



Sen. Patrick Welch

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09300HB0770sam001

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1 AMENDMENT TO HOUSE BILL 770

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 770 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 18-12 as follows:

6 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

7 Sec. 18-12. Dates for filing State aid claims. The school  
8 board of each school district shall require teachers,  
9 principals, or superintendents to furnish from records kept by  
10 them such data as it needs in preparing and certifying to the  
11 regional superintendent its school district report of claims  
12 provided in Sections 18-8.05 through 18-10 as required by the  
13 State Superintendent of Education. The district claim shall be  
14 based on the latest available equalized assessed valuation and  
15 tax rates, as provided in Section 18-8.05 and shall use the  
16 average daily attendance as determined by the method outlined  
17 in Section 18-8.05 and shall be certified and filed with the  
18 regional superintendent by June 21 for districts with an  
19 official school calendar end date before June 15 or within 2  
20 weeks following the official school calendar end date for  
21 districts with a school year end date of June 15 or later. The  
22 regional superintendent shall certify and file with the State  
23 Superintendent of Education district State aid claims by July 1  
24 for districts with an official school calendar end date before

1 June 15 or no later than July 15 for districts with an official  
2 school calendar end date of June 15 or later. Failure to so  
3 file by these deadlines constitutes a forfeiture of the right  
4 to receive payment by the State until such claim is filed and  
5 vouchered for payment. The regional superintendent of schools  
6 shall certify the county report of claims by July 15; and the  
7 State Superintendent of Education shall voucher for payment  
8 those claims to the State Comptroller as provided in Section  
9 18-11.

10 Except as otherwise provided in this Section, if any school  
11 district fails to provide the minimum school term specified in  
12 Section 10-19, the State aid claim for that year shall be  
13 reduced by the State Superintendent of Education in an amount  
14 equivalent to .56818% for each day less than the number of days  
15 required by this Code.

16 If the State Superintendent of Education determines that  
17 the failure to provide the minimum school term was occasioned  
18 by an act or acts of God, or was occasioned by conditions  
19 beyond the control of the school district which posed a  
20 hazardous threat to the health and safety of pupils, the State  
21 aid claim need not be reduced.

22 If the State Superintendent of Education determines that  
23 the failure to provide the minimum school term was due to a  
24 school being closed on or after September 11, 2001 for more  
25 than one-half day of attendance due to a bioterrorism or  
26 terrorism threat that was investigated by a law enforcement  
27 agency, the State aid claim shall not be reduced.

28 If, during any school day, (i) a school district has  
29 provided at least one clock hour of instruction but must close  
30 the schools due to adverse weather conditions or due to a  
31 condition beyond the control of the school district that poses  
32 a hazardous threat to the health and safety of pupils prior to  
33 providing the minimum hours of instruction required for a full  
34 day of attendance, or (ii) the school district must delay the

1 start of the school day due to adverse weather conditions and  
2 this delay prevents the district from providing the minimum  
3 hours of instruction required for a full day of attendance, the  
4 partial day of attendance may be counted as a full day of  
5 attendance. The partial day of attendance and the reasons  
6 therefor shall be certified in writing within a month of the  
7 closing or delayed start by the local school district  
8 superintendent to the Regional Superintendent of Schools for  
9 forwarding to the State Superintendent of Education for  
10 approval.

11 If a school building is ordered to be closed by the school  
12 board, in consultation with a local emergency response agency,  
13 due to a condition that poses a hazardous threat to the health  
14 and safety of pupils, then the school district shall have a  
15 grace period of 4 days in which the general State aid claim  
16 shall not be reduced so that alternative housing of the pupils  
17 may be located.

18 Beginning with the 2003-2004 school year, if the failure of  
19 a school district to provide the minimum school term was  
20 occasioned by an act or acts of God or by conditions beyond the  
21 control of the school district that posed a hazardous threat to  
22 the health and safety of pupils, either of which must have  
23 occurred after April 1 of the school year, then the school  
24 district shall have a grace period of up to 5 days, to assess  
25 the need to relocate pupils, in which the general State aid  
26 claim shall not be reduced.

27 No exception to the requirement of providing a minimum  
28 school term may be approved by the State Superintendent of  
29 Education pursuant to this Section unless a school district has  
30 first used all emergency days provided for in its regular  
31 calendar.

32 If the State Superintendent of Education declares that an  
33 energy shortage exists during any part of the school year for  
34 the State or a designated portion of the State, a district may

1 operate the school attendance centers within the district 4  
2 days of the week during the time of the shortage by extending  
3 each existing school day by one clock hour of school work, and  
4 the State aid claim shall not be reduced, nor shall the  
5 employees of that district suffer any reduction in salary or  
6 benefits as a result thereof. A district may operate all  
7 attendance centers on this revised schedule, or may apply the  
8 schedule to selected attendance centers, taking into  
9 consideration such factors as pupil transportation schedules  
10 and patterns and sources of energy for individual attendance  
11 centers.

12 No State aid claim may be filed for any district unless the  
13 district superintendent executes and files with the State  
14 Superintendent of Education, in the method prescribed by the  
15 Superintendent, certification that the district has complied  
16 with the requirements of Section 10-22.5 in regard to the  
17 nonsegregation of pupils on account of color, creed, race, sex  
18 or nationality.

19 No State aid claim may be filed for any district unless the  
20 district superintendent executes and files with the State  
21 Superintendent of Education, in the method prescribed by the  
22 Superintendent, a sworn statement that to the best of his or  
23 her knowledge or belief the employing or assigning personnel  
24 have complied with Section 24-4 in all respects.

25 Electronically submitted State aid claims shall be  
26 submitted by duly authorized district or regional individuals  
27 over a secure network that is password protected. The  
28 electronic submission of a State aid claim must be accompanied  
29 with an affirmation that all of the provisions of Sections  
30 18-8.05 through 18-10, 10-22.5, and 24-4 of this Code are met  
31 in all respects.

32 (Source: P.A. 92-661, eff. 7-16-02; 93-54, eff. 7-1-03.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.".