



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
SB2265

Introduced 1/15/2004, by Wendell E. Jones

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-13.01

from Ch. 122, par. 14-13.01

Amends the School Code. In the provisions for State reimbursement to school districts for furnishing special educational facilities to children with disabilities, increases the annual maximum reimbursement (i) for a teacher, professional worker, full time qualified director, and school psychologist, from \$8,000 to \$13,795 per person for the 2004-2005 school year, with a 2% increase in this amount each school year thereafter, (ii) for a reader, from \$400 to \$665 per child for the 2004-2005 school year, with a 2% increase in this amount each school year thereafter, and (ii) for non-certified employees, from \$2,800 to \$4,670 per employee for the 2004-2005 school year, with a 2% increase in this amount each school year thereafter. Effective July 1, 2004.

LRB093 18534 NHT 44254 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT relating to education.

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 Section
5 14-13.01 as follows:

6 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

7 Sec. 14-13.01. Reimbursement payable by State; Amounts.
8 Reimbursement for furnishing special educational facilities in
9 a recognized school to the type of children defined in Section
10 14-1.02 shall be paid to the school districts in accordance
11 with Section 14-12.01 for each school year ending June 30 by
12 the State Comptroller out of any money in the treasury
13 appropriated for such purposes on the presentation of vouchers
14 by the State Board of Education.

15 The reimbursement shall be limited to funds expended for
16 construction and maintenance of special education facilities
17 designed and utilized to house instructional programs,
18 diagnostic services, other special education services for
19 children with disabilities and reimbursement as provided in
20 Section 14-13.01. There shall be no reimbursement for
21 construction and maintenance of any administrative facility
22 separated from special education facilities designed and
23 utilized to house instructional programs, diagnostic services
24 and other special education services for children with
25 disabilities.

26 (a) For children who have not been identified as eligible
27 for special education and for eligible children with physical
28 disabilities, including all eligible children whose placement
29 has been determined under Section 14-8.02 in hospital or home
30 instruction, 1/2 of the teacher's salary but not more than
31 \$1,000 annually per child or \$13,795 ~~\$8,000~~ per teacher for the
32 for the 2004-2005 ~~1985-1986~~ school year, with a 2% increase in

1 this maximum amount per teacher each school year ~~and~~
2 thereafter, whichever is less. Children to be included in any
3 reimbursement under this paragraph must regularly receive a
4 minimum of one hour of instruction each school day, or in lieu
5 thereof of a minimum of 5 hours of instruction in each school
6 week in order to qualify for full reimbursement under this
7 Section. If the attending physician for such a child has
8 certified that the child should not receive as many as 5 hours
9 of instruction in a school week, however, reimbursement under
10 this paragraph on account of that child shall be computed
11 proportionate to the actual hours of instruction per week for
12 that child divided by 5.

13 (b) For children described in Section 14-1.02, 4/5 of the
14 cost of transportation for each such child, whom the State
15 Superintendent of Education determined in advance requires
16 special transportation service in order to take advantage of
17 special educational facilities. Transportation costs shall be
18 determined in the same fashion as provided in Section 29-5. For
19 purposes of this subsection (b), the dates for processing
20 claims specified in Section 29-5 shall apply.

21 (c) For each professional worker excluding those included
22 in subparagraphs (a), (d), (e), and (f) of this Section, the
23 annual sum of \$13,795 ~~\$8,000~~ for the 2004-2005 ~~1985-1986~~ school
24 year, with a 2% increase in this amount each school year ~~and~~
25 thereafter.

26 (d) For one full time qualified director of the special
27 education program of each school district which maintains a
28 fully approved program of special education the annual sum of
29 \$13,795 ~~\$8,000~~ for the 2004-2005 ~~1985-1986~~ school year, with a
30 2% increase in this amount each school year ~~and~~ thereafter.
31 Districts participating in a joint agreement special education
32 program shall not receive such reimbursement if reimbursement
33 is made for a director of the joint agreement program.

34 (e) For each school psychologist as defined in Section
35 14-1.09 the annual sum of \$13,795 ~~\$8,000~~ for the 2004-2005
36 ~~1985-1986~~ school year, with a 2% increase in this amount each

1 school year and thereafter.

2 (f) For each qualified teacher working in a fully approved
3 program for children of preschool age who are deaf or
4 hard-of-hearing the annual sum of \$13,795 ~~\$8,000~~ for the
5 2004-2005 ~~1985-1986~~ school year, with a 2% increase in this
6 amount each school year and thereafter.

7 (g) For readers, working with blind or partially seeing
8 children 1/2 of their salary but not more than \$665 ~~\$400~~
9 annually per child for the 2004-2005 school year, with a 2%
10 increase in this maximum amount each school year thereafter.
11 Readers may be employed to assist such children and shall not
12 be required to be certified but prior to employment shall meet
13 standards set up by the State Board of Education.

14 (h) For necessary non-certified employees working in any
15 class or program for children defined in this Article, 1/2 of
16 the salary paid or \$4,670 ~~\$2,800~~ annually per employee for the
17 2004-2005 school year, with a 2% increase in this maximum
18 amount per employee each school year thereafter, whichever is
19 less.

20 The State Board of Education shall set standards and
21 prescribe rules for determining the allocation of
22 reimbursement under this section on less than a full time basis
23 and for less than a school year.

24 When any school district eligible for reimbursement under
25 this Section operates a school or program approved by the State
26 Superintendent of Education for a number of days in excess of
27 the adopted school calendar but not to exceed 235 school days,
28 such reimbursement shall be increased by 1/185 of the amount or
29 rate paid hereunder for each day such school is operated in
30 excess of 185 days per calendar year.

31 Notwithstanding any other provision of law, any school
32 district receiving a payment under this Section or under
33 Section 14-7.02, 14-7.02a, or 29-5 of this Code may classify
34 all or a portion of the funds that it receives in a particular
35 fiscal year or from general State aid pursuant to Section
36 18-8.05 of this Code as funds received in connection with any

1 funding program for which it is entitled to receive funds from
2 the State in that fiscal year (including, without limitation,
3 any funding program referenced in this Section), regardless of
4 the source or timing of the receipt. The district may not
5 classify more funds as funds received in connection with the
6 funding program than the district is entitled to receive in
7 that fiscal year for that program. Any classification by a
8 district must be made by a resolution of its board of
9 education. The resolution must identify the amount of any
10 payments or general State aid to be classified under this
11 paragraph and must specify the funding program to which the
12 funds are to be treated as received in connection therewith.
13 This resolution is controlling as to the classification of
14 funds referenced therein. A certified copy of the resolution
15 must be sent to the State Superintendent of Education. The
16 resolution shall still take effect even though a copy of the
17 resolution has not been sent to the State Superintendent of
18 Education in a timely manner. No classification under this
19 paragraph by a district shall affect the total amount or timing
20 of money the district is entitled to receive under this Code.
21 No classification under this paragraph by a district shall in
22 any way relieve the district from or affect any requirements
23 that otherwise would apply with respect to that funding
24 program, including any accounting of funds by source, reporting
25 expenditures by original source and purpose, reporting
26 requirements, or requirements of providing services.

27 (Source: P.A. 92-568, eff. 6-26-02.)

28 Section 99. Effective date. This Act takes effect July 1,
29 2004.