

1 AN ACT to amend the School Code.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing
5 Sections 1D-1, 14-7.02, 14-8.01, and 18-4.3 and adding
6 Section 14-7.02b as follows:

7 (105 ILCS 5/1D-1)

8 Sec. 1D-1. Block grant funding.

9 (a) For fiscal year 1996 and each fiscal year
10 thereafter, the State Board of Education shall award to a
11 school district having a population exceeding 500,000
12 inhabitants a general education block grant and an
13 educational services block grant, determined as provided in
14 this Section, in lieu of distributing to the district
15 separate State funding for the programs described in
16 subsections (b) and (c). The provisions of this Section,
17 however, do not apply to any federal funds that the district
18 is entitled to receive. In accordance with Section 2-3.32,
19 all block grants are subject to an audit. Therefore, block
20 grant receipts and block grant expenditures shall be recorded
21 to the appropriate fund code for the designated block grant.

22 (b) The general education block grant shall include the
23 following programs: REI Initiative, Summer Bridges, Preschool
24 At Risk, K-6 Comprehensive Arts, School Improvement Support,
25 Urban Education, Scientific Literacy, Substance Abuse
26 Prevention, Second Language Planning, Staff Development,
27 Outcomes and Assessment, K-6 Reading Improvement, Truants'
28 Optional Education, Hispanic Programs, Agriculture Education,
29 Gifted Education, Parental Education, Prevention Initiative,
30 Report Cards, and Criminal Background Investigations.
31 Notwithstanding any other provision of law, all amounts paid

1 under the general education block grant from State
2 appropriations to a school district in a city having a
3 population exceeding 500,000 inhabitants shall be
4 appropriated and expended by the board of that district for
5 any of the programs included in the block grant or any of the
6 board's lawful purposes.

7 (c) The educational services block grant shall include
8 the following programs: Bilingual, Regular and Vocational
9 Transportation, State Lunch and Free Breakfast Program,
10 Special Education (Personnel, ~~Extraordinary~~, Transportation,
11 Orphanage~~, Private-Tuition~~), funding for children requiring
12 special education services, Summer School, Educational
13 Service Centers, and Administrator's Academy. This
14 subsection (c) does not relieve the district of its
15 obligation to provide the services required under a program
16 that is included within the educational services block grant.
17 It is the intention of the General Assembly in enacting the
18 provisions of this subsection (c) to relieve the district of
19 the administrative burdens that impede efficiency and
20 accompany single-program funding. The General Assembly
21 encourages the board to pursue mandate waivers pursuant to
22 Section 2-3.25g.

23 The funding program included in the educational services
24 block grant for funding for children requiring special
25 education services in each fiscal year shall be treated in
26 that fiscal year as a payment to the school district in
27 respect of services provided or costs incurred in the prior
28 fiscal year, calculated in each case as provided in this
29 Section. Nothing in this Section shall change the nature of
30 payments for any program that, apart from this Section, would
31 be or, prior to adoption or amendment of this Section, was on
32 the basis of a payment in a fiscal year in respect of
33 services provided or costs incurred in the prior fiscal year,
34 calculated in each case as provided in this Section.

1 (d) For fiscal year 1996 and each fiscal year
2 thereafter, the amount of the district's block grants shall
3 be determined as follows: (i) with respect to each program
4 that is included within each block grant, the district shall
5 receive an amount equal to the same percentage of the current
6 fiscal year appropriation made for that program as the
7 percentage of the appropriation received by the district from
8 the 1995 fiscal year appropriation made for that program, and
9 (ii) the total amount that is due the district under the
10 block grant shall be the aggregate of the amounts that the
11 district is entitled to receive for the fiscal year with
12 respect to each program that is included within the block
13 grant that the State Board of Education shall award the
14 district under this Section for that fiscal year. In the
15 case of the Summer Bridges program, the amount of the
16 district's block grant shall be equal to 44% of the amount of
17 the current fiscal year appropriation made for that program.

18 (e) The district is not required to file any application
19 or other claim in order to receive the block grants to which
20 it is entitled under this Section. The State Board of
21 Education shall make payments to the district of amounts due
22 under the district's block grants on a schedule determined by
23 the State Board of Education.

24 (f) A school district to which this Section applies
25 shall report to the State Board of Education on its use of
26 the block grants in such form and detail as the State Board
27 of Education may specify.

28 (g) This paragraph provides for the treatment of block
29 grants under Article 1C for purposes of calculating the
30 amount of block grants for a district under this Section.
31 Those block grants under Article 1C are, for this purpose,
32 treated as included in the amount of appropriation for the
33 various programs set forth in paragraph (b) above. The
34 appropriation in each current fiscal year for each block

1 grant under Article 1C shall be treated for these purposes as
2 appropriations for the individual program included in that
3 block grant. The proportion of each block grant so allocated
4 to each such program included in it shall be the proportion
5 which the appropriation for that program was of all
6 appropriations for such purposes now in that block grant, in
7 fiscal 1995.

8 Payments to the school district under this Section with
9 respect to each program for which payments to school
10 districts generally, as of the date of this amendatory Act of
11 the 92nd General Assembly, are on a reimbursement basis shall
12 continue to be made to the district on a reimbursement basis,
13 pursuant to the provisions of this Code governing those
14 programs.

15 (h) Notwithstanding any other provision of law, any
16 school district receiving a block grant under this Section
17 may classify all or a portion of the funds that it receives
18 in a particular fiscal year from any block grant authorized
19 under this Code or from general State aid pursuant to Section
20 18-8.05 of this Code (other than supplemental general State
21 aid) as funds received in connection with any funding program
22 for which it is entitled to receive funds from the State in
23 that fiscal year (including, without limitation, any funding
24 program referred to in subsection (c) of this Section),
25 regardless of the source or timing of the receipt. The
26 district may not classify more funds as funds received in
27 connection with the funding program than the district is
28 entitled to receive in that fiscal year for that program.
29 Any classification by a district must be made by a resolution
30 of its board of education. The resolution must identify the
31 amount of any block grant or general State aid to be
32 classified under this subsection (h) and must specify the
33 funding program to which the funds are to be treated as
34 received in connection therewith. This resolution is

1 controlling as to the classification of funds referenced
2 therein. A certified copy of the resolution must be sent to
3 the State Superintendent of Education. The resolution shall
4 still take effect even though a copy of the resolution has
5 not been sent to the State Superintendent of Education in a
6 timely manner. No classification under this subsection (h)
7 by a district shall affect the total amount or timing of
8 money the district is entitled to receive under this Code.
9 No classification under this subsection (h) by a district
10 shall in any way relieve the district from or affect any
11 requirements that otherwise would apply with respect to the
12 block grant as provided in this Section, including any
13 accounting of funds by source, reporting expenditures by
14 original source and purpose, reporting requirements, or
15 requirements of provision of services.
16 (Source: P.A. 91-711, eff. 7-1-00; 92-568, eff. 6-26-02;
17 92-651, eff. 7-11-02.)

18 (105 ILCS 5/14-7.02) (from Ch. 122, par. 14-7.02)
19 Sec. 14-7.02. Children attending private schools, public
20 out-of-state schools, public school residential facilities or
21 private special education facilities. The General Assembly
22 recognizes that non-public schools or special education
23 facilities provide an important service in the educational
24 system in Illinois.

25 If because of his or her disability the special education
26 program of a district is unable to meet the needs of a child
27 and the child attends a non-public school or special
28 education facility, a public out-of-state school or a special
29 education facility owned and operated by a county government
30 unit that provides special educational services required by
31 the child and is in compliance with the appropriate rules and
32 regulations of the State Superintendent of Education, the
33 school district in which the child is a resident shall pay

1 the actual cost of tuition for special education and related
2 services provided during the regular school term and during
3 the summer school term if the child's educational needs so
4 require, excluding room, board and transportation costs
5 charged the child by that non-public school or special
6 education facility, public out-of-state school or county
7 special education facility, or \$4,500 per year, whichever is
8 less, and shall provide him any necessary transportation.
9 "Nonpublic special education facility" shall include a
10 residential facility, within or without the State of
11 Illinois, which provides special education and related
12 services to meet the needs of the child by utilizing private
13 schools or public schools, whether located on the site or off
14 the site of the residential facility.

15 The State Board of Education shall promulgate rules and
16 regulations for determining when placement in a private
17 special education facility is appropriate. Such rules and
18 regulations shall take into account the various types of
19 services needed by a child and the availability of such
20 services to the particular child in the public school. In
21 developing these rules and regulations the State Board of
22 Education shall consult with the Advisory Council on
23 Education of Children with Disabilities and hold public
24 hearings to secure recommendations from parents, school
25 personnel, and others concerned about this matter.

26 The State Board of Education shall also promulgate rules
27 and regulations for transportation to and from a residential
28 school. ~~Transportation--to--and--from--home--to--a--residential~~
29 ~~school--more--than--once--each--school--term--shall--be--subject--to~~
30 ~~prior--approval--by--the--State--Superintendent--in--accordance--with~~
31 ~~the--rules--and--regulations--of--the--State--Board.~~

32 ~~A--school--district--making--tuition--payments--pursuant--to~~
33 ~~this--Section--is--eligible--for--reimbursement--from--the--State--for~~
34 ~~the--amount--of--such--payments--actually--made--in--excess--of--the~~

1 district-per-capita-tuition-charge-for-students-not-receiving
2 special--education--services.--Such--reimbursement--shall--be
3 approved---in--accordance--with--Section--14-12.01--and--each
4 district-shall-file-its-claims,--computed-in--accordance--with
5 rules--prescribed--by--the-State-Board-of-Education,--on-forms
6 prescribed-by-the-State-Superintendent--of--Education.--Data
7 used--as--a--basis--of--reimbursement-claims-shall-be-for-the
8 preceding-regular-school-term-and-summer-school--term.--Each
9 school--district-shall-transmit-its-claims-to-the-State-Board
10 of-Education-on-or-before-August--15.--The--State--Board--of
11 Education,--before-approving-any-such-claims,--shall-determine
12 their-accuracy-and-whether-they-are-based-upon--services--and
13 facilities--provided--under-approved-programs.--Upon-approval
14 the-State-Board-shall-cause-vouchers-to-be--prepared--showing
15 the--amount-due-for-payment-of-reimbursement-claims-to-school
16 districts,--for-transmittal-to-the-State--Comptroller--on--the
17 30th-day-of-September,--December,--and-March,--respectively,--and
18 the--final--voucher,--no--later--than--June--20.--If-the-money
19 appropriated-by-the-General-Assembly-for-such-purpose-for-any
20 year-is-insufficient,--it-shall-be-apportioned-on-the-basis-of
21 the-claims-approved.

22 No child shall be placed in a special education program
23 pursuant to this Section if the tuition cost for special
24 education and related services increases more than 10 percent
25 over the tuition cost for the previous school year or exceeds
26 \$4,500 per year unless such costs have been approved by the
27 Illinois Purchased Care Review Board. The Illinois
28 Purchased Care Review Board shall consist of the following
29 persons, or their designees: the Directors of Children and
30 Family Services, Public Health, Public Aid, and the Bureau of
31 the Budget; the Secretary of Human Services; the State
32 Superintendent of Education; and such other persons as the
33 Governor may designate. The Review Board shall establish
34 rules and regulations for its determination of allowable

1 costs and payments made by local school districts for special
2 education, room and board, and other related services
3 provided by non-public schools or special education
4 facilities and shall establish uniform standards and criteria
5 which it shall follow.

6 The Review Board shall establish uniform definitions and
7 criteria for accounting separately by special education, room
8 and board and other related services costs. The Board shall
9 also establish guidelines for the coordination of services
10 and financial assistance provided by all State agencies to
11 assure that no otherwise qualified disabled child receiving
12 services under Article 14 shall be excluded from
13 participation in, be denied the benefits of or be subjected
14 to discrimination under any program or activity provided by
15 any State agency.

16 The Review Board shall review the costs for special
17 education and related services provided by non-public schools
18 or special education facilities and shall approve or
19 disapprove such facilities in accordance with the rules and
20 regulations established by it with respect to allowable
21 costs.

22 The State Board of Education shall provide administrative
23 and staff support for the Review Board as deemed reasonable
24 by the State Superintendent of Education. This support shall
25 not include travel expenses or other compensation for any
26 Review Board member other than the State Superintendent of
27 Education.

28 The Review Board shall seek the advice of the Advisory
29 Council on Education of Children with Disabilities on the
30 rules and regulations to be promulgated by it relative to
31 providing special education services.

32 If a child has been placed in a program in which the
33 actual per pupil costs of tuition for special education and
34 related services based on program enrollment, excluding room,

1 board and transportation costs, exceed \$4,500 and such costs
2 have been approved by the Review Board, the district shall
3 pay such total costs which exceed \$4,500. A district--making
4 such--tuition--payments--in-excess-of-\$4,500-pursuant-to-this
5 Section-shall-be-responsible--for--an--amount--in--excess--of
6 \$4,500--equal--to--the-district-per-capita-tuition-charge-and
7 shall-be-eligible-for-reimbursement-from-the--State--for--the
8 amount--of--such--payments--actually--made--in--excess-of-the
9 districts--per--capita--tuition--charge--for---students---not
10 receiving-special-education-services.

11 If a child has been placed in an approved individual
12 program and the tuition costs including room and board costs
13 have been approved by the Review Board, then such room and
14 board costs shall be paid by the appropriate State agency
15 subject to the provisions of Section 14-8.01 of this Act.
16 Room and board costs not provided by a State agency other
17 than the State Board of Education shall be provided by the
18 State Board of Education on a current basis. In no event,
19 however, shall the State's liability for funding of these
20 tuition costs begin until after the legal obligations of
21 third party payors have been subtracted from such costs. If
22 the money appropriated by the General Assembly for such
23 purpose for any year is insufficient, it shall be apportioned
24 on the basis of the claims approved. Each district shall
25 submit estimated claims to the State Superintendent of
26 Education. Upon approval of such claims, the State
27 Superintendent of Education shall direct the State
28 Comptroller to make payments on a monthly basis. The
29 frequency for submitting estimated claims and the method of
30 determining payment shall be prescribed in rules and
31 regulations adopted by the State Board of Education. Such
32 current state reimbursement shall be reduced by an amount
33 equal to the proceeds which the child or child's parents are
34 eligible to receive under any public or private insurance or

1 assistance program. Nothing in this Section shall be
 2 construed as relieving an insurer or similar third party from
 3 an otherwise valid obligation to provide or to pay for
 4 services provided to a disabled child.

5 ~~If--it-otherwise-qualifies,--a-school-district-is-eligible~~
 6 ~~for-the-transportation-reimbursement-under--Section--14-13.01~~
 7 ~~and--for--the--reimbursement--of--tuition-payments-under-this~~
 8 ~~Section-whether-the-non-public-school--or--special--education~~
 9 ~~faaility,---public--out-of-state--school--or--county--special~~
 10 ~~education-faaility,--attended-by-a-child-who-resides--in--that~~
 11 ~~district-and-requires-special-educational-services,--is-within~~
 12 ~~or--outside-of-the-State-of-Illinois,--However,--a-district-is~~
 13 ~~not-eligible-to-claim-transportation-reimbursement-under-this~~
 14 ~~Section--unless--the--district---certifies---to---the---State~~
 15 ~~Superintendent--of--Education--that-the-district-is-unable-to~~
 16 ~~provide-special-educational-services-required--by--the--child~~
 17 ~~for-the-current-school-year.~~

18 ~~Nothing-in-this-Section-authorizes-the-reimbursement-of-a~~
 19 ~~school--district--for--the-amount-paid-for-tuition-of-a-child~~
 20 ~~attending-a-non-public-school-or-special-education--facility,~~
 21 ~~public---out-of-state--school--or--county--special--education~~
 22 ~~faaility-unless-the-school-district-certifies--to--the--State~~
 23 ~~Superintendent---of--Education--that--the--special--education~~
 24 ~~program-of-that-district-is-unable-to-meet-the-needs-of--that~~
 25 ~~child--because-of-his-disability-and-the-State-Superintendent~~
 26 ~~of-Education-finds-that-the-school-district-is-in-substantial~~
 27 ~~compliance-with-Section-14-4.01.~~

28 Any educational or related services provided, pursuant to
 29 this Section in a non-public school or special education
 30 facility or a special education facility owned and operated
 31 by a county government unit shall be at no cost to the parent
 32 or guardian of the child. However, current law and practices
 33 relative to contributions by parents or guardians for costs
 34 other than educational or related services are not affected

1 by this amendatory Act of 1978.

2 ~~Reimbursement---for---children--attending--public--school~~
3 ~~residential-facilities-shall-be-made-in-accordance--with--the~~
4 ~~provisions-of-this-Section.~~

5 Notwithstanding any other provision of law, any school
6 district receiving a payment under this Section or under
7 Section 14-7.02a, 14-13.01, or 29-5 of this Code may classify
8 all or a portion of the funds that it receives in a
9 particular fiscal year or from general State aid pursuant to
10 Section 18-8.05 of this Code as funds received in connection
11 with any funding program for which it is entitled to receive
12 funds from the State in that fiscal year (including, without
13 limitation, any funding program referenced in this Section),
14 regardless of the source or timing of the receipt. The
15 district may not classify more funds as funds received in
16 connection with the funding program than the district is
17 entitled to receive in that fiscal year for that program.
18 Any classification by a district must be made by a resolution
19 of its board of education. The resolution must identify the
20 amount of any payments or general State aid to be classified
21 under this paragraph and must specify the funding program to
22 which the funds are to be treated as received in connection
23 therewith. This resolution is controlling as to the
24 classification of funds referenced therein. A certified copy
25 of the resolution must be sent to the State Superintendent of
26 Education. The resolution shall still take effect even though
27 a copy of the resolution has not been sent to the State
28 Superintendent of Education in a timely manner. No
29 classification under this paragraph by a district shall
30 affect the total amount or timing of money the district is
31 entitled to receive under this Code. No classification under
32 this paragraph by a district shall in any way relieve the
33 district from or affect any requirements that otherwise would
34 apply with respect to that funding program, including any

1 accounting of funds by source, reporting expenditures by
2 original source and purpose, reporting requirements, or
3 requirements of providing services.

4 (Source: P.A. 91-764, eff. 6-9-00; 92-568, eff. 6-26-02.)

5 (105 ILCS 5/14-7.02b new)

6 Sec. 14-7.02b. Funding for children requiring special
7 education services. Payments to school districts and joint
8 agreements for children requiring special education services
9 documented in their individualized education program
10 regardless of the program from which these services are
11 received, excluding children claimed under Section 14-7.03 of
12 this Code, shall be made in accordance with this Section.
13 Funds received under this Section may be used only for the
14 provision of special educational facilities and services as
15 defined in Section 14-1.08 of this Code.

16 The appropriation for fiscal year 2004 and thereafter
17 shall be based upon the IDEA child count of all students in
18 the State, excluding students claimed under Section 14-7.03
19 of this Code, on December 1 of the fiscal year 2 years
20 preceding, multiplied by 21.5% of the general State aid
21 foundation level of support established for that fiscal year
22 under Section 18-8.05 of this Code.

23 Beginning with fiscal year 2004 and thereafter,
24 individual school districts shall not receive payments
25 totaling less than they received under the funding authorized
26 under Sections 14-7.02 and 14-7.02a of this Code during
27 fiscal year 2003, pursuant to the provisions of those
28 Sections as they were in effect before the effective date of
29 this amendatory Act of the 93rd General Assembly. This base
30 level funding shall be computed first.

31 An amount equal to 85% of the funds remaining in the
32 appropriation after subtracting the base level funding shall
33 be allocated to school districts based upon the district's

1 average daily attendance reported for purposes of Section
2 18-8.05 of this Code for the preceding school year. Fifteen
3 percent of the funds remaining in the appropriation after
4 subtracting the base level funding shall be allocated to
5 school districts based upon the district's low income
6 eligible pupil count used in the calculation of general State
7 aid under Section 18-8.05 of this Code for the same fiscal
8 year. One hundred percent of the funds computed and
9 allocated to districts under this Section shall be
10 distributed and paid to school districts.

11 For individual students with disabilities whose program
12 costs exceed 4 times the district's per capita tuition rate
13 as calculated under Section 10-20.12a of this Code, districts
14 shall be paid by the State Board of Education from IDEA
15 discretionary funds. The distribution of funds for high cost
16 students shall be in accordance with rules promulgated by the
17 State Board of Education.

18 The State Board of Education shall prepare vouchers equal
19 to one-fourth the amount allocated to districts and their
20 joint agreements, for transmittal to the State Comptroller on
21 the 30th day of September, December, and March, respectively,
22 and the final voucher, no later than June 20. The Comptroller
23 shall make payments pursuant to this Section to school
24 districts and their joint agreements as soon as possible
25 after receipt of vouchers. If the money appropriated from the
26 General Assembly for such purposes for any year is
27 insufficient, it shall be apportioned on the basis of the
28 payments due to school districts.

29 Nothing in this Section shall be construed to decrease or
30 increase the percentage of all special education funds that
31 are allocated annually under Article 1D of this Code or to
32 alter the requirement that a school district provide special
33 education services.

34 Nothing in this amendatory Act of the 93rd General

1 Assembly shall eliminate any reimbursement obligation owed as
2 of the effective date of this amendatory Act of the 93rd
3 General Assembly to a school district with in excess of
4 500,000 inhabitants.

5 (105 ILCS 5/14-8.01) (from Ch. 122, par. 14-8.01)

6 Sec. 14-8.01. Supervision of special education buildings
7 and facilities. All special educational facilities, building
8 programs, housing, and all educational programs for the types
9 of disabled children defined in Section 14-1.02 shall be
10 under the supervision of and subject to the approval of the
11 State Board of Education.

12 All special education facilities, building programs, and
13 housing shall comply with the building code authorized by
14 Section 2-3.12.

15 All educational programs for children with disabilities
16 as defined in Section 14-1.02 administered by any State
17 agency shall be under the general supervision of the State
18 Board of Education. Such supervision shall be limited to
19 insuring that such educational programs meet standards
20 jointly developed and agreed to by both the State Board of
21 Education and the operating State agency, including standards
22 for educational personnel.

23 Any State agency providing special educational programs
24 for children with disabilities as defined in Section 14-1.02
25 shall promulgate rules and regulations, in consultation with
26 the State Board of Education and pursuant to the Illinois
27 Administrative Procedure Act as now or hereafter amended, to
28 insure that all such programs comply with this Section and
29 Section 14-8.02.

30 No otherwise qualified disabled child receiving special
31 education and related services under Article 14 shall solely
32 by reason of his or her disability be excluded from the
33 participation in or be denied the benefits of or be subjected

1 to discrimination under any program or activity provided by a
2 State agency.

3 State agencies providing special education and related
4 services, including room and board, either directly or
5 through grants or purchases of services shall continue to
6 provide these services according to current law and practice.
7 Room and board costs not provided by a State agency other
8 than the State Board of Education shall be provided by the
9 State Board of Education to the extent of available funds.
10 An amount equal to one-half of the State education agency's
11 share of IDEA PART B federal monies, or so much thereof as
12 may actually be needed, shall annually be appropriated to pay
13 for the additional costs of providing for room and board for
14 those children placed pursuant to Section 14-7.02 of this
15 Code Act and, after all such room and board costs are paid,
16 for similar expenditures for children served pursuant to
17 Section 14-7.02 ~~or~~ 14-7.02a of this Code Act, based in
18 community based programs that serve as alternatives to
19 residential placements.

20 Beginning with Fiscal Year 1997 and continuing through
21 Fiscal Year 2000, 100% of the former Chapter I, Section
22 89-313 federal funds shall be allocated by the State Board of
23 Education in the same manner as IDEA, PART B "flow through"
24 funding to local school districts, joint agreements, and
25 special education cooperatives for the maintenance of
26 instructional and related support services to students with
27 disabilities. However, beginning with Fiscal Year 1998, the
28 total IDEA Part B discretionary funds available to the State
29 Board of Education shall not exceed the maximum permissible
30 under federal law or 20% of the total federal funds available
31 to the State, whichever is less. In no case shall the
32 aggregate IDEA Part B discretionary funds received by the
33 State Board of Education exceed the amount of IDEA Part B
34 discretionary funds available to the State Board of Education

1 for Fiscal Year 1997, excluding any carryover funds from
2 prior fiscal years, increased by 3% for Fiscal Year 1998 and
3 increased by an additional 3% for each fiscal year
4 thereafter. After all room and board payments and similar
5 expenditures are made by the State Board of Education as
6 required by this Section, the State Board of Education may
7 use the remaining funds for administration and for providing
8 discretionary activities. However, the State Board of
9 Education may use no more than 25% of its available IDEA Part
10 B discretionary funds for administrative services.

11 Special education and related services included in the
12 child's individualized educational program which are not
13 provided by another State agency shall be included in the
14 special education and related services provided by the State
15 Board of Education and the local school district.

16 The State Board of Education with the advice of the
17 Advisory Council shall prescribe the standards and make the
18 necessary rules and regulations for special education
19 programs administered by local school boards, including but
20 not limited to establishment of classes, training
21 requirements of teachers and other professional personnel,
22 eligibility and admission of pupils, the curriculum, class
23 size limitation, building programs, housing, transportation,
24 special equipment and instructional supplies, and the
25 applications for claims for reimbursement. The State Board of
26 Education shall promulgate rules and regulations for annual
27 evaluations of the effectiveness of all special education
28 programs and annual evaluation by the local school district
29 of the individualized educational program for each child for
30 whom it provides special education services.

31 A school district is responsible for the provision of
32 educational services for all school age children residing
33 within its boundaries excluding any student placed under the
34 provisions of Section 14-7.02 or any disabled student whose

1 parent or guardian lives outside of the State of Illinois as
2 described in Section 14-1.11.

3 (Source: P.A. 89-397, eff. 8-20-95; 89-622, eff. 8-9-96;
4 90-547, eff. 12-1-97.)

5 (105 ILCS 5/18-4.3) (from Ch. 122, par. 18-4.3)

6 Sec. 18-4.3. Summer school grants. Grants shall be
7 determined for pupil attendance in summer schools conducted
8 under Sections 10-22.33A and 34-18 and approved under Section
9 2-3.25 in the following manner.

10 The amount of grant for each accredited summer school
11 attendance pupil shall be obtained by dividing the total
12 amount of apportionments determined under Section 18-8.05 by
13 the actual number of pupils in average daily attendance used
14 for such apportionments. The number of credited summer
15 school attendance pupils shall be determined (a) by counting
16 clock hours of class instruction by pupils enrolled in grades
17 1 through 12 in approved courses conducted at least 60 clock
18 hours in summer sessions; (b) by dividing such total of clock
19 hours of class instruction by 4 to produce days of credited
20 pupil attendance; (c) by dividing such days of credited pupil
21 attendance by the actual number of days in the regular term
22 as used in computation in the general apportionment in
23 Section 18-8.05; and (d) by multiplying by 1.25.

24 The amount of the grant for a summer school program
25 approved by the State Superintendent of Education for
26 children with disabilities, as defined in Sections 14-1.02
27 through 14-1.07, shall be determined in the manner contained
28 above except that average daily membership shall be utilized
29 in lieu of average daily attendance.

30 In the case of an apportionment based on summer school
31 attendance or membership pupils, the claim therefor shall be
32 presented as a separate claim for the particular school year
33 in which such summer school session ends. On or before

1 November 1 of each year the superintendent of each eligible
2 school district shall certify to the State Superintendent of
3 Education the claim of the district for the summer session
4 just ended. Failure on the part of the school board to so
5 certify shall constitute a forfeiture of its right to such
6 payment. The State Superintendent of Education shall
7 transmit to the Comptroller no later than December 15th of
8 each year vouchers for payment of amounts due school
9 districts for summer school. The State Superintendent of
10 Education shall direct the Comptroller to draw his warrants
11 for payments thereof by the 30th day of December. If the
12 money appropriated by the General Assembly for such purpose
13 for any year is insufficient, it shall be apportioned on the
14 basis of claims approved.

15 However, notwithstanding the foregoing provisions, for
16 each fiscal year the money appropriated by the General
17 Assembly for the purposes of this Section shall only be used
18 for grants for approved summer school programs for those
19 children with disabilities served pursuant to Section
20 Sections 14-7.02 and ~~14-7.02a~~ of this the-School Code.

21 (Source: P.A. 90-548, eff. 1-1-98; 91-764, eff. 6-9-00.)

22 (105 ILCS 5/14-7.02a rep.)

23 Section 10. The School Code is amended by repealing
24 Section 14-7.02a.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.