



Sen. Tom Bennett

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LRB103 29421 RJT 73141 a

1 AMENDMENT TO HOUSE BILL 3446

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3446 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 18-8.15 as follows:

6 (105 ILCS 5/18-8.15)

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

9 (a) General provisions.

10 (1) The purpose of this Section is to ensure that, by  
11 June 30, 2027 and beyond, this State has a kindergarten  
12 through grade 12 public education system with the capacity  
13 to ensure the educational development of all persons to  
14 the limits of their capacities in accordance with Section  
15 1 of Article X of the Constitution of the State of  
16 Illinois. To accomplish that objective, this Section

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 school district. For the 2020-2021 school year, the ASE  
2 must be the greater of the current-year ASE or the 2-year  
3 average ASE. Beginning with the 2021-2022 school year, the  
4 ASE must be the greater of the current-year ASE or the  
5 3-year average ASE. School districts shall submit the data  
6 for the ASE calculation to the State Board within 45 days  
7 of the dates required in this Section for submission of  
8 enrollment data in order for it to be included in the ASE  
9 calculation. For fiscal year 2018 only, the ASE  
10 calculation shall include only enrollment taken on October  
11 1. In recognition of the impact of COVID-19, the  
12 definition of "Average Student Enrollment" or "ASE" shall  
13 be adjusted for calculations under this Section for fiscal  
14 years 2022 through 2024. For fiscal years 2022 through  
15 2024, the enrollment used in the calculation of ASE  
16 representing the 2020-2021 school year shall be the  
17 greater of the enrollment for the 2020-2021 school year or  
18 the 2019-2020 school year.

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

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

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

26 "Base Tax Year's Extension" means the product of the

1 equalized assessed valuation utilized by the county clerk  
2 in the Base Tax Year multiplied by the limiting rate as  
3 calculated by the county clerk and defined in PTELL.

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

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

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

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

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

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

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

24 "Core subject" means mathematics; science; reading,  
25 English, writing, and language arts; history and social  
26 studies; world languages; and subjects taught as Advanced

1 Placement in high schools.

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

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

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

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

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

26 "EIS Data" means the employment information system

1 data maintained by the State Board on educators within  
2 Organizational Units.

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

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

1 well as the maintenance and operations of the unit, and  
2 which are specified in paragraph (2) of subsection (b) of  
3 this 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  
12 and the denominator is the Preceding Tax Year's Extension.

13 "Final Percent of Adequacy" is defined in paragraph  
14 (4) 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  
21 subsection (g).

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

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

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

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

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

23 "Librarian" means a teacher with an endorsement as a  
24 library information specialist or another individual whose  
25 primary responsibility is overseeing library resources  
26 within an Organizational Unit.

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

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

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

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

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

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



1 Low-Income Count by the Average Student Enrollment. The  
2 low-income percentage for programs operated by a regional  
3 office of education or an intermediate service center must  
4 be set to the weighted average of the low-income  
5 percentages of all of the school districts in the service  
6 region. The weighted low-income percentage is the result  
7 of multiplying the low-income percentage of each school  
8 district served by the regional office of education or  
9 intermediate service center by each school district's  
10 Average Student Enrollment, summarizing those products and  
11 dividing the total by the total Average Student Enrollment  
12 for the service region.

13 "Maintenance and operations" means custodial services,  
14 facility and ground maintenance, facility operations,  
15 facility security, routine facility repairs, and other  
16 similar services and functions.

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

19 "New Property Tax Relief Pool Funds" means, for any  
20 given fiscal year, all State funds appropriated under  
21 Section 2-3.170 of this Code.

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

26 "Nurse" means an individual licensed as a certified

1 school nurse, in accordance with the rules established for  
2 nursing services by the State Board, who is an employee of  
3 and is available to provide health care-related services  
4 for students of an Organizational Unit.

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

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

26 "Organizational Unit CWI" is determined by calculating

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

24 "Preceding Tax Year" means the property tax levy year  
25 immediately preceding the Base Tax Year.

26 "Preceding Tax Year's Extension" means the product of

1 the equalized assessed valuation utilized by the county  
2 clerk in the Preceding Tax Year multiplied by the  
3 Operating Tax Rate.

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

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

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

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

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

25 "PTELL" means the Property Tax Extension Limitation  
26 Law.

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

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

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

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

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

15 "School site staff" means the primary school secretary  
16 and any additional clerical personnel assigned to a  
17 school.

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

21 "Special Education Allocation" means the amount of an  
22 Organizational Unit's final Adequacy Target attributable  
23 to special education divided by the Organizational Unit's  
24 final Adequacy Target, the product of which shall be  
25 multiplied by the amount of new funding received pursuant  
26 to this Section. An Organizational Unit's final Adequacy

1 Target attributable to special education shall include all  
2 special education investment adequacy elements.

3 "Specialist teacher" means a teacher who provides  
4 instruction in subject areas not included in core  
5 subjects, including, but not limited to, art, music,  
6 physical education, health, driver education,  
7 career-technical education, and such other subject areas  
8 as may be mandated by State law or provided by an  
9 Organizational Unit.

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

19 "Supplemental Grant Funding" means supplemental  
20 general State aid funding received by an Organizational  
21 Unit during the 2016-2017 school year pursuant to  
22 subsection (H) of Section 18-8.05 of this Code (now  
23 repealed).

24 "State Adequacy Level" is the sum of the Adequacy  
25 Targets of all Organizational Units.

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

1 "State Superintendent" means the State Superintendent  
2 of Education.

3 "Statewide Weighted CWI" means a figure determined by  
4 multiplying each Organizational Unit CWI times the ASE for  
5 that Organizational Unit creating a weighted value,  
6 summing all Organizational Units' weighted values, and  
7 dividing by the total ASE of all Organizational Units,  
8 thereby creating an average weighted index.

9 "Student activities" means non-credit producing  
10 after-school programs, including, but not limited to,  
11 clubs, bands, sports, and other activities authorized by  
12 the school board of the Organizational Unit.

13 "Substitute teacher" means an individual teacher or  
14 teaching assistant who is employed by an Organizational  
15 Unit and is temporarily serving the Organizational Unit on  
16 a per diem or per period-assignment basis to replace  
17 another staff member.

18 "Summer school" means academic and enrichment programs  
19 provided to students during the summer months outside of  
20 the regular school year.

21 "Supervisory aide" means a non-licensed staff member  
22 who helps in supervising students of an Organizational  
23 Unit, but does so outside of the classroom, in situations  
24 such as, but not limited to, monitoring hallways and  
25 playgrounds, supervising lunchrooms, or supervising  
26 students when being transported in buses serving the

1 Organizational Unit.

2 "Target Ratio" is defined in paragraph (4) of  
3 subsection (g).

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

6 "Tier 1 Aggregate Funding", "Tier 2 Aggregate  
7 Funding", "Tier 3 Aggregate Funding", and "Tier 4  
8 Aggregate Funding" are defined in paragraph (1) of  
9 subsection (g).

10 (b) Adequacy Target calculation.

11 (1) Each Organizational Unit's Adequacy Target is the  
12 sum of the Organizational Unit's cost of providing  
13 Essential Elements, as calculated in accordance with this  
14 subsection (b), with the salary amounts in the Essential  
15 Elements multiplied by a Regionalization Factor calculated  
16 pursuant to paragraph (3) of this subsection (b).

17 (2) The Essential Elements are attributable on a pro  
18 rata basis related to defined subgroups of the ASE of each  
19 Organizational Unit as specified in this paragraph (2),  
20 with investments and FTE positions pro rata funded based  
21 on ASE counts in excess of or less than the thresholds set  
22 forth in this paragraph (2). The method for calculating  
23 attributable pro rata costs and the defined subgroups  
24 thereto are as follows:

25 (A) Core class size investments. Each  
26 Organizational Unit shall receive the funding required



1 to support that number of FTE core teacher positions  
2 as is needed to keep the respective class sizes of the  
3 Organizational Unit to the following maximum numbers:

4 (i) For grades kindergarten through 3, the  
5 Organizational Unit shall receive funding required  
6 to support one FTE core teacher position for every  
7 15 Low-Income Count students in those grades and  
8 one FTE core teacher position for every 20  
9 non-Low-Income Count students in those grades.

10 (ii) For grades 4 through 12, the  
11 Organizational Unit shall receive funding required  
12 to support one FTE core teacher position for every  
13 20 Low-Income Count students in those grades and  
14 one FTE core teacher position for every 25  
15 non-Low-Income Count students in those grades.

16 The number of non-Low-Income Count students in a  
17 grade shall be determined by subtracting the  
18 Low-Income students in that grade from the ASE of the  
19 Organizational Unit for that grade.

20 (B) Specialist teacher investments. Each  
21 Organizational Unit shall receive the funding needed  
22 to cover that number of FTE specialist teacher  
23 positions that correspond to the following  
24 percentages:

25 (i) if the Organizational Unit operates an  
26 elementary or middle school, then 20.00% of the

1 number of the Organizational Unit's core teachers,  
2 as determined under subparagraph (A) of this  
3 paragraph (2); and

4 (ii) if such Organizational Unit operates a  
5 high school, then 33.33% of the number of the  
6 Organizational Unit's core teachers.

7 (C) Instructional facilitator investments. Each  
8 Organizational Unit shall receive the funding needed  
9 to cover one FTE instructional facilitator position  
10 for every 200 combined ASE of pre-kindergarten  
11 children with disabilities and all kindergarten  
12 through grade 12 students of the Organizational Unit.

13 (D) Core intervention teacher (tutor) investments.  
14 Each Organizational Unit shall receive the funding  
15 needed to cover one FTE teacher position for each  
16 prototypical elementary, middle, and high school.

17 (E) Substitute teacher investments. Each  
18 Organizational Unit shall receive the funding needed  
19 to cover substitute teacher costs that is equal to  
20 5.70% of the minimum pupil attendance days required  
21 under Section 10-19 of this Code for all full-time  
22 equivalent core, specialist, and intervention  
23 teachers, school nurses, special education teachers  
24 and instructional assistants, instructional  
25 facilitators, and summer school and extended day  
26 teacher positions, as determined under this paragraph

1 (2), at a salary rate of 33.33% of the average salary  
2 for grade K through 12 teachers and 33.33% of the  
3 average salary of each instructional assistant  
4 position.

5 (F) Core school counselor investments. Each  
6 Organizational Unit shall receive the funding needed  
7 to cover one FTE school counselor for each 450  
8 combined ASE of pre-kindergarten children with  
9 disabilities and all kindergarten through grade 5  
10 students, plus one FTE school counselor for each 250  
11 grades 6 through 8 ASE middle school students, plus  
12 one FTE school counselor for each 250 grades 9 through  
13 12 ASE high school students.

14 (G) Nurse investments. Each Organizational Unit  
15 shall receive the funding needed to cover one FTE  
16 nurse for each 750 combined ASE of pre-kindergarten  
17 children with disabilities and all kindergarten  
18 through grade 12 students across all grade levels it  
19 serves.

20 (H) Supervisory aide investments. Each  
21 Organizational Unit shall receive the funding needed  
22 to cover one FTE for each 225 combined ASE of  
23 pre-kindergarten children with disabilities and all  
24 kindergarten through grade 5 students, plus one FTE  
25 for each 225 ASE middle school students, plus one FTE  
26 for each 200 ASE high school students.

1           (I) Librarian investments. Each Organizational  
2 Unit shall receive the funding needed to cover one FTE  
3 librarian for each prototypical elementary school,  
4 middle school, and high school and one FTE aide or  
5 media technician for every 300 combined ASE of  
6 pre-kindergarten children with disabilities and all  
7 kindergarten through grade 12 students.

8           (J) Principal investments. Each Organizational  
9 Unit shall receive the funding needed to cover one FTE  
10 principal position for each prototypical elementary  
11 school, plus one FTE principal position for each  
12 prototypical middle school, plus one FTE principal  
13 position for each prototypical high school.

14           (K) Assistant principal investments. Each  
15 Organizational Unit shall receive the funding needed  
16 to cover one FTE assistant principal position for each  
17 prototypical elementary school, plus one FTE assistant  
18 principal position for each prototypical middle  
19 school, plus one FTE assistant principal position for  
20 each prototypical high school.

21           (L) School site staff investments. Each  
22 Organizational Unit shall receive the funding needed  
23 for one FTE position for each 225 ASE of  
24 pre-kindergarten children with disabilities and all  
25 kindergarten through grade 5 students, plus one FTE  
26 position for each 225 ASE middle school students, plus

1 one FTE position for each 200 ASE high school  
2 students.

3 (M) Gifted investments. Each Organizational Unit  
4 shall receive \$40 per kindergarten through grade 12  
5 ASE.

6 (N) Professional development investments. Each  
7 Organizational Unit shall receive \$125 per student of  
8 the combined ASE of pre-kindergarten children with  
9 disabilities and all kindergarten through grade 12  
10 students for trainers and other professional  
11 development-related expenses for supplies and  
12 materials.

13 (O) Instructional material investments. Each  
14 Organizational Unit shall receive \$190 per student of  
15 the combined ASE of pre-kindergarten children with  
16 disabilities and all kindergarten through grade 12  
17 students to cover instructional material costs.

18 (P) Assessment investments. Each Organizational  
19 Unit shall receive \$25 per student of the combined ASE  
20 of pre-kindergarten children with disabilities and all  
21 kindergarten through grade 12 students to cover  
22 assessment costs.

23 (Q) Computer technology and equipment investments.  
24 Each Organizational Unit shall receive \$285.50 per  
25 student of the combined ASE of pre-kindergarten  
26 children with disabilities and all kindergarten

1 through grade 12 students to cover computer technology  
2 and equipment costs. For the 2018-2019 school year and  
3 subsequent school years, Organizational Units assigned  
4 to Tier 1 and Tier 2 in the prior school year shall  
5 receive an additional \$285.50 per student of the  
6 combined ASE of pre-kindergarten children with  
7 disabilities and all kindergarten through grade 12  
8 students to cover computer technology and equipment  
9 costs in the Organizational Unit's Adequacy Target.  
10 The State Board may establish additional requirements  
11 for Organizational Unit expenditures of funds received  
12 pursuant to this subparagraph (Q), including a  
13 requirement that funds received pursuant to this  
14 subparagraph (Q) may be used only for serving the  
15 technology needs of the district. It is the intent of  
16 Public Act 100-465 that all Tier 1 and Tier 2 districts  
17 receive the addition to their Adequacy Target in the  
18 following year, subject to compliance with the  
19 requirements of the State Board.

20 (R) Student activities investments. Each  
21 Organizational Unit shall receive the following  
22 funding amounts to cover student activities: \$100 per  
23 kindergarten through grade 5 ASE student in elementary  
24 school, plus \$200 per ASE student in middle school,  
25 plus \$675 per ASE student in high school.

26 (S) Maintenance and operations investments. Each

1 Organizational Unit shall receive \$1,038 per student  
2 of the combined ASE of pre-kindergarten children with  
3 disabilities and all kindergarten through grade 12  
4 students for day-to-day maintenance and operations  
5 expenditures, including salary, supplies, and  
6 materials, as well as purchased services, but  
7 excluding employee benefits. The proportion of salary  
8 for the application of a Regionalization Factor and  
9 the calculation of benefits is equal to \$352.92.

10 (T) Central office investments. Each  
11 Organizational Unit shall receive \$742 per student of  
12 the combined ASE of pre-kindergarten children with  
13 disabilities and all kindergarten through grade 12  
14 students to cover central office operations, including  
15 administrators and classified personnel charged with  
16 managing the instructional programs, business and  
17 operations of the school district, and security  
18 personnel. The proportion of salary for the  
19 application of a Regionalization Factor and the  
20 calculation of benefits is equal to \$368.48.

21 (U) Employee benefit investments. Each  
22 Organizational Unit shall receive 30% of the total of  
23 all salary-calculated elements of the Adequacy Target,  
24 excluding substitute teachers and student activities  
25 investments, to cover benefit costs. For central  
26 office and maintenance and operations investments, the

1 benefit calculation shall be based upon the salary  
2 proportion of each investment. If at any time the  
3 responsibility for funding the employer normal cost of  
4 teacher pensions is assigned to school districts, then  
5 that amount certified by the Teachers' Retirement  
6 System of the State of Illinois to be paid by the  
7 Organizational Unit for the preceding school year  
8 shall be added to the benefit investment. For any  
9 fiscal year in which a school district organized under  
10 Article 34 of this Code is responsible for paying the  
11 employer normal cost of teacher pensions, then that  
12 amount of its employer normal cost plus the amount for  
13 retiree health insurance as certified by the Public  
14 School Teachers' Pension and Retirement Fund of  
15 Chicago to be paid by the school district for the  
16 preceding school year that is statutorily required to  
17 cover employer normal costs and the amount for retiree  
18 health insurance shall be added to the 30% specified  
19 in this subparagraph (U). The Teachers' Retirement  
20 System of the State of Illinois and the Public School  
21 Teachers' Pension and Retirement Fund of Chicago shall  
22 submit such information as the State Superintendent  
23 may require for the calculations set forth in this  
24 subparagraph (U).

25 (V) Additional investments in low-income students.

26 In addition to and not in lieu of all other funding



1 under this paragraph (2), each Organizational Unit  
2 shall receive funding based on the average teacher  
3 salary for grades K through 12 to cover the costs of:

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

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

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

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

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

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

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

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

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

26 (v) one FTE core teacher position for every

1           100 English learner students.

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

6           (i)     one FTE teacher position for every 141  
7     combined ASE of pre-kindergarten children with  
8     disabilities and all kindergarten through grade 12  
9     students;

10          (ii)    one FTE instructional assistant for every  
11     141 combined ASE of pre-kindergarten children with  
12     disabilities and all kindergarten through grade 12  
13     students; and

14          (iii)  one FTE psychologist position for every  
15     1,000 combined ASE of pre-kindergarten children  
16     with disabilities and all kindergarten through  
17     grade 12 students.

18          (3) For calculating the salaries included within the  
19     Essential Elements, the State Superintendent shall  
20     annually calculate average salaries to the nearest dollar  
21     using the employment information system data maintained by  
22     the State Board, limited to public schools only and  
23     excluding special education and vocational cooperatives,  
24     schools operated by the Department of Juvenile Justice,  
25     and charter schools, for the following positions:

26                 (A) Teacher for grades K through 8.

- 1 (B) Teacher for grades 9 through 12.
- 2 (C) Teacher for grades K through 12.
- 3 (D) School counselor for grades K through 8.
- 4 (E) School counselor for grades 9 through 12.
- 5 (F) School counselor for grades K through 12.
- 6 (G) Social worker.
- 7 (H) Psychologist.
- 8 (I) Librarian.
- 9 (J) Nurse.
- 10 (K) Principal.
- 11 (L) Assistant principal.

12 For the purposes of this paragraph (3), "teacher"  
13 includes core teachers, specialist and elective teachers,  
14 instructional facilitators, tutors, special education  
15 teachers, pupil support staff teachers, English learner  
16 teachers, extended day teachers, and summer school  
17 teachers. Where specific grade data is not required for  
18 the Essential Elements, the average salary for  
19 corresponding positions shall apply. For substitute  
20 teachers, the average teacher salary for grades K through  
21 12 shall apply.

22 For calculating the salaries included within the  
23 Essential Elements for positions not included within EIS  
24 Data, the following salaries shall be used in the first  
25 year of implementation of Evidence-Based Funding:

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

1           (ii) non-instructional assistant, instructional  
2           assistant, library aide, library media tech, or  
3           supervisory aide: \$25,000.

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

8           The salary amounts for the Essential Elements  
9           determined pursuant to subparagraphs (A) through (L), (S)  
10          and (T), and (V) through (X) of paragraph (2) of  
11          subsection (b) of this Section shall be multiplied by a  
12          Regionalization Factor.

13          (c) Local Capacity calculation.

14          (1) Each Organizational Unit's Local Capacity  
15          represents an amount of funding it is assumed to  
16          contribute toward its Adequacy Target for purposes of the  
17          Evidence-Based Funding formula calculation. "Local  
18          Capacity" means either (i) the Organizational Unit's Local  
19          Capacity Target as calculated in accordance with paragraph  
20          (2) of this subsection (c) if its Real Receipts are equal  
21          to or less than its Local Capacity Target or (ii) the  
22          Organizational Unit's Adjusted Local Capacity, as  
23          calculated in accordance with paragraph (3) of this  
24          subsection (c) if Real Receipts are more than its Local  
25          Capacity Target.

26          (2) "Local Capacity Target" means, for an

1 Organizational Unit, that dollar amount that is obtained  
2 by multiplying its Adequacy Target by its Local Capacity  
3 Ratio.

4 (A) An Organizational Unit's Local Capacity  
5 Percentage is the conversion of the Organizational  
6 Unit's Local Capacity Ratio, as such ratio is  
7 determined in accordance with subparagraph (B) of this  
8 paragraph (2), into a cumulative distribution  
9 resulting in a percentile ranking to determine each  
10 Organizational Unit's relative position to all other  
11 Organizational Units in this State. The calculation of  
12 Local Capacity Percentage is described in subparagraph  
13 (C) of this paragraph (2).

14 (B) An Organizational Unit's Local Capacity Ratio  
15 in a given year is the percentage obtained by dividing  
16 its Adjusted EAV or PTELL EAV, whichever is less, by  
17 its Adequacy Target, with the resulting ratio further  
18 adjusted as follows:

19 (i) for Organizational Units serving grades  
20 kindergarten through 12 and Hybrid Districts, no  
21 further adjustments shall be made;

22 (ii) for Organizational Units serving grades  
23 kindergarten through 8, the ratio shall be  
24 multiplied by 9/13;

25 (iii) for Organizational Units serving grades  
26 9 through 12, the Local Capacity Ratio shall be

1 multiplied by 4/13; and

2 (iv) for an Organizational Unit with a  
3 different grade configuration than those specified  
4 in items (i) through (iii) of this subparagraph  
5 (B), the State Superintendent shall determine a  
6 comparable adjustment based on the grades served.

7 (C) The Local Capacity Percentage is equal to the  
8 percentile ranking of the district. Local Capacity  
9 Percentage converts each Organizational Unit's Local  
10 Capacity Ratio to a cumulative distribution resulting  
11 in a percentile ranking to determine each  
12 Organizational Unit's relative position to all other  
13 Organizational Units in this State. The Local Capacity  
14 Percentage cumulative distribution resulting in a  
15 percentile ranking for each Organizational Unit shall  
16 be calculated using the standard normal distribution  
17 of the score in relation to the weighted mean and  
18 weighted standard deviation and Local Capacity Ratios  
19 of all Organizational Units. If the value assigned to  
20 any Organizational Unit is in excess of 90%, the value  
21 shall be adjusted to 90%. For Laboratory Schools, the  
22 Local Capacity Percentage shall be set at 10% in  
23 recognition of the absence of EAV and resources from  
24 the public university that are allocated to the  
25 Laboratory School. For programs operated by a regional  
26 office of education or an intermediate service center,

1 the Local Capacity Percentage must be set at 10% in  
2 recognition of the absence of EAV and resources from  
3 school districts that are allocated to the regional  
4 office of education or intermediate service center.  
5 The weighted mean for the Local Capacity Percentage  
6 shall be determined by multiplying each Organizational  
7 Unit's Local Capacity Ratio times the ASE for the unit  
8 creating a weighted value, summing the weighted values  
9 of all Organizational Units, and dividing by the total  
10 ASE of all Organizational Units. The weighted standard  
11 deviation shall be determined by taking the square  
12 root of the weighted variance of all Organizational  
13 Units' Local Capacity Ratio, where the variance is  
14 calculated by squaring the difference between each  
15 unit's Local Capacity Ratio and the weighted mean,  
16 then multiplying the variance for each unit times the  
17 ASE for the unit to create a weighted variance for each  
18 unit, then summing all units' weighted variance and  
19 dividing by the total ASE of all units.

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

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

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

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



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

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

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

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

26 (A) The Department of Revenue shall add to the

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

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

19                (B) With respect to any part of an Organizational  
20          Unit within a redevelopment project area in respect to  
21          which a municipality has adopted tax increment  
22          allocation financing pursuant to the Tax Increment  
23          Allocation Redevelopment Act, Division 74.4 of Article  
24          11 of the Illinois Municipal Code, or the Industrial  
25          Jobs Recovery Law, Division 74.6 of Article 11 of the  
26          Illinois Municipal Code, no part of the current EAV of

1 real property located in any such project area that is  
2 attributable to an increase above the total initial  
3 EAV of such property shall be used as part of the EAV  
4 of the Organizational Unit, until such time as all  
5 redevelopment project costs have been paid, as  
6 provided in Section 11-74.4-8 of the Tax Increment  
7 Allocation Redevelopment Act or in Section 11-74.6-35  
8 of the Industrial Jobs Recovery Law. For the purpose  
9 of the EAV of the Organizational Unit, the total  
10 initial EAV or the current EAV, whichever is lower,  
11 shall be used until such time as all redevelopment  
12 project costs have been paid.

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

1           this subparagraph (B-5).

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

11          (D) If a school district's boundaries span  
12          multiple counties, then the Department of Revenue  
13          shall send to the State Board, for the purposes of  
14          calculating Evidence-Based Funding, the limiting rate  
15          and individual rates by purpose for the county that  
16          contains the majority of the school district's  
17          equalized assessed valuation.

18          (4) An Organizational Unit's Adjusted EAV shall be the  
19          average of its EAV over the immediately preceding 3 years  
20          or the lesser of its EAV in the immediately preceding year  
21          or the average of its EAV over the immediately preceding 3  
22          years if the EAV in the immediately preceding year has  
23          declined by 10% or more when comparing the 2 most recent  
24          years. In the event of Organizational Unit reorganization,  
25          consolidation, or annexation, the Organizational Unit's  
26          Adjusted EAV for the first 3 years after such change shall

1 be as follows: the most current EAV shall be used in the  
2 first year, the average of a 2-year EAV or its EAV in the  
3 immediately preceding year if the EAV declines by 10% or  
4 more when comparing the 2 most recent years for the second  
5 year, and the lesser of a 3-year average EAV or its EAV in  
6 the immediately preceding year if the Adjusted EAV  
7 declines by 10% or more when comparing the 2 most recent  
8 years for the third year. For any school district whose  
9 EAV in the immediately preceding year is used in  
10 calculations, in the following year, the Adjusted EAV  
11 shall be the average of its EAV over the immediately  
12 preceding 2 years or the immediately preceding year if  
13 that year represents a decline of 10% or more when  
14 comparing the 2 most recent years.

15 "PTELL EAV" means a figure calculated by the State  
16 Board for Organizational Units subject to PTELL as  
17 described in this paragraph (4) for the purposes of  
18 calculating an Organizational Unit's Local Capacity Ratio.  
19 Except as otherwise provided in this paragraph (4), the  
20 PTELL EAV of an Organizational Unit shall be equal to the  
21 product of the equalized assessed valuation last used in  
22 the calculation of general State aid under Section 18-8.05  
23 of this Code (now repealed) or Evidence-Based Funding  
24 under this Section and the Organizational Unit's Extension  
25 Limitation Ratio. If an Organizational Unit has approved  
26 or does approve an increase in its limiting rate, pursuant

1 to Section 18-190 of the Property Tax Code, affecting the  
2 Base Tax Year, the PTELL EAV shall be equal to the product  
3 of the equalized assessed valuation last used in the  
4 calculation of general State aid under Section 18-8.05 of  
5 this Code (now repealed) or Evidence-Based Funding under  
6 this Section multiplied by an amount equal to one plus the  
7 percentage increase, if any, in the Consumer Price Index  
8 for All Urban Consumers for all items published by the  
9 United States Department of Labor for the 12-month  
10 calendar year preceding the Base Tax Year, plus the  
11 equalized assessed valuation of new property, annexed  
12 property, and recovered tax increment value and minus the  
13 equalized assessed valuation of disconnected property.

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

17 (e) Base Funding Minimum calculation.

18 (1) For the 2017-2018 school year, the Base Funding  
19 Minimum of an Organizational Unit or a Specially Funded  
20 Unit shall be the amount of State funds distributed to the  
21 Organizational Unit or Specially Funded Unit during the  
22 2016-2017 school year prior to any adjustments and  
23 specified appropriation amounts described in this  
24 paragraph (1) from the following Sections, as calculated  
25 by the State Superintendent: Section 18-8.05 of this Code  
26 (now repealed); Section 5 of Article 224 of Public Act

1 99-524 (equity grants); Section 14-7.02b of this Code  
2 (funding for children requiring special education  
3 services); Section 14-13.01 of this Code (special  
4 education facilities and staffing), except for  
5 reimbursement of the cost of transportation pursuant to  
6 Section 14-13.01; Section 14C-12 of this Code (English  
7 learners); and Section 18-4.3 of this Code (summer  
8 school), based on an appropriation level of \$13,121,600.  
9 For a school district organized under Article 34 of this  
10 Code, the Base Funding Minimum also includes (i) the funds  
11 allocated to the school district pursuant to Section 1D-1  
12 of this Code attributable to funding programs authorized  
13 by the Sections of this Code listed in the preceding  
14 sentence and (ii) the difference between (I) the funds  
15 allocated to the school district pursuant to Section 1D-1  
16 of this Code attributable to the funding programs  
17 authorized by Section 14-7.02 (non-public special  
18 education reimbursement), subsection (b) of Section  
19 14-13.01 (special education transportation), Section 29-5  
20 (transportation), Section 2-3.80 (agricultural  
21 education), Section 2-3.66 (truants' alternative  
22 education), Section 2-3.62 (educational service centers),  
23 and Section 14-7.03 (special education - orphanage) of  
24 this Code and Section 15 of the Childhood Hunger Relief  
25 Act (free breakfast program) and (II) the school  
26 district's actual expenditures for its non-public special



1 education, special education transportation,  
2 transportation programs, agricultural education, truants'  
3 alternative education, services that would otherwise be  
4 performed by a regional office of education, special  
5 education orphanage expenditures, and free breakfast, as  
6 most recently calculated and reported pursuant to  
7 subsection (f) of Section 1D-1 of this Code. The Base  
8 Funding Minimum for Glenwood Academy shall be \$952,014.  
9 For programs operated by a regional office of education or  
10 an intermediate service center, the Base Funding Minimum  
11 must be the total amount of State funds allocated to those  
12 programs in the 2018-2019 school year and amounts provided  
13 pursuant to Article 34 of Public Act 100-586 and Section  
14 3-16 of this Code. All programs established after June 5,  
15 2019 (the effective date of Public Act 101-10) and  
16 administered by a regional office of education or an  
17 intermediate service center must have an initial Base  
18 Funding Minimum set to an amount equal to the first-year  
19 ASE multiplied by the amount of per pupil funding received  
20 in the previous school year by the lowest funded similar  
21 existing program type. If the enrollment for a program  
22 operated by a regional office of education or an  
23 intermediate service center is zero, then it may not  
24 receive Base Funding Minimum funds for that program in the  
25 next fiscal year, and those funds must be distributed to  
26 Organizational Units under subsection (g).

1           (2) For the 2018-2019 and subsequent school years, the  
2 Base Funding Minimum of Organizational Units and Specially  
3 Funded Units shall be the sum of (i) the amount of  
4 Evidence-Based Funding for the prior school year, (ii) the  
5 Base Funding Minimum for the prior school year, and (iii)  
6 any amount received by a school district pursuant to  
7 Section 7 of Article 97 of Public Act 100-21.

8           For the 2022-2023 school year, the Base Funding  
9 Minimum of Organizational Units shall be the amounts  
10 recalculated by the State Board of Education for Fiscal  
11 Year 2019 through Fiscal Year 2022 that were necessary due  
12 to average student enrollment errors for districts  
13 organized under Article 34 of this Code, plus the Fiscal  
14 Year 2022 property tax relief grants provided under  
15 Section 2-3.170 of this Code, ensuring each Organizational  
16 Unit has the correct amount of resources for Fiscal Year  
17 2023 Evidence-Based Funding calculations and that Fiscal  
18 Year 2023 Evidence-Based Funding Distributions are made in  
19 accordance with this Section.

20           (3) Subject to approval by the General Assembly as  
21 provided in this paragraph (3), an Organizational Unit  
22 that meets all of the following criteria, as determined by  
23 the State Board, shall have District Intervention Money  
24 added to its Base Funding Minimum at the time the Base  
25 Funding Minimum is calculated by the State Board:

26           (A) The Organizational Unit is operating under an

1 Independent Authority under Section 2-3.25f-5 of this  
2 Code for a minimum of 4 school years or is subject to  
3 the control of the State Board pursuant to a court  
4 order for a minimum of 4 school years.

5 (B) The Organizational Unit was designated as a  
6 Tier 1 or Tier 2 Organizational Unit in the previous  
7 school year under paragraph (3) of subsection (g) of  
8 this Section.

9 (C) The Organizational Unit demonstrates  
10 sustainability through a 5-year financial and  
11 strategic plan.

12 (D) The Organizational Unit has made sufficient  
13 progress and achieved sufficient stability in the  
14 areas of governance, academic growth, and finances.

15 As part of its determination under this paragraph (3),  
16 the State Board may consider the Organizational Unit's  
17 summative designation, any accreditations of the  
18 Organizational Unit, or the Organizational Unit's  
19 financial profile, as calculated by the State Board.

20 If the State Board determines that an Organizational  
21 Unit has met the criteria set forth in this paragraph (3),  
22 it must submit a report to the General Assembly, no later  
23 than January 2 of the fiscal year in which the State Board  
24 makes its determination, on the amount of District  
25 Intervention Money to add to the Organizational Unit's  
26 Base Funding Minimum. The General Assembly must review the

1 State Board's report and may approve or disapprove, by  
2 joint resolution, the addition of District Intervention  
3 Money. If the General Assembly fails to act on the report  
4 within 40 calendar days from the receipt of the report,  
5 the addition of District Intervention Money is deemed  
6 approved. If the General Assembly approves the amount of  
7 District Intervention Money to be added to the  
8 Organizational Unit's Base Funding Minimum, the District  
9 Intervention Money must be added to the Base Funding  
10 Minimum annually thereafter.

11 For the first 4 years following the initial year that  
12 the State Board determines that an Organizational Unit has  
13 met the criteria set forth in this paragraph (3) and has  
14 received funding under this Section, the Organizational  
15 Unit must annually submit to the State Board, on or before  
16 November 30, a progress report regarding its financial and  
17 strategic plan under subparagraph (C) of this paragraph  
18 (3). The plan shall include the financial data from the  
19 past 4 annual financial reports or financial audits that  
20 must be presented to the State Board by November 15 of each  
21 year and the approved budget financial data for the  
22 current year. The plan shall be developed according to the  
23 guidelines presented to the Organizational Unit by the  
24 State Board. The plan shall further include financial  
25 projections for the next 3 fiscal years and include a  
26 discussion and financial summary of the Organizational

1 Unit's facility needs. If the Organizational Unit does not  
2 demonstrate sufficient progress toward its 5-year plan or  
3 if it has failed to file an annual financial report, an  
4 annual budget, a financial plan, a deficit reduction plan,  
5 or other financial information as required by law, the  
6 State Board may establish a Financial Oversight Panel  
7 under Article 1H of this Code. However, if the  
8 Organizational Unit already has a Financial Oversight  
9 Panel, the State Board may extend the duration of the  
10 Panel.

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

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

24 (2) An Organizational Unit's Preliminary Resources are  
25 equal to the sum of its Local Capacity Target, CPPRT, and  
26 Base Funding Minimum. An Organizational Unit's Preliminary

1 Percent of Adequacy is the lesser of (i) its Preliminary  
2 Resources divided by its Adequacy Target or (ii) 100%.

3 (3) Except for Specially Funded Units, an  
4 Organizational Unit's Final Resources are equal to the sum  
5 of its Local Capacity, CPPRT, and Adjusted Base Funding  
6 Minimum. The Base Funding Minimum of each Specially Funded  
7 Unit shall serve as its Final Resources, except that the  
8 Base Funding Minimum for State-approved charter schools  
9 shall not include any portion of general State aid  
10 allocated in the prior year based on the per capita  
11 tuition charge times the charter school enrollment.

12 (4) An Organizational Unit's Final Percent of Adequacy  
13 is its Final Resources divided by its Adequacy Target. An  
14 Organizational Unit's Adjusted Base Funding Minimum is  
15 equal to its Base Funding Minimum less its Supplemental  
16 Grant Funding, with the resulting figure added to the  
17 product of its Supplemental Grant Funding and Preliminary  
18 Percent of Adequacy.

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

20 (1) In each school year under the Evidence-Based  
21 Funding formula, each Organizational Unit receives funding  
22 equal to the sum of its Base Funding Minimum and the unit's  
23 allocation of New State Funds determined pursuant to this  
24 subsection (g). To allocate New State Funds, the  
25 Evidence-Based Funding formula distribution system first  
26 places all Organizational Units into one of 4 tiers in

1 accordance with paragraph (3) of this subsection (g),  
2 based on the Organizational Unit's Final Percent of  
3 Adequacy. New State Funds are allocated to each of the 4  
4 tiers as follows: Tier 1 Aggregate Funding equals 50% of  
5 all New State Funds, Tier 2 Aggregate Funding equals 49%  
6 of all New State Funds, Tier 3 Aggregate Funding equals  
7 0.9% of all New State Funds, and Tier 4 Aggregate Funding  
8 equals 0.1% of all New State Funds. Each Organizational  
9 Unit within Tier 1 or Tier 2 receives an allocation of New  
10 State Funds equal to its tier Funding Gap, as defined in  
11 the following sentence, multiplied by the tier's  
12 Allocation Rate determined pursuant to paragraph (4) of  
13 this subsection (g). For Tier 1, an Organizational Unit's  
14 Funding Gap equals the tier's Target Ratio, as specified  
15 in paragraph (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. For Tier 2, an Organizational Unit's Funding  
19 Gap equals the tier's Target Ratio, as described in  
20 paragraph (5) of this subsection (g), multiplied by the  
21 Organizational Unit's Adequacy Target, with the resulting  
22 amount reduced by the Organizational Unit's Final  
23 Resources and its Tier 1 funding allocation. To determine  
24 the Organizational Unit's Funding Gap, the resulting  
25 amount is then multiplied by a factor equal to one minus  
26 the Organizational Unit's Local Capacity Target

1 percentage. Each Organizational Unit within Tier 3 or Tier  
2 4 receives an allocation of New State Funds equal to the  
3 product of its Adequacy Target and the tier's Allocation  
4 Rate, as specified in paragraph (4) of this subsection  
5 (g).

6 (2) To ensure equitable distribution of dollars for  
7 all Tier 2 Organizational Units, no Tier 2 Organizational  
8 Unit shall receive fewer dollars per ASE than any Tier 3  
9 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
10 Unit shall have its funding allocation divided by its ASE.  
11 Any Tier 2 Organizational Unit with a funding allocation  
12 per ASE below the greatest Tier 3 allocation per ASE shall  
13 get a funding allocation equal to the greatest Tier 3  
14 funding allocation per ASE multiplied by the  
15 Organizational Unit's ASE. Each Tier 2 Organizational  
16 Unit's Tier 2 funding allocation shall be multiplied by  
17 the percentage calculated by dividing the original Tier 2  
18 Aggregate Funding by the sum of all Tier 2 Organizational  
19 Units' Tier 2 funding allocation after adjusting  
20 districts' funding below Tier 3 levels.

21 (3) Organizational Units are placed into one of 4  
22 tiers as follows:

23 (A) Tier 1 consists of all Organizational Units,  
24 except for Specially Funded Units, with a Percent of  
25 Adequacy less than the Tier 1 Target Ratio. The Tier 1  
26 Target Ratio is the ratio level that allows for Tier 1



1 Aggregate Funding to be distributed, with the Tier 1  
2 Allocation Rate determined pursuant to paragraph (4)  
3 of this subsection (g).

4 (B) Tier 2 consists of all Tier 1 Units and all  
5 other Organizational Units, except for Specially  
6 Funded Units, with a Percent of Adequacy of less than  
7 0.90.

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

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

13 (4) The Allocation Rates for Tiers 1 through 4 are  
14 determined as follows:

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

16 (B) The Tier 2 Allocation Rate is the result of the  
17 following equation: Tier 2 Aggregate Funding, divided  
18 by the sum of the Funding Gaps for all Tier 2  
19 Organizational Units, unless the result of such  
20 equation is higher than 1.0. If the result of such  
21 equation is higher than 1.0, then the Tier 2  
22 Allocation Rate is 1.0.

23 (C) The Tier 3 Allocation Rate is the result of the  
24 following equation: Tier 3 Aggregate Funding, divided  
25 by the sum of the Adequacy Targets of all Tier 3  
26 Organizational Units.

1 (D) The Tier 4 Allocation Rate is the result of the  
2 following equation: Tier 4 Aggregate Funding, divided  
3 by the sum of the Adequacy Targets of all Tier 4  
4 Organizational Units.

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

6 (A) The Tier 1 Target Ratio is the ratio level that  
7 allows for Tier 1 Aggregate Funding to be distributed  
8 with the Tier 1 Allocation Rate.

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

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

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

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

19 (8) If any Specially Funded Units, excluding Glenwood  
20 Academy, recognized by the State Board do not qualify for  
21 direct funding following the implementation of Public Act  
22 100-465 from any of the funding sources included within  
23 the definition of Base Funding Minimum, the unqualified  
24 portion of the Base Funding Minimum shall be transferred  
25 to one or more appropriate Organizational Units as  
26 determined by the State Superintendent based on the prior

1 year ASE of the Organizational Units.

2 (8.5) If a school district withdraws from a special  
3 education cooperative, the portion of the Base Funding  
4 Minimum that is attributable to the school district may be  
5 redistributed to the school district upon withdrawal. The  
6 school district and the cooperative must include the  
7 amount of the Base Funding Minimum that is to be  
8 reapportioned in their withdrawal agreement and notify the  
9 State Board of the change with a copy of the agreement upon  
10 withdrawal.

11 (9) The Minimum Funding Level is intended to establish  
12 a target for State funding that will keep pace with  
13 inflation and continue to advance equity through the  
14 Evidence-Based Funding formula. The target for State  
15 funding of New Property Tax Relief Pool Funds is  
16 \$50,000,000 for State fiscal year 2019 and subsequent  
17 State fiscal years. The Minimum Funding Level is equal to  
18 \$350,000,000. In addition to any New State Funds, no more  
19 than \$50,000,000 New Property Tax Relief Pool Funds may be  
20 counted toward the Minimum Funding Level. If the sum of  
21 New State Funds and applicable New Property Tax Relief  
22 Pool Funds are less than the Minimum Funding Level, than  
23 funding for tiers shall be reduced in the following  
24 manner:

25 (A) First, Tier 4 funding shall be reduced by an  
26 amount equal to the difference between the Minimum

1 Funding Level and New State Funds until such time as  
2 Tier 4 funding is exhausted.

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

8 (C) Next, Tier 2 funding shall be reduced by an  
9 amount equal to the difference between the Minimum  
10 Funding Level and New State Funds and the reduction in  
11 Tier 4 and Tier 3.

12 (D) Finally, Tier 1 funding shall be reduced by an  
13 amount equal to the difference between the Minimum  
14 Funding level and New State Funds and the reduction in  
15 Tier 2, 3, and 4 funding. In addition, the Allocation  
16 Rate for Tier 1 shall be reduced to a percentage equal  
17 to the Tier 1 Allocation Rate set by paragraph (4) of  
18 this subsection (g), multiplied by the result of New  
19 State Funds divided by the Minimum Funding Level.

20 (9.5) For State fiscal year 2019 and subsequent State  
21 fiscal years, if New State Funds exceed \$300,000,000, then  
22 any amount in excess of \$300,000,000 shall be dedicated  
23 for purposes of Section 2-3.170 of this Code up to a  
24 maximum of \$50,000,000.

25 (10) In the event of a decrease in the amount of the  
26 appropriation for this Section in any fiscal year after

1 implementation of this Section, the Organizational Units  
2 receiving Tier 1 and Tier 2 funding, as determined under  
3 paragraph (3) of this subsection (g), shall be held  
4 harmless by establishing a Base Funding Guarantee equal to  
5 the per pupil kindergarten through grade 12 funding  
6 received in accordance with this Section in the prior  
7 fiscal year. Reductions shall be made to the Base Funding  
8 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
9 per pupil basis equivalent to the total number of the ASE  
10 in Tier 3-funded and Tier 4-funded Organizational Units  
11 divided by the total reduction in State funding. The Base  
12 Funding Minimum as reduced shall continue to be applied to  
13 Tier 3 and Tier 4 Organizational Units and adjusted by the  
14 relative formula when increases in appropriations for this  
15 Section resume. In no event may State funding reductions  
16 to Organizational Units in Tier 3 or Tier 4 exceed an  
17 amount that would be less than the Base Funding Minimum  
18 established in the first year of implementation of this  
19 Section. If additional reductions are required, all school  
20 districts shall receive a reduction by a per pupil amount  
21 equal to the aggregate additional appropriation reduction  
22 divided by the total ASE of all Organizational Units.

23 (11) The State Superintendent shall make minor  
24 adjustments to the distribution formula set forth in this  
25 subsection (g) to account for the rounding of percentages  
26 to the nearest tenth of a percentage and dollar amounts to

1 the nearest whole dollar.

2 (h) State Superintendent administration of funding and  
3 district submission requirements.

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

7 (2) The State Superintendent shall calculate the  
8 Adequacy Target for each Organizational Unit under this  
9 Section. No Evidence-Based Funding shall be distributed  
10 within an Organizational Unit without the approval of the  
11 unit's school board.

12 (3) Annually, the State Superintendent shall calculate  
13 and report to each Organizational Unit the unit's  
14 aggregate financial adequacy amount, which shall be the  
15 sum of the Adequacy Target for each Organizational Unit.  
16 The State Superintendent shall calculate and report  
17 separately for each Organizational Unit the unit's total  
18 State funds allocated for its students with disabilities.  
19 The State Superintendent shall calculate and report  
20 separately for each Organizational Unit the amount of  
21 funding and applicable FTE calculated for each Essential  
22 Element of the 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  
10 extending through June. Unless otherwise provided, the  
11 moneys appropriated for each fiscal year shall be  
12 distributed in 22 equal payments at least 2 times monthly  
13 to each Organizational Unit. If moneys appropriated for  
14 any fiscal year are distributed other than monthly, the  
15 distribution shall be on the same basis for each  
16 Organizational Unit.

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

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

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

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

21 (9) All Organizational Units in this State must submit  
22 annual spending plans, as part of the budget submission  
23 process, no later than October 31 of each year to the State  
24 Board. The spending plan shall describe how each  
25 Organizational Unit will utilize the Base Funding Minimum  
26 and Evidence-Based Funding it receives from this State



1 under this Section with specific identification of the  
2 intended utilization of Low-Income, English learner, and  
3 special education resources. Additionally, the annual  
4 spending plans of each Organizational Unit shall describe  
5 how the Organizational Unit expects to achieve student  
6 growth and how the Organizational Unit will achieve State  
7 education goals, as defined by the State Board, and shall  
8 indicate which stakeholder groups the Organizational Unit  
9 engaged with to inform its annual spending plans. The  
10 State Superintendent may, from time to time, identify  
11 additional requisites for Organizational Units to satisfy  
12 when compiling the annual spending plans required under  
13 this subsection (h). The format and scope of annual  
14 spending plans shall be developed by the State  
15 Superintendent and the State Board of Education. School  
16 districts that serve students under Article 14C of this  
17 Code shall continue to submit information as required  
18 under Section 14C-12 of this Code. Annual spending plans  
19 required under this subsection (h) shall be integrated  
20 into annual school district budgets completed pursuant to  
21 Section 17-1 or Section 34-43. Organizational Units that  
22 do not submit a budget to the State Board shall be provided  
23 with a separate planning template developed by the State  
24 Board. The State Board shall create an Evidence-Based  
25 Funding spending plan tool to make Evidence-Based Funding  
26 spending plan data for each Organizational Unit available

1       on the State Board's website no later than December 31,  
2       2025, with annual updates thereafter. The tool shall allow  
3       for the selection and review of each Organizational Unit's  
4       planned use of Evidence-Based Funding.

5           (10) No later than January 1, 2018, the State  
6       Superintendent shall develop a 5-year strategic plan for  
7       all Organizational Units to help in planning for adequacy  
8       funding under this Section. The State Superintendent shall  
9       submit the plan to the Governor and the General Assembly,  
10      as provided in Section 3.1 of the General Assembly  
11      Organization Act. The plan shall include recommendations  
12      for:

13           (A) a framework for collaborative, professional,  
14      innovative, and 21st century learning environments  
15      using the Evidence-Based Funding model;

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

18           (C) application and enhancement of the current  
19      financial accountability measures, the approved State  
20      plan to comply with the federal Every Student Succeeds  
21      Act, and the Illinois Balanced Accountability Measures  
22      in relation to student growth and elements of the  
23      Evidence-Based Funding model; and

24           (D) implementation of an effective school adequacy  
25      funding system based on projected and recommended  
26      funding levels from the General Assembly.

1           (11) On an annual basis, the State Superintendent must  
2           recalibrate all of the following per pupil elements of the  
3           Adequacy Target and applied to the formulas, based on the  
4           study of average expenses and as reported in the most  
5           recent annual financial report:

6                   (A) Gifted under subparagraph (M) of paragraph (2)  
7                   of subsection (b).

8                   (B) Instructional materials under subparagraph (O)  
9                   of paragraph (2) of subsection (b).

10                   (C) Assessment under subparagraph (P) of paragraph  
11                   (2) of subsection (b).

12                   (D) Student activities under subparagraph (R) of  
13                   paragraph (2) of subsection (b).

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

16                   (F) Central office under subparagraph (T) of  
17                   paragraph (2) of subsection (b).

18           (i) Professional Review Panel.

19                   (1) A Professional Review Panel is created to study  
20                   and review topics related to the implementation and effect  
21                   of Evidence-Based Funding, as assigned by a joint  
22                   resolution or Public Act of the General Assembly or a  
23                   motion passed by the State Board of Education. The Panel  
24                   must provide recommendations to and serve the Governor,  
25                   the General Assembly, and the State Board. The State  
26                   Superintendent or his or her designee must serve as a

1 voting member and chairperson of the Panel. The State  
2 Superintendent must appoint a vice chairperson from the  
3 membership of the Panel. The Panel must advance  
4 recommendations based on a three-fifths majority vote of  
5 Panel members present and voting. A minority opinion may  
6 also accompany any recommendation of the Panel. The Panel  
7 shall be appointed by the State Superintendent, except as  
8 otherwise provided in paragraph (2) of this subsection (i)  
9 and include the following members:

10 (A) Two appointees that represent district  
11 superintendents, recommended by a statewide  
12 organization that represents district superintendents.

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

16 (C) Two appointees from districts that represent  
17 school business officials, recommended by a statewide  
18 organization that represents school business  
19 officials.

20 (D) Two appointees that represent school  
21 principals, recommended by a statewide organization  
22 that represents school principals.

23 (E) Two appointees that represent teachers,  
24 recommended by a statewide organization that  
25 represents teachers.

26 (F) Two appointees that represent teachers,

1 recommended by another statewide organization that  
2 represents teachers.

3 (G) Two appointees that represent regional  
4 superintendents of schools, recommended by  
5 organizations that represent regional superintendents.

6 (H) Two independent experts selected solely by the  
7 State Superintendent.

8 (I) Two independent experts recommended by public  
9 universities in this State.

10 (J) One member recommended by a statewide  
11 organization that represents parents.

12 (K) Two representatives recommended by collective  
13 impact organizations that represent major metropolitan  
14 areas or geographic areas in Illinois.

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

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

21 The State Superintendent shall ensure that the  
22 membership of the Panel includes representatives from  
23 school districts and communities reflecting the  
24 geographic, socio-economic, racial, and ethnic diversity  
25 of this State. The State Superintendent shall additionally  
26 ensure that the membership of the Panel includes

1 representatives with expertise in bilingual education and  
2 special education. Staff from the State Board shall staff  
3 the Panel.

4 (2) In addition to those Panel members appointed by  
5 the State Superintendent, 4 members of the General  
6 Assembly shall be appointed as follows: one member of the  
7 House of Representatives appointed by the Speaker of the  
8 House of Representatives, one member of the Senate  
9 appointed by the President of the Senate, one member of  
10 the House of Representatives appointed by the Minority  
11 Leader of the House of Representatives, and one member of  
12 the Senate appointed by the Minority Leader of the Senate.  
13 There shall be one additional member appointed by the  
14 Governor. All members appointed by legislative leaders or  
15 the Governor shall be non-voting, ex officio members.

16 (3) The Panel must study topics at the direction of  
17 the General Assembly or State Board of Education, as  
18 provided under paragraph (1). The Panel may also study the  
19 following topics at the direction of the chairperson:

20 (A) The format and scope of annual spending plans  
21 referenced in paragraph (9) of subsection (h) of this  
22 Section.

23 (B) The Comparable Wage Index under this Section.

24 (C) Maintenance and operations, including capital  
25 maintenance and construction costs.

26 (D) "At-risk student" definition.

1 (E) Benefits.

2 (F) Technology.

3 (G) Local Capacity Target.

4 (H) Funding for Alternative Schools, Laboratory  
5 Schools, safe schools, and alternative learning  
6 opportunities programs.

7 (I) Funding for college and career acceleration  
8 strategies.

9 (J) Special education investments.

10 (K) Early childhood investments, in collaboration  
11 with the Illinois Early Learning Council.

12 (4) (Blank).

13 (5) Within 5 years after the implementation of this  
14 Section, and every 5 years thereafter, the Panel shall  
15 complete an evaluative study of the entire Evidence-Based  
16 Funding model, including an assessment of whether or not  
17 the formula is achieving State goals. The Panel shall  
18 report to the State Board, the General Assembly, and the  
19 Governor on the findings of the study.

20 (6) (Blank).

21 (7) To ensure that (i) the Adequacy Target calculation  
22 under subsection (b) accurately reflects the needs of  
23 students living in poverty or attending schools located in  
24 areas of high poverty, (ii) racial equity within the  
25 Evidence-Based Funding formula is explicitly explored and  
26 advanced, and (iii) the funding goals of the formula

1 distribution system established under this Section are  
2 sufficient to provide adequate funding for every student  
3 and to fully fund every school in this State, the Panel  
4 shall review the Essential Elements under paragraph (2) of  
5 subsection (b). The Panel shall consider all of the  
6 following in its review:

7 (A) The financial ability of school districts to  
8 provide instruction in a foreign language to every  
9 student and whether an additional Essential Element  
10 should be added to the formula to ensure that every  
11 student has access to instruction in a foreign  
12 language.

13 (B) The adult-to-student ratio for each Essential  
14 Element in which a ratio is identified. The Panel  
15 shall consider whether the ratio accurately reflects  
16 the staffing needed to support students living in  
17 poverty or who have traumatic backgrounds.

18 (C) Changes to the Essential Elements that may be  
19 required to better promote racial equity and eliminate  
20 structural racism within schools.

21 (D) The impact of investing \$350,000,000 in  
22 additional funds each year under this Section and an  
23 estimate of when the school system will become fully  
24 funded under this level of appropriation.

25 (E) Provide an overview of alternative funding  
26 structures that would enable the State to become fully



1 funded at an earlier date.

2 (F) The potential to increase efficiency and to  
3 find cost savings within the school system to expedite  
4 the journey to a fully funded system.

5 (G) The appropriate levels for reenrolling and  
6 graduating high-risk high school students who have  
7 been previously out of school. These outcomes shall  
8 include enrollment, attendance, skill gains, credit  
9 gains, graduation or promotion to the next grade  
10 level, and the transition to college, training, or  
11 employment, with an emphasis on progressively  
12 increasing the overall attendance.

13 (H) The evidence-based or research-based practices  
14 that are shown to reduce the gaps and disparities  
15 experienced by African American students in academic  
16 achievement and educational performance, including  
17 practices that have been shown to reduce disparities  
18 in disciplinary rates, drop-out rates, graduation  
19 rates, college matriculation rates, and college  
20 completion rates.

21 On or before December 31, 2021, the Panel shall report  
22 to the State Board, the General Assembly, and the Governor  
23 on the findings of its review. This paragraph (7) is  
24 inoperative on and after July 1, 2022.

25 (8) On or before April 1, 2024, the Panel must submit a  
26 report to the General Assembly on annual adjustments to

1 Glenwood Academy's base-funding minimum in a similar  
2 fashion to school districts under this Section.

3 (j) References. Beginning July 1, 2017, references in  
4 other laws to general State aid funds or calculations under  
5 Section 18-8.05 of this Code (now repealed) shall be deemed to  
6 be references to evidence-based model formula funds or  
7 calculations under this Section.

8 (Source: P.A. 102-33, eff. 6-25-21; 102-197, eff. 7-30-21;  
9 102-558, eff. 8-20-21; 102-699, eff. 4-19-22; 102-782, eff.  
10 1-1-23; 102-813, eff. 5-13-22; 102-894, eff. 5-20-22; 103-8,  
11 eff. 6-7-23; 103-154, eff. 6-30-23; 103-175, eff. 6-30-23;  
12 revised 8-30-23.)".