and allocated
5 between or among the annexing districts, as constituted upon
6 the annexation, for the first 4 years of their existence. The
7 total difference payment shall be allocated between or among
8 the annexing districts in the same ratio as the pupil
9 enrollment from that portion of the annexed district or
10 districts that is annexed to each annexing district bears to
11 the total pupil enrollment from the entire annexed district or
12 districts, as such pupil enrollment is determined for the
13 school year last ending prior to the date when the change of
14 boundaries attributable to the annexation becomes effective
15 for all purposes. The amount of the total difference payment
16 and the amount thereof to be allocated to the annexing
17 districts shall be computed by the State Board of Education on
18 the basis of pupil enrollment and other data that shall be
19 certified to the State Board of Education, on forms that it
20 shall provide for that purpose, by the regional superintendent
21 of schools for each educational service region in which the
22 annexing and annexed districts are located.

23 (4) For a school district conversion, as defined in
24 Section 11E-15 of this Code, or a multi-unit conversion, as
25 defined in subsection (b) of Section 11E-30 of this Code, if in
26 their first year of existence the newly created elementary

1 districts and the newly created high school district, from a
2 school district conversion, or the newly created elementary
3 district or districts and newly created combined high school -
4 unit district, from a multi-unit conversion, qualify for less
5 general State aid under Section 18-8.05 of this Code or
6 evidence-based funding under Section 18-8.15 of this Code than
7 would have been payable under Section 18-8.05 or 18-8.15, as
8 applicable, for that same year to the previously existing
9 districts, then a supplementary payment equal to that
10 difference shall be made for the first 4 years of existence of
11 the newly created districts. The aggregate amount of each
12 supplementary payment shall be allocated among the newly
13 created districts in the proportion that the deemed pupil
14 enrollment in each district during its first year of existence
15 bears to the actual aggregate pupil enrollment in all of the
16 districts during their first year of existence. For purposes
17 of each allocation:

18 (A) the deemed pupil enrollment of the newly created
19 high school district from a school district conversion
20 shall be an amount equal to its actual pupil enrollment
21 for its first year of existence multiplied by 1.25;

22 (B) the deemed pupil enrollment of each newly created
23 elementary district from a school district conversion
24 shall be an amount equal to its actual pupil enrollment
25 for its first year of existence reduced by an amount equal
26 to the product obtained when the amount by which the newly

1 created high school district's deemed pupil enrollment
2 exceeds its actual pupil enrollment for its first year of
3 existence is multiplied by a fraction, the numerator of
4 which is the actual pupil enrollment of the newly created
5 elementary district for its first year of existence and
6 the denominator of which is the actual aggregate pupil
7 enrollment of all of the newly created elementary
8 districts for their first year of existence;

9 (C) the deemed high school pupil enrollment of the
10 newly created combined high school - unit district from a
11 multi-unit conversion shall be an amount equal to its
12 actual grades 9 through 12 pupil enrollment for its first
13 year of existence multiplied by 1.25; and

14 (D) the deemed elementary pupil enrollment of each
15 newly created district from a multi-unit conversion shall
16 be an amount equal to each district's actual grade K
17 through 8 pupil enrollment for its first year of
18 existence, reduced by an amount equal to the product
19 obtained when the amount by which the newly created
20 combined high school - unit district's deemed high school
21 pupil enrollment exceeds its actual grade 9 through 12
22 pupil enrollment for its first year of existence is
23 multiplied by a fraction, the numerator of which is the
24 actual grade K through 8 pupil enrollment of each newly
25 created district for its first year of existence and the
26 denominator of which is the actual aggregate grade K

1 through 8 pupil enrollment of all such newly created
2 districts for their first year of existence.

3 The aggregate amount of each supplementary payment under
4 this subdivision (4) and the amount thereof to be allocated to
5 the newly created districts shall be computed by the State
6 Board of Education on the basis of pupil enrollment and other
7 data, which shall be certified to the State Board of
8 Education, on forms that it shall provide for that purpose, by
9 the regional superintendent of schools for each educational
10 service region in which the newly created districts are
11 located.

12 (5) For a partial elementary unit district, as defined in
13 subsection (a) or (c) of Section 11E-30 of this Code, if, in
14 the first year of existence, the newly created partial
15 elementary unit district qualifies for less general State aid
16 and supplemental general State aid under Section 18-8.05 of
17 this Code or less evidence-based funding under Section 18-8.15
18 of this Code, as applicable, than would have been payable
19 under those Sections for that same year to the previously
20 existing districts that formed the partial elementary unit
21 district, then a supplementary payment equal to that
22 difference shall be made to the partial elementary unit
23 district for the first 4 years of existence of that newly
24 created district.

25 (6) For an elementary opt-in, as described in subsection
26 (d) of Section 11E-30 of this Code, the general State aid or

1 evidence-based funding difference shall be computed in
2 accordance with paragraph (5) of this subsection (a) as if the
3 elementary opt-in was included in an optional elementary unit
4 district at the optional elementary unit district's original
5 effective date. If the calculation in this paragraph (6) is
6 less than that calculated in paragraph (5) of this subsection
7 (a) at the optional elementary unit district's original
8 effective date, then no adjustments may be made. If the
9 calculation in this paragraph (6) is more than that calculated
10 in paragraph (5) of this subsection (a) at the optional
11 elementary unit district's original effective date, then the
12 excess must be paid as follows:

13 (A) If the effective date for the elementary opt-in is
14 one year after the effective date for the optional
15 elementary unit district, 100% of the calculated excess
16 shall be paid to the optional elementary unit district in
17 each of the first 4 years after the effective date of the
18 elementary opt-in.

19 (B) If the effective date for the elementary opt-in is
20 2 years after the effective date for the optional
21 elementary unit district, 75% of the calculated excess
22 shall be paid to the optional elementary unit district in
23 each of the first 4 years after the effective date of the
24 elementary opt-in.

25 (C) If the effective date for the elementary opt-in is
26 3 years after the effective date for the optional

1 elementary unit district, 50% of the calculated excess
2 shall be paid to the optional elementary unit district in
3 each of the first 4 years after the effective date of the
4 elementary opt-in.

5 (D) If the effective date for the elementary opt-in is
6 4 years after the effective date for the optional
7 elementary unit district, 25% of the calculated excess
8 shall be paid to the optional elementary unit district in
9 each of the first 4 years after the effective date of the
10 elementary opt-in.

11 (E) If the effective date for the elementary opt-in is
12 5 years after the effective date for the optional
13 elementary unit district, the optional elementary unit
14 district is not eligible for any additional incentives due
15 to the elementary opt-in.

16 (6.5) For a school district that annexes territory
17 detached from another school district whereby the enrollment
18 of the annexing district increases by 90% or more as a result
19 of the annexation, for the first year during which the change
20 of boundaries attributable to the annexation becomes effective
21 for all purposes as determined under Section 7-9 of this Code,
22 the general State aid and supplemental general State aid or
23 evidence-based funding, as applicable, calculated under this
24 Section shall be computed for the district gaining territory
25 and the district losing territory as constituted after the
26 annexation and for the same districts as constituted prior to

1 the annexation; and if the aggregate of the general State aid
2 and supplemental general State aid or evidence-based funding,
3 as applicable, as so computed for the district gaining
4 territory and the district losing territory as constituted
5 after the annexation is less than the aggregate of the general
6 State aid and supplemental general State aid or evidence-based
7 funding, as applicable, as so computed for the district
8 gaining territory and the district losing territory as
9 constituted prior to the annexation, then a supplementary
10 payment shall be made to the annexing district for the first 4
11 years of existence after the annexation, equal to the
12 difference multiplied by the ratio of student enrollment in
13 the territory detached to the total student enrollment in the
14 district losing territory for the year prior to the effective
15 date of the annexation. The amount of the total difference and
16 the proportion paid to the annexing district shall be computed
17 by the State Board of Education on the basis of pupil
18 enrollment and other data that must be submitted to the State
19 Board of Education in accordance with Section 7-14A of this
20 Code. The changes to this Section made by Public Act 95-707 are
21 intended to be retroactive and applicable to any annexation
22 taking effect on or after July 1, 2004. For annexations that
23 are eligible for payments under this paragraph (6.5) and that
24 are effective on or after July 1, 2004, but before January 11,
25 2008 (the effective date of Public Act 95-707), the first
26 required yearly payment under this paragraph (6.5) shall be

1 paid in the fiscal year of January 11, 2008 (the effective date
2 of Public Act 95-707). Subsequent required yearly payments
3 shall be paid in subsequent fiscal years until the payment
4 obligation under this paragraph (6.5) is complete.

5 (7) Claims for financial assistance under this subsection
6 (a) may not be recomputed except as expressly provided under
7 Section 18-8.05 or 18-8.15 of this Code.

8 (8) Any supplementary payment made under this subsection
9 (a) must be treated as separate from all other payments made
10 pursuant to Section 18-8.05 or 18-8.15 of this Code.

11 (b) (1) After the formation of a combined school district,
12 as defined in Section 11E-20 of this Code, or a unit district,
13 as defined in Section 11E-25 of this Code, a computation shall
14 be made to determine the difference between the salaries
15 effective in each of the previously existing districts on June
16 30, prior to the creation of the new district. For the first 4
17 years after the formation of the new district, a supplementary
18 State aid reimbursement shall be paid to the new district
19 equal to the difference between the sum of the salaries earned
20 by each of the certificated members of the new district, while
21 employed in one of the previously existing districts during
22 the year immediately preceding the formation of the new
23 district, and the sum of the salaries those certificated
24 members would have been paid during the year immediately prior
25 to the formation of the new district if placed on the salary
26 schedule of the previously existing district with the highest

1 salary schedule.

2 (2) After the territory of one or more school districts is
3 annexed by one or more other school districts as defined in
4 Article 7 of this Code, a computation shall be made to
5 determine the difference between the salaries effective in
6 each annexed district and in the annexing district or
7 districts as they were each constituted on June 30 preceding
8 the date when the change of boundaries attributable to the
9 annexation became effective for all purposes, as determined
10 under Section 7-9 of this Code. For the first 4 years after the
11 annexation, a supplementary State aid reimbursement shall be
12 paid to each annexing district as constituted after the
13 annexation equal to the difference between the sum of the
14 salaries earned by each of the certificated members of the
15 annexing district as constituted after the annexation, while
16 employed in an annexed or annexing district during the year
17 immediately preceding the annexation, and the sum of the
18 salaries those certificated members would have been paid
19 during the immediately preceding year if placed on the salary
20 schedule of whichever of the annexing or annexed districts had
21 the highest salary schedule during the immediately preceding
22 year.

23 (3) For each new high school district formed under a
24 school district conversion, as defined in Section 11E-15 of
25 this Code, the State shall make a supplementary payment for 4
26 years equal to the difference between the sum of the salaries

1 earned by each certified member of the new high school
2 district, while employed in one of the previously existing
3 districts, and the sum of the salaries those certified members
4 would have been paid if placed on the salary schedule of the
5 previously existing district with the highest salary schedule.

6 (4) For each newly created partial elementary unit
7 district, the State shall make a supplementary payment for 4
8 years equal to the difference between the sum of the salaries
9 earned by each certified member of the newly created partial
10 elementary unit district, while employed in one of the
11 previously existing districts that formed the partial
12 elementary unit district, and the sum of the salaries those
13 certified members would have been paid if placed on the salary
14 schedule of the previously existing district with the highest
15 salary schedule. The salary schedules used in the calculation
16 shall be those in effect in the previously existing districts
17 for the school year prior to the creation of the new partial
18 elementary unit district.

19 (5) For an elementary district opt-in, as described in
20 subsection (d) of Section 11E-30 of this Code, the salary
21 difference incentive shall be computed in accordance with
22 paragraph (4) of this subsection (b) as if the opted-in
23 elementary district was included in the optional elementary
24 unit district at the optional elementary unit district's
25 original effective date. If the calculation in this paragraph
26 (5) is less than that calculated in paragraph (4) of this

1 subsection (b) at the optional elementary unit district's
2 original effective date, then no adjustments may be made. If
3 the calculation in this paragraph (5) is more than that
4 calculated in paragraph (4) of this subsection (b) at the
5 optional elementary unit district's original effective date,
6 then the excess must be paid as follows:

7 (A) If the effective date for the elementary opt-in is
8 one year after the effective date for the optional
9 elementary unit district, 100% of the calculated excess
10 shall be paid to the optional elementary unit district in
11 each of the first 4 years after the effective date of the
12 elementary opt-in.

13 (B) If the effective date for the elementary opt-in is
14 2 years after the effective date for the optional
15 elementary unit district, 75% of the calculated excess
16 shall be paid to the optional elementary unit district in
17 each of the first 4 years after the effective date of the
18 elementary opt-in.

19 (C) If the effective date for the elementary opt-in is
20 3 years after the effective date for the optional
21 elementary unit district, 50% of the calculated excess
22 shall be paid to the optional elementary unit district in
23 each of the first 4 years after the effective date of the
24 elementary opt-in.

25 (D) If the effective date for the elementary opt-in is
26 4 years after the effective date for the partial

1 elementary unit district, 25% of the calculated excess
2 shall be paid to the optional elementary unit district in
3 each of the first 4 years after the effective date of the
4 elementary opt-in.

5 (E) If the effective date for the elementary opt-in is
6 5 years after the effective date for the optional
7 elementary unit district, the optional elementary unit
8 district is not eligible for any additional incentives due
9 to the elementary opt-in.

10 (5.5) After the formation of a cooperative high school by
11 2 or more school districts under Section 10-22.22c of this
12 Code, a computation shall be made to determine the difference
13 between the salaries effective in each of the previously
14 existing high schools on June 30 prior to the formation of the
15 cooperative high school. For the first 4 years after the
16 formation of the cooperative high school, a supplementary
17 State aid reimbursement shall be paid to the cooperative high
18 school equal to the difference between the sum of the salaries
19 earned by each of the certificated members of the cooperative
20 high school while employed in one of the previously existing
21 high schools during the year immediately preceding the
22 formation of the cooperative high school and the sum of the
23 salaries those certificated members would have been paid
24 during the year immediately prior to the formation of the
25 cooperative high school if placed on the salary schedule of
26 the previously existing high school with the highest salary

1 schedule.

2 (5.10) After the annexation of territory detached from
3 another school district whereby the enrollment of the annexing
4 district increases by 90% or more as a result of the
5 annexation, a computation shall be made to determine the
6 difference between the salaries effective in the district
7 gaining territory and the district losing territory as they
8 each were constituted on June 30 preceding the date when the
9 change of boundaries attributable to the annexation became
10 effective for all purposes as determined under Section 7-9 of
11 this Code. For the first 4 years after the annexation, a
12 supplementary State aid reimbursement shall be paid to the
13 annexing district equal to the difference between the sum of
14 the salaries earned by each of the certificated members of the
15 annexing district as constituted after the annexation while
16 employed in the district gaining territory or the district
17 losing territory during the year immediately preceding the
18 annexation and the sum of the salaries those certificated
19 members would have been paid during such immediately preceding
20 year if placed on the salary schedule of whichever of the
21 district gaining territory or district losing territory had
22 the highest salary schedule during the immediately preceding
23 year. To be eligible for supplementary State aid reimbursement
24 under this Section, the intergovernmental agreement to be
25 submitted pursuant to Section 7-14A of this Code must show
26 that staff members were transferred from the control of the

1 district losing territory to the control of the district
2 gaining territory in the annexation. The changes to this
3 Section made by Public Act 95-707 are intended to be
4 retroactive and applicable to any annexation taking effect on
5 or after July 1, 2004. For annexations that are eligible for
6 payments under this paragraph (5.10) and that are effective on
7 or after July 1, 2004, but before January 11, 2008 (the
8 effective date of Public Act 95-707), the first required
9 yearly payment under this paragraph (5.10) shall be paid in
10 the fiscal year of January 11, 2008 (the effective date of
11 Public Act 95-707). Subsequent required yearly payments shall
12 be paid in subsequent fiscal years until the payment
13 obligation under this paragraph (5.10) is complete.

14 (5.15) After the deactivation of a school facility in
15 accordance with Section 10-22.22b of this Code, a computation
16 shall be made to determine the difference between the salaries
17 effective in the sending school district and each receiving
18 school district on June 30 prior to the deactivation of the
19 school facility. For the lesser of the first 4 years after the
20 deactivation of the school facility or the length of the
21 deactivation agreement, including any renewals of the original
22 deactivation agreement, a supplementary State aid
23 reimbursement shall be paid to each receiving district equal
24 to the difference between the sum of the salaries earned by
25 each of the certificated members transferred to that receiving
26 district as a result of the deactivation while employed in the

1 sending district during the year immediately preceding the
2 deactivation and the sum of the salaries those certificated
3 members would have been paid during the year immediately
4 preceding the deactivation if placed on the salary schedule of
5 the sending or receiving district with the highest salary
6 schedule.

7 (6) The supplementary State aid reimbursement under this
8 subsection (b) shall be treated as separate from all other
9 payments made pursuant to Section 18-8.05 of this Code. In the
10 case of the formation of a new district or cooperative high
11 school or a deactivation, reimbursement shall begin during the
12 first year of operation of the new district or cooperative
13 high school or the first year of the deactivation, and in the
14 case of an annexation of the territory of one or more school
15 districts by one or more other school districts or the
16 annexation of territory detached from a school district
17 whereby the enrollment of the annexing district increases by
18 90% or more as a result of the annexation, reimbursement shall
19 begin during the first year when the change in boundaries
20 attributable to the annexation becomes effective for all
21 purposes as determined pursuant to Section 7-9 of this Code,
22 except that for an annexation of territory detached from a
23 school district that is effective on or after July 1, 2004, but
24 before January 11, 2008 (the effective date of Public Act
25 95-707), whereby the enrollment of the annexing district
26 increases by 90% or more as a result of the annexation,

1 reimbursement shall begin during the fiscal year of January
2 11, 2008 (the effective date of Public Act 95-707). Each year
3 that the new, annexing, or receiving district or cooperative
4 high school, as the case may be, is entitled to receive
5 reimbursement, the number of eligible certified members who
6 are employed on October 1 in the district or cooperative high
7 school shall be certified to the State Board of Education on
8 prescribed forms by October 15 and payment shall be made on or
9 before November 15 of that year.

10 (c)(1) For the first year after the formation of a
11 combined school district, as defined in Section 11E-20 of this
12 Code or a unit district, as defined in Section 11E-25 of this
13 Code, a computation shall be made totaling each previously
14 existing district's audited fund balances in the educational
15 fund, working cash fund, operations and maintenance fund, and
16 transportation fund for the year ending June 30 prior to the
17 referendum for the creation of the new district. The new
18 district shall be paid supplementary State aid equal to the
19 sum of the differences between the deficit of the previously
20 existing district with the smallest deficit and the deficits
21 of each of the other previously existing districts.

22 (2) For the first year after the annexation of all of the
23 territory of one or more entire school districts by another
24 school district, as defined in Article 7 of this Code,
25 computations shall be made, for the year ending June 30 prior
26 to the date that the change of boundaries attributable to the

1 annexation is allowed by the affirmative decision issued by
2 the regional board of school trustees under Section 7-6 of
3 this Code, notwithstanding any effort to seek administrative
4 review of the decision, totaling the annexing district's and
5 totaling each annexed district's audited fund balances in
6 their respective educational, working cash, operations and
7 maintenance, and transportation funds. The annexing district
8 as constituted after the annexation shall be paid
9 supplementary State aid equal to the sum of the differences
10 between the deficit of whichever of the annexing or annexed
11 districts as constituted prior to the annexation had the
12 smallest deficit and the deficits of each of the other
13 districts as constituted prior to the annexation.

14 (3) For the first year after the annexation of all of the
15 territory of one or more entire school districts by 2 or more
16 other school districts, as defined by Article 7 of this Code,
17 computations shall be made, for the year ending June 30 prior
18 to the date that the change of boundaries attributable to the
19 annexation is allowed by the affirmative decision of the
20 regional board of school trustees under Section 7-6 of this
21 Code, notwithstanding any action for administrative review of
22 the decision, totaling each annexing and annexed district's
23 audited fund balances in their respective educational, working
24 cash, operations and maintenance, and transportation funds.
25 The annexing districts as constituted after the annexation
26 shall be paid supplementary State aid, allocated as provided

1 in this paragraph (3), in an aggregate amount equal to the sum
2 of the differences between the deficit of whichever of the
3 annexing or annexed districts as constituted prior to the
4 annexation had the smallest deficit and the deficits of each
5 of the other districts as constituted prior to the annexation.
6 The aggregate amount of the supplementary State aid payable
7 under this paragraph (3) shall be allocated between or among
8 the annexing districts as follows:

9 (A) the regional superintendent of schools for each
10 educational service region in which an annexed district is
11 located prior to the annexation shall certify to the State
12 Board of Education, on forms that it shall provide for
13 that purpose, the value of all taxable property in each
14 annexed district, as last equalized or assessed by the
15 Department of Revenue prior to the annexation, and the
16 equalized assessed value of each part of the annexed
17 district that was annexed to or included as a part of an
18 annexing district;

19 (B) using equalized assessed values as certified by
20 the regional superintendent of schools under clause (A) of
21 this paragraph (3), the combined audited fund balance
22 deficit of each annexed district as determined under this
23 Section shall be apportioned between or among the annexing
24 districts in the same ratio as the equalized assessed
25 value of that part of the annexed district that was
26 annexed to or included as a part of an annexing district

1 bears to the total equalized assessed value of the annexed
2 district; and

3 (C) the aggregate supplementary State aid payment
4 under this paragraph (3) shall be allocated between or
5 among, and shall be paid to, the annexing districts in the
6 same ratio as the sum of the combined audited fund balance
7 deficit of each annexing district as constituted prior to
8 the annexation, plus all combined audited fund balance
9 deficit amounts apportioned to that annexing district
10 under clause (B) of this subsection, bears to the
11 aggregate of the combined audited fund balance deficits of
12 all of the annexing and annexed districts as constituted
13 prior to the annexation.

14 (4) For the new elementary districts and new high school
15 district formed through a school district conversion, as
16 defined in Section 11E-15 of this Code or the new elementary
17 district or districts and new combined high school - unit
18 district formed through a multi-unit conversion, as defined in
19 subsection (b) of Section 11E-30 of this Code, a computation
20 shall be made totaling each previously existing district's
21 audited fund balances in the educational fund, working cash
22 fund, operations and maintenance fund, and transportation fund
23 for the year ending June 30 prior to the referendum
24 establishing the new districts. In the first year of the new
25 districts, the State shall make a one-time supplementary
26 payment equal to the sum of the differences between the

1 deficit of the previously existing district with the smallest
2 deficit and the deficits of each of the other previously
3 existing districts. A district with a combined balance among
4 the 4 funds that is positive shall be considered to have a
5 deficit of zero. The supplementary payment shall be allocated
6 among the newly formed high school and elementary districts in
7 the manner provided by the petition for the formation of the
8 districts, in the form in which the petition is approved by the
9 regional superintendent of schools or State Superintendent of
10 Education under Section 11E-50 of this Code.

11 (5) For each newly created partial elementary unit
12 district, as defined in subsection (a) or (c) of Section
13 11E-30 of this Code, a computation shall be made totaling the
14 audited fund balances of each previously existing district
15 that formed the new partial elementary unit district in the
16 educational fund, working cash fund, operations and
17 maintenance fund, and transportation fund for the year ending
18 June 30 prior to the referendum for the formation of the
19 partial elementary unit district. In the first year of the new
20 partial elementary unit district, the State shall make a
21 one-time supplementary payment to the new district equal to
22 the sum of the differences between the deficit of the
23 previously existing district with the smallest deficit and the
24 deficits of each of the other previously existing districts. A
25 district with a combined balance among the 4 funds that is
26 positive shall be considered to have a deficit of zero.

1 (6) For an elementary opt-in as defined in subsection (d)
2 of Section 11E-30 of this Code, the deficit fund balance
3 incentive shall be computed in accordance with paragraph (5)
4 of this subsection (c) as if the opted-in elementary was
5 included in the optional elementary unit district at the
6 optional elementary unit district's original effective date.
7 If the calculation in this paragraph (6) is less than that
8 calculated in paragraph (5) of this subsection (c) at the
9 optional elementary unit district's original effective date,
10 then no adjustments may be made. If the calculation in this
11 paragraph (6) is more than that calculated in paragraph (5) of
12 this subsection (c) at the optional elementary unit district's
13 original effective date, then the excess must be paid as
14 follows:

15 (A) If the effective date for the elementary opt-in is
16 one year after the effective date for the optional
17 elementary unit district, 100% of the calculated excess
18 shall be paid to the optional elementary unit district in
19 the first year after the effective date of the elementary
20 opt-in.

21 (B) If the effective date for the elementary opt-in is
22 2 years after the effective date for the optional
23 elementary unit district, 75% of the calculated excess
24 shall be paid to the optional elementary unit district in
25 the first year after the effective date of the elementary
26 opt-in.

1 (C) If the effective date for the elementary opt-in is
2 3 years after the effective date for the optional
3 elementary unit district, 50% of the calculated excess
4 shall be paid to the optional elementary unit district in
5 the first year after the effective date of the elementary
6 opt-in.

7 (D) If the effective date for the elementary opt-in is
8 4 years after the effective date for the optional
9 elementary unit district, 25% of the calculated excess
10 shall be paid to the optional elementary unit district in
11 the first year after the effective date of the elementary
12 opt-in.

13 (E) If the effective date for the elementary opt-in is
14 5 years after the effective date for the optional
15 elementary unit district, the optional elementary unit
16 district is not eligible for any additional incentives due
17 to the elementary opt-in.

18 (6.5) For the first year after the annexation of territory
19 detached from another school district whereby the enrollment
20 of the annexing district increases by 90% or more as a result
21 of the annexation, a computation shall be made totaling the
22 audited fund balances of the district gaining territory and
23 the audited fund balances of the district losing territory in
24 the educational fund, working cash fund, operations and
25 maintenance fund, and transportation fund for the year ending
26 June 30 prior to the date that the change of boundaries

1 attributable to the annexation is allowed by the affirmative
2 decision of the regional board of school trustees under
3 Section 7-6 of this Code, notwithstanding any action for
4 administrative review of the decision. The annexing district
5 as constituted after the annexation shall be paid
6 supplementary State aid equal to the difference between the
7 deficit of whichever district included in this calculation as
8 constituted prior to the annexation had the smallest deficit
9 and the deficit of each other district included in this
10 calculation as constituted prior to the annexation, multiplied
11 by the ratio of equalized assessed value of the territory
12 detached to the total equalized assessed value of the district
13 losing territory. The regional superintendent of schools for
14 the educational service region in which a district losing
15 territory is located prior to the annexation shall certify to
16 the State Board of Education the value of all taxable property
17 in the district losing territory and the value of all taxable
18 property in the territory being detached, as last equalized or
19 assessed by the Department of Revenue prior to the annexation.
20 To be eligible for supplementary State aid reimbursement under
21 this Section, the intergovernmental agreement to be submitted
22 pursuant to Section 7-14A of this Code must show that fund
23 balances were transferred from the district losing territory
24 to the district gaining territory in the annexation. The
25 changes to this Section made by Public Act 95-707 are intended
26 to be retroactive and applicable to any annexation taking

1 effect on or after July 1, 2004. For annexations that are
2 eligible for payments under this paragraph (6.5) and that are
3 effective on or after July 1, 2004, but before January 11, 2008
4 (the effective date of Public Act 95-707), the required
5 payment under this paragraph (6.5) shall be paid in the fiscal
6 year of January 11, 2008 (the effective date of Public Act
7 95-707).

8 (7) For purposes of any calculation required under
9 paragraph (1), (2), (3), (4), (5), (6), or (6.5) of this
10 subsection (c), a district with a combined fund balance that
11 is positive shall be considered to have a deficit of zero. For
12 purposes of determining each district's audited fund balances
13 in its educational fund, working cash fund, operations and
14 maintenance fund, and transportation fund for the specified
15 year ending June 30, as provided in paragraphs (1), (2), (3),
16 (4), (5), (6), and (6.5) of this subsection (c), the balance of
17 each fund shall be deemed decreased by an amount equal to the
18 amount of the annual property tax theretofore levied in the
19 fund by the district for collection and payment to the
20 district during the calendar year in which the June 30 fell,
21 but only to the extent that the tax so levied in the fund
22 actually was received by the district on or before or
23 comprised a part of the fund on such June 30. For purposes of
24 determining each district's audited fund balances, a
25 calculation shall be made for each fund to determine the
26 average for the 3 years prior to the specified year ending June

1 30, as provided in paragraphs (1), (2), (3), (4), (5), (6), and
2 (6.5) of this subsection (c), of the district's expenditures
3 in the categories "purchased services", "supplies and
4 materials", and "capital outlay", as those categories are
5 defined in rules of the State Board of Education. If this
6 3-year average is less than the district's expenditures in
7 these categories for the specified year ending June 30, as
8 provided in paragraphs (1), (2), (3), (4), (5), (6), and (6.5)
9 of this subsection (c), then the 3-year average shall be used
10 in calculating the amounts payable under this Section in place
11 of the amounts shown in these categories for the specified
12 year ending June 30, as provided in paragraphs (1), (2), (3),
13 (4), (5), (6), and (6.5) of this subsection (c). Any deficit
14 because of State aid not yet received may not be considered in
15 determining the June 30 deficits. The same basis of accounting
16 shall be used by all previously existing districts and by all
17 annexing or annexed districts, as constituted prior to the
18 annexation, in making any computation required under
19 paragraphs (1), (2), (3), (4), (5), (6), and (6.5) of this
20 subsection (c).

21 (8) The supplementary State aid payments under this
22 subsection (c) shall be treated as separate from all other
23 payments made pursuant to Section 18-8.05 of this Code.

24 (d)(1) Following the formation of a combined school
25 district, as defined in Section 11E-20 of this Code, a new unit
26 district, as defined in Section 11E-25 of this Code, a new

1 elementary district or districts and a new high school
 2 district formed through a school district conversion, as
 3 defined in Section 11E-15 of this Code, a new partial
 4 elementary unit district, as defined in Section 11E-30 of this
 5 Code, or a new elementary district or districts formed through
 6 a multi-unit conversion, as defined in subsection (b) of
 7 Section 11E-30 of this Code, or the annexation of all of the
 8 territory of one or more entire school districts by one or more
 9 other school districts, as defined in Article 7 of this Code, a
 10 supplementary State aid reimbursement shall be paid for the
 11 number of school years determined under the following table to
 12 each new or annexing district equal to the sum of \$4,000 for
 13 each certified employee who is employed by the district on a
 14 full-time basis for the regular term of the school year:

15	Reorganized District's Rank	Reorganized District's Rank		
16	by type of district (unit,	in Average Daily Attendance		
17	high school, elementary)	By Quintile		
18	in Equalized Assessed Value			
19	Per Pupil by Quintile			
20				3rd, 4th,
21		1st	2nd	or 5th
22		Quintile	Quintile	Quintile
23	1st Quintile	1 year	1 year	1 year
24	2nd Quintile	1 year	2 years	2 years
25	3rd Quintile	2 years	3 years	3 years

1	4th Quintile	2 years	3 years	3 years
2	5th Quintile	2 years	3 years	3 years

3 The State Board of Education shall make a one-time calculation
4 of a reorganized district's quintile ranks. The average daily
5 attendance used in this calculation shall be the best 3
6 months' average daily attendance for the district's first
7 year. The equalized assessed value per pupil shall be the
8 district's real property equalized assessed value used in
9 calculating the district's first-year general State aid claim,
10 under Section 18-8.05 of this Code, or first-year
11 evidence-based funding claim, under Section 18-8.15 of this
12 Code, as applicable, divided by the best 3 months' average
13 daily attendance.

14 No annexing or resulting school district shall be entitled
15 to supplementary State aid under this subsection (d) unless
16 the district acquires at least 30% of the average daily
17 attendance of the district from which the territory is being
18 detached or divided.

19 If a district results from multiple reorganizations that
20 would otherwise qualify the district for multiple payments
21 under this subsection (d) in any year, then the district shall
22 receive a single payment only for that year based solely on the
23 most recent reorganization.

24 (2) For an elementary opt-in, as defined in subsection (d)
25 of Section 11E-30 of this Code, the full-time certified staff

1 incentive shall be computed in accordance with paragraph (1)
2 of this subsection (d), equal to the sum of \$4,000 for each
3 certified employee of the elementary district that opts-in who
4 is employed by the optional elementary unit district on a
5 full-time basis for the regular term of the school year. The
6 calculation from this paragraph (2) must be paid as follows:

7 (A) If the effective date for the elementary opt-in is
8 one year after the effective date for the optional
9 elementary unit district, 100% of the amount calculated in
10 this paragraph (2) shall be paid to the optional
11 elementary unit district for the number of years
12 calculated in paragraph (1) of this subsection (d) at the
13 optional elementary unit district's original effective
14 date, starting in the second year after the effective date
15 of the elementary opt-in.

16 (B) If the effective date for the elementary opt-in is
17 2 years after the effective date for the optional
18 elementary unit district, 75% of the amount calculated in
19 this paragraph (2) shall be paid to the optional
20 elementary unit district for the number of years
21 calculated in paragraph (1) of this subsection (d) at the
22 optional elementary unit district's original effective
23 date, starting in the second year after the effective date
24 of the elementary opt-in.

25 (C) If the effective date for the elementary opt-in is
26 3 years after the effective date for the optional

1 elementary unit district, 50% of the amount calculated in
2 this paragraph (2) shall be paid to the optional
3 elementary unit district for the number of years
4 calculated in paragraph (1) of this subsection (d) at the
5 optional elementary unit district's original effective
6 date, starting in the second year after the effective date
7 of the elementary opt-in.

8 (D) If the effective date for the elementary opt-in is
9 4 years after the effective date for the optional
10 elementary unit district, 25% of the amount calculated in
11 this paragraph (2) shall be paid to the optional
12 elementary unit district for the number of years
13 calculated in paragraph (1) of this subsection (d) at the
14 optional elementary unit district's original effective
15 date, starting in the second year after the effective date
16 of the elementary opt-in.

17 (E) If the effective date for the elementary opt-in is
18 5 years after the effective date for the optional
19 elementary unit district, the optional elementary unit
20 district is not eligible for any additional incentives due
21 to the elementary opt-in.

22 (2.5) Following the formation of a cooperative high school
23 by 2 or more school districts under Section 10-22.22c of this
24 Code, a supplementary State aid reimbursement shall be paid
25 for 3 school years to the cooperative high school equal to the
26 sum of \$4,000 for each certified employee who is employed by

1 the cooperative high school on a full-time basis for the
2 regular term of any such school year. If a cooperative high
3 school results from multiple agreements that would otherwise
4 qualify the cooperative high school for multiple payments
5 under this Section in any year, the cooperative high school
6 shall receive a single payment for that year based solely on
7 the most recent agreement.

8 (2.10) Following the annexation of territory detached from
9 another school district whereby the enrollment of the annexing
10 district increases 90% or more as a result of the annexation, a
11 supplementary State aid reimbursement shall be paid to the
12 annexing district equal to the sum of \$4,000 for each
13 certified employee who is employed by the annexing district on
14 a full-time basis and shall be calculated in accordance with
15 subsection (a) of this Section. To be eligible for
16 supplementary State aid reimbursement under this Section, the
17 intergovernmental agreement to be submitted pursuant to
18 Section 7-14A of this Code must show that certified staff
19 members were transferred from the control of the district
20 losing territory to the control of the district gaining
21 territory in the annexation. The changes to this Section made
22 by Public Act 95-707 are intended to be retroactive and
23 applicable to any annexation taking effect on or after July 1,
24 2004. For annexations that are eligible for payments under
25 this paragraph (2.10) and that are effective on or after July
26 1, 2004, but before January 11, 2008 (the effective date of

1 Public Act 95-707), the first required yearly payment under
2 this paragraph (2.10) shall be paid in the second fiscal year
3 after January 11, 2008 (the effective date of Public Act
4 95-707). Any subsequent required yearly payments shall be paid
5 in subsequent fiscal years until the payment obligation under
6 this paragraph (2.10) is complete.

7 (2.15) Following the deactivation of a school facility in
8 accordance with Section 10-22.22b of this Code, a
9 supplementary State aid reimbursement shall be paid for the
10 lesser of 3 school years or the length of the deactivation
11 agreement, including any renewals of the original deactivation
12 agreement, to each receiving school district equal to the sum
13 of \$4,000 for each certified employee who is employed by that
14 receiving district on a full-time basis for the regular term
15 of any such school year who was originally transferred to the
16 control of that receiving district as a result of the
17 deactivation. Receiving districts are eligible for payments
18 under this paragraph (2.15) based on the certified employees
19 transferred to that receiving district as a result of the
20 deactivation and are not required to receive at least 30% of
21 the deactivating district's average daily attendance as
22 required under paragraph (1) of this subsection (d) to be
23 eligible for payments.

24 (3) The supplementary State aid reimbursement payable
25 under this subsection (d) shall be separate from and in
26 addition to all other payments made to the district pursuant

1 to any other Section of this Article.

2 (4) During May of each school year for which a
3 supplementary State aid reimbursement is to be paid to a new,
4 annexing, or receiving school district or cooperative high
5 school pursuant to this subsection (d), the school board or
6 governing board shall certify to the State Board of Education,
7 on forms furnished to the school board or governing board by
8 the State Board of Education for purposes of this subsection
9 (d), the number of certified employees for which the district
10 or cooperative high school is entitled to reimbursement under
11 this Section, together with the names, certificate numbers,
12 and positions held by the certified employees.

13 (5) Upon certification by the State Board of Education to
14 the State Comptroller of the amount of the supplementary State
15 aid reimbursement to which a school district or cooperative
16 high school is entitled under this subsection (d), the State
17 Comptroller shall draw his or her warrant upon the State
18 Treasurer for the payment thereof to the school district or
19 cooperative high school and shall promptly transmit the
20 payment to the school district or cooperative high school
21 through the appropriate school treasurer.

22 (Source: P.A. 100-465, eff. 8-31-17.)

23 (105 ILCS 5/11E-140 new)

24 Sec. 11E-140. Efficient School District Commission.

25 (a) The Efficient School District Commission is created.

1 The purpose of the Commission is to provide recommendations to
2 the Governor, the General Assembly, and the public regarding
3 the optimal number of school districts in this State, the
4 optimal student enrollment amount for a school district, and
5 locations in this State where the reorganization and
6 realignment of school districts would be beneficial. The
7 Commission shall consist of all of the following voting
8 members:

9 (1) One member appointed by the Governor, who shall
10 serve as the chairperson.

11 (2) One member appointed by the State Board of
12 Education.

13 (3) One representative appointed by the Speaker of the
14 House of Representatives.

15 (4) One representative appointed by the Minority
16 Leader of the House of Representatives.

17 (5) One senator appointed by the President of the
18 Senate.

19 (6) One senator appointed by the Minority Leader of
20 the Senate.

21 (7) A representative appointed by the head of the
22 largest statewide professional teachers' organization, as
23 measured by the number of members reported in its most
24 recent federal Form LM-2 Labor Organization Annual Report.

25 (8) A representative appointed by the head of the
26 second largest statewide professional teachers'

1 organization, as measured by the number of members
2 reported in its most recent federal Form LM-2 Labor
3 Organization Annual Report.

4 (9) A representative appointed by the head of an
5 organization that represents school boards, selected by
6 the chairperson of the Commission.

7 (10) A representative appointed by the head of a
8 statewide organization that represents school principals,
9 selected by the chairperson of the Commission.

10 (11) A parent of a child enrolled in or a teacher or an
11 administrator employed by a school located in the West
12 Cook region of the State Board of Education's Statewide
13 System of Support Fiscal Agents (Region 1-B-B), appointed
14 by the chairperson of the Commission.

15 (12) A parent of a child enrolled in or a teacher or an
16 administrator employed by a school located in the South
17 Cook region of the State Board of Education's Statewide
18 System of Support Fiscal Agents (Region 1-B-C), appointed
19 by the chairperson of the Commission.

20 (13) A parent of a child enrolled in or a teacher or an
21 administrator employed by a school located in the North
22 Cook region of the State Board of Education's Statewide
23 System of Support Fiscal Agents (Region 1-B-D), appointed
24 by the chairperson of the Commission.

25 (14) A parent of a child enrolled in or a teacher or an
26 administrator employed by a school located in the

1 Northeast region of the State Board of Education's
2 Statewide System of Support Fiscal Agents (Area 1-C),
3 appointed by the chairperson of the Commission.

4 (15) A parent of a child enrolled in or a teacher or an
5 administrator employed by a school located in the
6 Northwest region of the State Board of Education's
7 Statewide System of Support Fiscal Agents (Area 2),
8 appointed by the chairperson of the Commission.

9 (16) A parent of a child enrolled in or a teacher or an
10 administrator employed by a school located in the West
11 Central region of the State Board of Education's Statewide
12 System of Support Fiscal Agents (Area 3), appointed by the
13 chairperson of the Commission.

14 (17) A parent of a child enrolled in or a teacher or an
15 administrator employed by a school located in the East
16 Central region of the State Board of Education's Statewide
17 System of Support Fiscal Agents (Area 4), appointed by the
18 chairperson of the Commission.

19 (18) A parent of a child enrolled in or a teacher or an
20 administrator employed by a school located in the
21 Southwest region of the State Board of Education's
22 Statewide System of Support Fiscal Agents (Area 5),
23 appointed by the chairperson of the Commission.

24 (19) A parent of a child enrolled in or a teacher or an
25 administrator employed by a school located in the
26 Southeast region of the State Board of Education's

1 Statewide System of Support Fiscal Agents (Area 6),
2 appointed by the chairperson of the Commission.

3 (20) A representative appointed by the head of an
4 association that represents school business officials,
5 selected by the chairperson of the Commission.

6 (21) A representative appointed by the head of an
7 association that represents school administrators,
8 selected by the chairperson of the Commission.

9 (22) A representative appointed by the head of an
10 association that represents administrators of special
11 education, selected by the chairperson of the Commission.

12 (23) A representative appointed by the head of a
13 statewide parent organization, selected by the chairperson
14 of the Commission.

15 (24) A representative appointed by the head of an
16 organization that represents high school districts,
17 selected by the chairperson of the Commission.

18 (25) A representative appointed by the head of an
19 association that represents regional superintendents of
20 schools, selected by the chairperson of the Commission.

21 Members shall serve without compensation, but shall be
22 reimbursed for their reasonable and necessary expenses from
23 funds appropriated for that purpose. Members shall be
24 reimbursed for their travel expenses from appropriations to
25 the State Board of Education made available for that purpose
26 and subject to the rules of the appropriate travel control

1 board.

2 The Commission shall meet at the call of the chairperson,
3 with the initial meeting to occur as soon as possible after the
4 effective date of this amendatory Act of the 102nd General
5 Assembly. The Commission shall hold public hearings throughout
6 the State. The chairperson is authorized to form subcommittees
7 to represent each of the 9 regions of the State Board of
8 Education's Statewide System of Support Fiscal Agents that do
9 not include the Chicago region (Region 1-A) to facilitate the
10 public hearings. Any subcommittees formed shall each be
11 chaired by the member of the Commission appointed under
12 whichever of paragraphs (11) through (19) of this subsection
13 (a) who is associated with the relevant region. Each
14 subcommittee chairperson shall appoint 4 members of the
15 subcommittee, each member being a parent of a child enrolled
16 in or a teacher or an administrator employed by a school
17 located in the region represented by the subcommittee. Each
18 subcommittee shall report its findings from a public hearing
19 to the Commission. Each subcommittee is authorized to make
20 recommendations under paragraph (5) of subsection (b)
21 regarding the reorganization of school districts located in
22 its region.

23 The State Board shall provide administrative assistance
24 and necessary staff support services to the Commission.

25 (b) Recommendations of the Efficient School District
26 Commission must focus on all of the following areas:

1 (1) Reducing the money spent on the duplication of
2 efforts.

3 (2) Improving the education of students by having
4 fewer obstacles between qualified teachers and their
5 students.

6 (3) Lowering the property tax burden.

7 (4) Providing recommendations on what the net cost
8 savings of realignment is to this State.

9 (5) With a view toward reducing unnecessary
10 administrative costs, improving the education of students,
11 and lowering the property tax burden, drafting specific
12 recommendations to reduce the statewide total number of
13 school districts by no less than 25% through the
14 reorganization of school districts into unit districts
15 under Section 11E-25 of this Code. Each recommendation
16 under this paragraph (5) must include all of the
17 following:

18 (A) A request to submit a proposition at the next
19 general election for the purpose of voting for or
20 against the establishment of a combined unit district.

21 (B) A description of the territory comprising the
22 districts proposed to be dissolved and those to be
23 created, which, for an entire district, may be a
24 general reference to all of the territory included
25 within that district.

26 (C) A specification of the maximum tax rates the

1 proposed district or districts are authorized to levy
2 for various purposes and, if applicable, the
3 specifications related to the Property Tax Extension
4 Limitation Law, in accordance with Section 11E-80 of
5 this Code.

6 The Commission may not make any recommendations under this
7 subsection that would provide for the consolidation of
8 individual schools.

9 (c) On or before May 1, 2022, the Efficient School
10 District Commission must vote on its recommendations and file
11 a report with the Governor and the General Assembly. If the
12 Commission adopts the report recommendations by an affirmative
13 vote of at least 13 of its members, then the Commission's
14 specific recommendations for reorganization of school
15 districts into unit districts under paragraph (5) of
16 subsection (b) shall be filed with the appropriate regional
17 superintendent of schools in the same form as petitions filed
18 under Section 11E-35 of this Code.

19 (d) Upon receiving the filed petition as provided in
20 subsection (c), the regional superintendent of schools shall
21 do both of the following:

22 (1) Cause a copy of the petition to be given to the
23 school board of each affected school district and to the
24 regional superintendent of schools of any other
25 educational service region in which territory described in
26 the petition is situated.

1 (2) Cause a notice thereof to be published at least
2 once each week for 3 successive weeks in at least one
3 newspaper having general circulation within the area of
4 all of the territory of the proposed district or
5 districts. The expense of publishing the notice shall be
6 borne by the Efficient School District Commission.

7 (e) Upon receiving the Efficient School District
8 Commission's specific recommendations, the school board of
9 each affected district shall publish the specific
10 recommendations on the official district website, if
11 available, with a link to the recommendation shown prominently
12 on the homepage of the website until the date of the next
13 general election.

14 (f) This Section is repealed on January 31, 2024.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."