



## 93RD GENERAL ASSEMBLY

### State of Illinois

#### 2003 and 2004

#### SB2866

Introduced 2/6/2004, by Dan Cronin

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/3-11	from Ch. 122, par. 3-11
105 ILCS 5/10-19	from Ch. 122, par. 10-19
105 ILCS 5/10-22.18d	from Ch. 122, par. 10-22.18d
105 ILCS 5/18-8.05	
105 ILCS 5/18-12	from Ch. 122, par. 18-12
105 ILCS 5/2-3.16 rep.	

Amends the School Code. Makes changes concerning teachers' institutes, parent-teacher conferences, parental institutes, in-service training programs, and school improvement activities; the length of the school term and the school district's calendar for the school term; the counting of days of attendance under the State aid formula; reducing a State aid claim for failing to provide the minimum school term; and a partial day of attendance being counted as a full day of attendance. Repeals a provision concerning procuring assistance to conduct teachers' institutes. Effective July 1, 2004.

LRB093 20982 NHT 46981 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning 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 Sections  
5 3-11, 10-19, 10-22.18d, 18-8.05, and 18-12 as follows:

6 (105 ILCS 5/3-11) (from Ch. 122, par. 3-11)

7 Sec. 3-11. Institutes or inservice training workshops. In  
8 counties of less than 2,000,000 inhabitants, the regional  
9 superintendent may arrange for or conduct district, regional,  
10 or county institutes, or equivalent professional educational  
11 experiences, not more than 4 days annually. Of those 4 days, 2  
12 days may be used as a teacher's workshop, when approved by the  
13 regional superintendent, up to 2 days may be used for  
14 conducting parent-teacher conferences or up to 2 days may be  
15 utilized as parental institute days as provided in Section  
16 10-22.18d. A school district may use an ~~one of its 4~~ institute  
17 day ~~days~~ on the last day of the school term. "Institute" or  
18 "professional educational experiences" means any inservice  
19 training workshop, educational gathering, demonstration of  
20 methods of instruction, visitation of schools or other  
21 institutions or facilities, or sexual abuse and sexual assault  
22 awareness seminar held or approved by the regional  
23 superintendent and declared by him to be an institute day, or  
24 parent-teacher conferences. With the concurrence of the State  
25 Superintendent of Education, he or she may employ such  
26 assistance as is necessary to conduct the institute. Two or  
27 more adjoining regions ~~counties~~ may jointly hold an institute.  
28 Institute instruction shall be free to holders of certificates  
29 good in the county or counties holding the institute, and to  
30 those who have paid an examination fee and failed to receive a  
31 certificate.

32 In counties of 2,000,000 or more inhabitants, the regional

1 superintendent may arrange for or conduct district, regional,  
2 or county inservice training workshops, or equivalent  
3 professional educational experiences, not more than 4 days  
4 annually. Of those 4 days, 2 days may be used for conducting  
5 parent-teacher conferences and up to 2 days may be utilized as  
6 parental institute days as provided in Section 10-22.18d. A  
7 school district may use an inservice training workshop day ~~one~~  
8 ~~of those 4 days~~ on the last day of the school term. "Inservice  
9 training workshops" or "professional educational experiences"  
10 means any educational gathering, demonstration of methods of  
11 instruction, visitation of schools or other institutions or  
12 facilities, or sexual abuse and sexual assault awareness  
13 seminar held or approved by the regional superintendent and  
14 declared by him to be an inservice training workshop, or  
15 parent-teacher conferences. With the concurrence of the State  
16 Superintendent of Education, he may employ such assistance as  
17 is necessary to conduct the inservice training workshop. With  
18 the approval of the regional superintendent, 2 or more  
19 adjoining districts may jointly hold an inservice training  
20 workshop. In addition, with the approval of the regional  
21 superintendent, one district may conduct its own inservice  
22 training workshop with subject matter consultants requested  
23 from the county, State or any State institution of higher  
24 learning.

25 Such teachers' ~~teachers~~ institutes as referred to in this  
26 Section may be held on consecutive or separate days at the  
27 option of the regional superintendent having jurisdiction  
28 thereof.

29 Whenever reference is made in this Code Act to "teachers'  
30 ~~teachers~~ institute", it shall be construed to include the  
31 inservice training workshops or equivalent professional  
32 educational experiences provided for in this Section.

33 Any institute advisory committee existing on April 1, 1995,  
34 is dissolved and the duties and responsibilities of the  
35 institute advisory committee are assumed by the regional office  
36 of education advisory board.

1 Districts providing inservice training programs shall  
2 constitute inservice committees, 1/2 of which shall be  
3 teachers, 1/4 school service personnel and 1/4 administrators  
4 to establish program content and schedules.

5 The teachers' ~~teachers~~ institutes shall include teacher  
6 training committed to peer counseling programs and other  
7 anti-violence and conflict resolution programs, including  
8 without limitation programs for preventing at risk students  
9 from committing violent acts.

10 (Source: P.A. 91-491, eff. 8-13-99.)

11 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

12 Sec. 10-19. Length of school term - experimental programs.  
13 Each school board shall annually prepare and submit to the  
14 State Board of Education for approval a proposed and a final a  
15 calendar for the school term, specifying the opening and  
16 closing dates and providing a minimum term of at least 190 ~~185~~  
17 days, including a minimum of 10 emergency days and up to the  
18 equivalent of 4 days for approved teachers' institutes under  
19 Section 3-11, parent-teacher conferences, parental institutes  
20 under Section 10-22.18d, in-service training programs under  
21 Section 10-22.39, and school improvement activities, to ensure  
22 ~~insure~~ 176 days of actual pupil attendance, computable under  
23 Section 18-8.05, and to ensure at least 880 student contact  
24 hours except that for the 1980-1981 school year only 175 days  
25 ~~of actual pupil attendance shall be required because of the~~  
26 ~~closing of schools pursuant to Section 24-2 on January 29, 1981~~  
27 ~~upon the appointment by the President of that day as a day of~~  
28 ~~thanksgiving for the freedom of the Americans who had been held~~  
29 ~~hostage in Iran. These teachers' institutes, parent-teacher~~  
30 conferences, parental institutes, in-service training  
31 programs, and school improvement activities must be approved by  
32 the regional superintendent of schools and may be conducted on  
33 full days or half days, provided that the activities are not  
34 held on days included within the district's 176 days of actual  
35 pupil attendance. Any days allowed by law for teachers'

1 institutes, parent-teacher conferences, parental institutes,  
2 in-service training programs, and school improvement  
3 activities ~~teachers' institute~~ but not used as such ~~or used as~~  
4 ~~parental institutes as provided in Section 10-22.18d~~ shall  
5 increase the minimum number of days of actual pupil attendance  
6 ~~term~~ by the school days not so used. Except as provided in  
7 Section 10-19.1, the board may not extend the school term  
8 beyond such closing date unless that extension of term is  
9 necessary to provide the minimum number of computable days. In  
10 case of such necessary extension school employees shall be paid  
11 for such additional time on the basis of their regular  
12 contracts if the extension increases the number of days that  
13 employees are required to work. A school board may specify a  
14 closing date earlier than that set on the annual calendar when  
15 the schools of the district have provided the minimum number of  
16 computable days under this Section. Nothing in this Section  
17 prevents the board from employing superintendents of schools,  
18 principals and other nonteaching personnel for a period of 12  
19 months, or in the case of superintendents for a period in  
20 accordance with Section 10-23.8, or prevents the board from  
21 employing other personnel before or after the regular school  
22 term with payment of salary proportionate to that received for  
23 comparable work during the school term.

24 A school board may make such changes in its calendar for  
25 the school term as may be required by any changes in the legal  
26 school holidays prescribed in Section 24-2. A school board may  
27 make changes in its calendar for the school term as may be  
28 necessary to reflect the utilization of teachers' institute  
29 days as parental institute days as provided in Section  
30 10-22.18d.

31 With the prior approval of the State Board of Education and  
32 subject to review by the State Board of Education every 3  
33 years, any school board may, by resolution of its board and in  
34 agreement with affected exclusive collective bargaining  
35 agents, establish experimental educational programs, including  
36 but not limited to programs for self-directed learning or

1 outside of formal class periods, which programs when so  
2 approved shall be considered to comply with the requirements of  
3 this Section as respects numbers of days of actual pupil  
4 attendance and with the other requirements of this Act as  
5 respects courses of instruction.

6 (Source: P.A. 91-96, eff. 7-9-99.)

7 (105 ILCS 5/10-22.18d) (from Ch. 122, par. 10-22.18d)

8 Sec. 10-22.18d. Parental institutes. A school district may  
9 ~~utilize up to two days allowed by law for teachers' institutes~~  
10 ~~to~~ conduct parental institutes for the parents and guardians of  
11 children attending the district if approved by the regional  
12 superintendent of schools under Section 10-19. No district may  
13 conduct ~~utilize teachers' institute days as~~ parental institute  
14 days without the consent of the district's inservice advisory  
15 committee created under Section 3-11. If a district does not  
16 have an inservice advisory committee, parental institute days  
17 must be approved by the district's teaching staff.

18 Parental institutes shall be designed by the school  
19 district upon consultation with the district's teaching staff,  
20 administrators, and parents' organizations. The district may  
21 provide appropriate personnel, including district staff, to  
22 conduct, attend, or participate in all or any portion of the  
23 institutes.

24 Parental institutes shall provide information on such  
25 topics as the district shall deem necessary to achieve the  
26 following purposes:

27 (1) Enhance parental involvement in the education of  
28 the district's students;

29 (2) Improve parental communication and involvement  
30 with the district;

31 (3) Enhance parental knowledge of child development,  
32 district programs, school conditions, and societal  
33 problems threatening students; and

34 (4) Improve parental skill development.

35 Districts shall use every means available to inform parents

1 and guardians about parental institutes and to encourage  
2 attendance at and active participation in such events.

3 Parental institutes may be held during that period of the  
4 day which is not part of the regular school day and may be held  
5 on Saturdays. Days scheduled for parental institutes may be  
6 scheduled separately for different grade levels and different  
7 attendance centers of the district.

8 Districts may establish reasonable fees, not to exceed the  
9 cost of holding parental institutes, for attendance and shall  
10 waive any fees so established for any parents or guardians who  
11 may be unable to afford such fees. Nothing shall preclude  
12 districts from applying for or accepting private funds to  
13 conduct parental institutes.

14 (Source: P.A. 86-1250.)

15 (105 ILCS 5/18-8.05)

16 Sec. 18-8.05. Basis for apportionment of general State  
17 financial aid and supplemental general State aid to the common  
18 schools for the 1998-1999 and subsequent school years.

19 (A) General Provisions.

20 (1) The provisions of this Section apply to the 1998-1999  
21 and subsequent school years. The system of general State  
22 financial aid provided for in this Section is designed to  
23 assure that, through a combination of State financial aid and  
24 required local resources, the financial support provided each  
25 pupil in Average Daily Attendance equals or exceeds a  
26 prescribed per pupil Foundation Level. This formula approach  
27 imputes a level of per pupil Available Local Resources and  
28 provides for the basis to calculate a per pupil level of  
29 general State financial aid that, when added to Available Local  
30 Resources, equals or exceeds the Foundation Level. The amount  
31 of per pupil general State financial aid for school districts,  
32 in general, varies in inverse relation to Available Local  
33 Resources. Per pupil amounts are based upon each school  
34 district's Average Daily Attendance as that term is defined in

1 this Section.

2 (2) In addition to general State financial aid, school  
3 districts with specified levels or concentrations of pupils  
4 from low income households are eligible to receive supplemental  
5 general State financial aid grants as provided pursuant to  
6 subsection (H). The supplemental State aid grants provided for  
7 school districts under subsection (H) shall be appropriated for  
8 distribution to school districts as part of the same line item  
9 in which the general State financial aid of school districts is  
10 appropriated under this Section.

11 (3) To receive financial assistance under this Section,  
12 school districts are required to file claims with the State  
13 Board of Education, subject to the following requirements:

14 (a) Any school district which fails for any given  
15 school year to maintain school as required by law, or to  
16 maintain a recognized school is not eligible to file for  
17 such school year any claim upon the Common School Fund. In  
18 case of nonrecognition of one or more attendance centers in  
19 a school district otherwise operating recognized schools,  
20 the claim of the district shall be reduced in the  
21 proportion which the Average Daily Attendance in the  
22 attendance center or centers bear to the Average Daily  
23 Attendance in the school district. A "recognized school"  
24 means any public school which meets the standards as  
25 established for recognition by the State Board of  
26 Education. A school district or attendance center not  
27 having recognition status at the end of a school term is  
28 entitled to receive State aid payments due upon a legal  
29 claim which was filed while it was recognized.

30 (b) School district claims filed under this Section are  
31 subject to Sections 18-9, 18-10, and 18-12, except as  
32 otherwise provided in this Section.

33 (c) If a school district operates a full year school  
34 under Section 10-19.1, the general State aid to the school  
35 district shall be determined by the State Board of  
36 Education in accordance with this Section as near as may be



1 applicable.

2 (d) (Blank).

3 (4) Except as provided in subsections (H) and (L), the  
4 board of any district receiving any of the grants provided for  
5 in this Section may apply those funds to any fund so received  
6 for which that board is authorized to make expenditures by law.

7 School districts are not required to exert a minimum  
8 Operating Tax Rate in order to qualify for assistance under  
9 this Section.

10 (5) As used in this Section the following terms, when  
11 capitalized, shall have the meaning ascribed herein:

12 (a) "Average Daily Attendance": A count of pupil  
13 attendance in school, averaged as provided for in  
14 subsection (C) and utilized in deriving per pupil financial  
15 support levels.

16 (b) "Available Local Resources": A computation of  
17 local financial support, calculated on the basis of Average  
18 Daily Attendance and derived as provided pursuant to  
19 subsection (D).

20 (c) "Corporate Personal Property Replacement Taxes":  
21 Funds paid to local school districts pursuant to "An Act in  
22 relation to the abolition of ad valorem personal property  
23 tax and the replacement of revenues lost thereby, and  
24 amending and repealing certain Acts and parts of Acts in  
25 connection therewith", certified August 14, 1979, as  
26 amended (Public Act 81-1st S.S.-1).

27 (d) "Foundation Level": A prescribed level of per pupil  
28 financial support as provided for in subsection (B).

29 (e) "Operating Tax Rate": All school district property  
30 taxes extended for all purposes, except Bond and Interest,  
31 Summer School, Rent, Capital Improvement, and Vocational  
32 Education Building purposes.

33 (B) Foundation Level.

34 (1) The Foundation Level is a figure established by the  
35 State representing the minimum level of per pupil financial

1 support that should be available to provide for the basic  
2 education of each pupil in Average Daily Attendance. As set  
3 forth in this Section, each school district is assumed to exert  
4 a sufficient local taxing effort such that, in combination with  
5 the aggregate of general State financial aid provided the  
6 district, an aggregate of State and local resources are  
7 available to meet the basic education needs of pupils in the  
8 district.

9 (2) For the 1998-1999 school year, the Foundation Level of  
10 support is \$4,225. For the 1999-2000 school year, the  
11 Foundation Level of support is \$4,325. For the 2000-2001 school  
12 year, the Foundation Level of support is \$4,425.

13 (3) For the 2001-2002 school year and 2002-2003 school  
14 year, the Foundation Level of support is \$4,560.

15 (4) For the 2003-2004 school year and each school year  
16 thereafter, the Foundation Level of support is \$4,810 or such  
17 greater amount as may be established by law by the General  
18 Assembly.

19 (C) Average Daily Attendance.

20 (1) For purposes of calculating general State aid pursuant  
21 to subsection (E), an Average Daily Attendance figure shall be  
22 utilized. The Average Daily Attendance figure for formula  
23 calculation purposes shall be the monthly average of the actual  
24 number of pupils in attendance of each school district, as  
25 further averaged for the best 3 months of pupil attendance for  
26 each school district. In compiling the figures for the number  
27 of pupils in attendance, school districts and the State Board  
28 of Education shall, for purposes of general State aid funding,  
29 conform attendance figures to the requirements of subsection  
30 (F).

31 (2) The Average Daily Attendance figures utilized in  
32 subsection (E) shall be the requisite attendance data for the  
33 school year immediately preceding the school year for which  
34 general State aid is being calculated or the average of the  
35 attendance data for the 3 preceding school years, whichever is

1 greater. The Average Daily Attendance figures utilized in  
2 subsection (H) shall be the requisite attendance data for the  
3 school year immediately preceding the school year for which  
4 general State aid is being calculated.

5 (D) Available Local Resources.

6 (1) For purposes of calculating general State aid pursuant  
7 to subsection (E), a representation of Available Local  
8 Resources per pupil, as that term is defined and determined in  
9 this subsection, shall be utilized. Available Local Resources  
10 per pupil shall include a calculated dollar amount representing  
11 local school district revenues from local property taxes and  
12 from Corporate Personal Property Replacement Taxes, expressed  
13 on the basis of pupils in Average Daily Attendance.

14 (2) In determining a school district's revenue from local  
15 property taxes, the State Board of Education shall utilize the  
16 equalized assessed valuation of all taxable property of each  
17 school district as of September 30 of the previous year. The  
18 equalized assessed valuation utilized shall be obtained and  
19 determined as provided in subsection (G).

20 (3) For school districts maintaining grades kindergarten  
21 through 12, local property tax revenues per pupil shall be  
22 calculated as the product of the applicable equalized assessed  
23 valuation for the district multiplied by 3.00%, and divided by  
24 the district's Average Daily Attendance figure. For school  
25 districts maintaining grades kindergarten through 8, local  
26 property tax revenues per pupil shall be calculated as the  
27 product of the applicable equalized assessed valuation for the  
28 district multiplied by 2.30%, and divided by the district's  
29 Average Daily Attendance figure. For school districts  
30 maintaining grades 9 through 12, local property tax revenues  
31 per pupil shall be the applicable equalized assessed valuation  
32 of the district multiplied by 1.05%, and divided by the  
33 district's Average Daily Attendance figure.

34 (4) The Corporate Personal Property Replacement Taxes paid  
35 to each school district during the calendar year 2 years before

1 the calendar year in which a school year begins, divided by the  
2 Average Daily Attendance figure for that district, shall be  
3 added to the local property tax revenues per pupil as derived  
4 by the application of the immediately preceding paragraph (3).  
5 The sum of these per pupil figures for each school district  
6 shall constitute Available Local Resources as that term is  
7 utilized in subsection (E) in the calculation of general State  
8 aid.

9 (E) Computation of General State Aid.

10 (1) For each school year, the amount of general State aid  
11 allotted to a school district shall be computed by the State  
12 Board of Education as provided in this subsection.

13 (2) For any school district for which Available Local  
14 Resources per pupil is less than the product of 0.93 times the  
15 Foundation Level, general State aid for that district shall be  
16 calculated as an amount equal to the Foundation Level minus  
17 Available Local Resources, multiplied by the Average Daily  
18 Attendance of the school district.

19 (3) For any school district for which Available Local  
20 Resources per pupil is equal to or greater than the product of  
21 0.93 times the Foundation Level and less than the product of  
22 1.75 times the Foundation Level, the general State aid per  
23 pupil shall be a decimal proportion of the Foundation Level  
24 derived using a linear algorithm. Under this linear algorithm,  
25 the calculated general State aid per pupil shall decline in  
26 direct linear fashion from 0.07 times the Foundation Level for  
27 a school district with Available Local Resources equal to the  
28 product of 0.93 times the Foundation Level, to 0.05 times the  
29 Foundation Level for a school district with Available Local  
30 Resources equal to the product of 1.75 times the Foundation  
31 Level. The allocation of general State aid for school districts  
32 subject to this paragraph 3 shall be the calculated general  
33 State aid per pupil figure multiplied by the Average Daily  
34 Attendance of the school district.

35 (4) For any school district for which Available Local

1 Resources per pupil equals or exceeds the product of 1.75 times  
2 the Foundation Level, the general State aid for the school  
3 district shall be calculated as the product of \$218 multiplied  
4 by the Average Daily Attendance of the school district.

5 (5) The amount of general State aid allocated to a school  
6 district for the 1999-2000 school year meeting the requirements  
7 set forth in paragraph (4) of subsection (G) shall be increased  
8 by an amount equal to the general State aid that would have  
9 been received by the district for the 1998-1999 school year by  
10 utilizing the Extension Limitation Equalized Assessed  
11 Valuation as calculated in paragraph (4) of subsection (G) less  
12 the general State aid allotted for the 1998-1999 school year.  
13 This amount shall be deemed a one time increase, and shall not  
14 affect any future general State aid allocations.

15 (F) Compilation of Average Daily Attendance.

16 (1) Each school district shall, by July 1 of each year,  
17 submit to the State Board of Education, on forms prescribed by  
18 the State Board of Education, attendance figures for the school  
19 year that began in the preceding calendar year. The attendance  
20 information so transmitted shall identify the average daily  
21 attendance figures for each month of the school year. Beginning  
22 with the general State aid claim form for the 2002-2003 school  
23 year, districts shall calculate Average Daily Attendance as  
24 provided in subdivisions (a), (b), and (c) of this paragraph  
25 (1).

26 (a) In districts that do not hold year-round classes,  
27 days of attendance in August shall be added to the month of  
28 September and any days of attendance in June shall be added  
29 to the month of May.

30 (b) In districts in which all buildings hold year-round  
31 classes, days of attendance in July and August shall be  
32 added to the month of September and any days of attendance  
33 in June shall be added to the month of May.

34 (c) In districts in which some buildings, but not all,  
35 hold year-round classes, for the non-year-round buildings,

1 days of attendance in August shall be added to the month of  
2 September and any days of attendance in June shall be added  
3 to the month of May. The average daily attendance for the  
4 year-round buildings shall be computed as provided in  
5 subdivision (b) of this paragraph (1). To calculate the  
6 Average Daily Attendance for the district, the average  
7 daily attendance for the year-round buildings shall be  
8 multiplied by the days in session for the non-year-round  
9 buildings for each month and added to the monthly  
10 attendance of the non-year-round buildings.

11 Except as otherwise provided in this Section, days of  
12 attendance by pupils shall be counted only for sessions of not  
13 less than 5 clock hours of school work per day under direct  
14 supervision of: (i) teachers, or (ii) non-teaching personnel or  
15 volunteer personnel when engaging in non-teaching duties and  
16 supervising in those instances specified in subsection (a) of  
17 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
18 of legal school age and in kindergarten and grades 1 through  
19 12.

20 Days of attendance by tuition pupils shall be accredited  
21 only to the districts that pay the tuition to a recognized  
22 school.

23 (2) Days of attendance by pupils of less than 5 clock hours  
24 of school shall be subject to the following provisions in the  
25 compilation of Average Daily Attendance.

26 (a) Pupils regularly enrolled in a public school for  
27 only a part of the school day may be counted on the basis  
28 of 1/6 day for every class hour of instruction of 40  
29 minutes or more attended pursuant to such enrollment,  
30 unless a pupil is enrolled in a block-schedule format of 80  
31 minutes or more of instruction, in which case the pupil may  
32 be counted on the basis of the proportion of minutes of  
33 school work completed each day to the minimum number of  
34 minutes that school work is required to be held that day.

35 (b) (Blank). ~~Days of attendance may be less than 5~~  
36 ~~clock hours on the opening and closing of the school term,~~

1 ~~and upon the first day of pupil attendance, if preceded by~~  
2 ~~a day or days utilized as an institute or teachers'~~  
3 ~~workshop.~~

4 (c) A session of 4 or more clock hours may be counted  
5 as a day of attendance upon certification by the regional  
6 superintendent, and approved by the State Superintendent  
7 of Education to the extent that the district has been  
8 forced to use daily multiple sessions.

9 (d) (Blank). ~~A session of 3 or more clock hours may be~~  
10 ~~counted as a day of attendance (1) when the remainder of~~  
11 ~~the school day or at least 2 hours in the evening of that~~  
12 ~~day is utilized for an in-service training program for~~  
13 ~~teachers, up to a maximum of 5 days per school year of~~  
14 ~~which a maximum of 4 days of such 5 days may be used for~~  
15 ~~parent teacher conferences, provided a district conducts~~  
16 ~~an in-service training program for teachers which has been~~  
17 ~~approved by the State Superintendent of Education; or, in~~  
18 ~~lieu of 4 such days, 2 full days may be used, in which~~  
19 ~~event each such day may be counted as a day of attendance;~~  
20 ~~and (2) when days in addition to those provided in item (1)~~  
21 ~~are scheduled by a school pursuant to its school~~  
22 ~~improvement plan adopted under Article 34 or its revised or~~  
23 ~~amended school improvement plan adopted under Article 2,~~  
24 ~~provided that (i) such sessions of 3 or more clock hours~~  
25 ~~are scheduled to occur at regular intervals, (ii) the~~  
26 ~~remainder of the school days in which such sessions occur~~  
27 ~~are utilized for in-service training programs or other~~  
28 ~~staff development activities for teachers, and (iii) a~~  
29 ~~sufficient number of minutes of school work under the~~  
30 ~~direct supervision of teachers are added to the school days~~  
31 ~~between such regularly scheduled sessions to accumulate~~  
32 ~~not less than the number of minutes by which such sessions~~  
33 ~~of 3 or more clock hours fall short of 5 clock hours. Any~~  
34 ~~full days used for the purposes of this paragraph shall not~~  
35 ~~be considered for computing average daily attendance. Days~~  
36 ~~scheduled for in-service training programs, staff~~

1 ~~development activities, or parent-teacher conferences may~~  
2 ~~be scheduled separately for different grade levels and~~  
3 ~~different attendance centers of the district.~~

4 (e) A session of not less than one clock hour of  
5 teaching hospitalized or homebound pupils on-site or by  
6 telephone to the classroom may be counted as 1/2 day of  
7 attendance, however these pupils must receive 4 or more  
8 clock hours of instruction to be counted for a full day of  
9 attendance.

10 (f) A session of at least 4 clock hours may be counted  
11 as a day of attendance for first grade pupils, and pupils  
12 in full day kindergartens, and a session of 2 or more hours  
13 may be counted as 1/2 day of attendance by pupils in  
14 kindergartens which provide only 1/2 day of attendance.

15 (g) For children with disabilities who are below the  
16 age of 6 years and who cannot attend 2 or more clock hours  
17 because of their disability or immaturity, a session of not  
18 less than one clock hour may be counted as 1/2 day of  
19 attendance; however for such children whose educational  
20 needs so require a session of 4 or more clock hours may be  
21 counted as a full day of attendance.

22 (h) A recognized kindergarten which provides for only  
23 1/2 day of attendance by each pupil shall not have more  
24 than 1/2 day of attendance counted in any one day. However,  
25 kindergartens may count 2 1/2 days of attendance in any 5  
26 consecutive school days. When a pupil attends such a  
27 kindergarten for 2 half days on any one school day, the  
28 pupil shall have the following day as a day absent from  
29 school, unless the school district obtains permission in  
30 writing from the State Superintendent of Education.  
31 Attendance at kindergartens which provide for a full day of  
32 attendance by each pupil shall be counted the same as  
33 attendance by first grade pupils. Only the first year of  
34 attendance in one kindergarten shall be counted, except in  
35 case of children who entered the kindergarten in their  
36 fifth year whose educational development requires a second



1 year of kindergarten as determined under the rules and  
2 regulations of the State Board of Education.

3 (G) Equalized Assessed Valuation Data.

4 (1) For purposes of the calculation of Available Local  
5 Resources required pursuant to subsection (D), the State Board  
6 of Education shall secure from the Department of Revenue the  
7 value as equalized or assessed by the Department of Revenue of  
8 all taxable property of every school district, together with  
9 (i) the applicable tax rate used in extending taxes for the  
10 funds of the district as of September 30 of the previous year  
11 and (ii) the limiting rate for all school districts subject to  
12 property tax extension limitations as imposed under the  
13 Property Tax Extension Limitation Law.

14 This equalized assessed valuation, as adjusted further by  
15 the requirements of this subsection, shall be utilized in the  
16 calculation of Available Local Resources.

17 (2) The equalized assessed valuation in paragraph (1) shall  
18 be adjusted, as applicable, in the following manner:

19 (a) For the purposes of calculating State aid under  
20 this Section, with respect to any part of a school district  
21 within a redevelopment project area in respect to which a  
22 municipality has adopted tax increment allocation  
23 financing pursuant to the Tax Increment Allocation  
24 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11  
25 of the Illinois Municipal Code or the Industrial Jobs  
26 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
27 Illinois Municipal Code, no part of the current equalized  
28 assessed valuation of real property located in any such  
29 project area which is attributable to an increase above the  
30 total initial equalized assessed valuation of such  
31 property shall be used as part of the equalized assessed  
32 valuation of the district, until such time as all  
33 redevelopment project costs have been paid, as provided in  
34 Section 11-74.4-8 of the Tax Increment Allocation  
35 Redevelopment Act or in Section 11-74.6-35 of the

1 Industrial Jobs Recovery Law. For the purpose of the  
2 equalized assessed valuation of the district, the total  
3 initial equalized assessed valuation or the current  
4 equalized assessed valuation, whichever is lower, shall be  
5 used until such time as all redevelopment project costs  
6 have been paid.

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

21 (3) For the 1999-2000 school year and each school year  
22 thereafter, if a school district meets all of the criteria of  
23 this subsection (G) (3), the school district's Available Local  
24 Resources shall be calculated under subsection (D) using the  
25 district's Extension Limitation Equalized Assessed Valuation  
26 as calculated under this subsection (G) (3).

27 For purposes of this subsection (G) (3) the following terms  
28 shall have the following meanings:

29 "Budget Year": The school year for which general State  
30 aid is calculated and awarded under subsection (E).

31 "Base Tax Year": The property tax levy year used to  
32 calculate the Budget Year allocation of general State aid.

33 "Preceding Tax Year": The property tax levy year  
34 immediately preceding the Base Tax Year.

35 "Base Tax Year's Tax Extension": The product of the  
36 equalized assessed valuation utilized by the County Clerk

1 in the Base Tax Year multiplied by the limiting rate as  
2 calculated by the County Clerk and defined in the Property  
3 Tax Extension Limitation Law.

4 "Preceding Tax Year's Tax Extension": The product of  
5 the equalized assessed valuation utilized by the County  
6 Clerk in the Preceding Tax Year multiplied by the Operating  
7 Tax Rate as defined in subsection (A).

8 "Extension Limitation Ratio": A numerical ratio,  
9 certified by the County Clerk, in which the numerator is  
10 the Base Tax Year's Tax Extension and the denominator is  
11 the Preceding Tax Year's Tax Extension.

12 "Operating Tax Rate": The operating tax rate as defined  
13 in subsection (A).

14 If a school district is subject to property tax extension  
15 limitations as imposed under the Property Tax Extension  
16 Limitation Law, the State Board of Education shall calculate  
17 the Extension Limitation Equalized Assessed Valuation of that  
18 district. For the 1999-2000 school year, the Extension  
19 Limitation Equalized Assessed Valuation of a school district as  
20 calculated by the State Board of Education shall be equal to  
21 the product of the district's 1996 Equalized Assessed Valuation  
22 and the district's Extension Limitation Ratio. For the  
23 2000-2001 school year and each school year thereafter, the  
24 Extension Limitation Equalized Assessed Valuation of a school  
25 district as calculated by the State Board of Education shall be  
26 equal to the product of the Equalized Assessed Valuation last  
27 used in the calculation of general State aid and the district's  
28 Extension Limitation Ratio. If the Extension Limitation  
29 Equalized Assessed Valuation of a school district as calculated  
30 under this subsection (G)(3) is less than the district's  
31 equalized assessed valuation as calculated pursuant to  
32 subsections (G)(1) and (G)(2), then for purposes of calculating  
33 the district's general State aid for the Budget Year pursuant  
34 to subsection (E), that Extension Limitation Equalized  
35 Assessed Valuation shall be utilized to calculate the  
36 district's Available Local Resources under subsection (D).

1 (4) For the purposes of calculating general State aid for  
2 the 1999-2000 school year only, if a school district  
3 experienced a triennial reassessment on the equalized assessed  
4 valuation used in calculating its general State financial aid  
5 apportionment for the 1998-1999 school year, the State Board of  
6 Education shall calculate the Extension Limitation Equalized  
7 Assessed Valuation that would have been used to calculate the  
8 district's 1998-1999 general State aid. This amount shall equal  
9 the product of the equalized assessed valuation used to  
10 calculate general State aid for the 1997-1998 school year and  
11 the district's Extension Limitation Ratio. If the Extension  
12 Limitation Equalized Assessed Valuation of the school district  
13 as calculated under this paragraph (4) is less than the  
14 district's equalized assessed valuation utilized in  
15 calculating the district's 1998-1999 general State aid  
16 allocation, then for purposes of calculating the district's  
17 general State aid pursuant to paragraph (5) of subsection (E),  
18 that Extension Limitation Equalized Assessed Valuation shall  
19 be utilized to calculate the district's Available Local  
20 Resources.

21 (5) For school districts having a majority of their  
22 equalized assessed valuation in any county except Cook, DuPage,  
23 Kane, Lake, McHenry, or Will, if the amount of general State  
24 aid allocated to the school district for the 1999-2000 school  
25 year under the provisions of subsection (E), (H), and (J) of  
26 this Section is less than the amount of general State aid  
27 allocated to the district for the 1998-1999 school year under  
28 these subsections, then the general State aid of the district  
29 for the 1999-2000 school year only shall be increased by the  
30 difference between these amounts. The total payments made under  
31 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
32 be prorated if they exceed \$14,000,000.

33 (H) Supplemental General State Aid.

34 (1) In addition to the general State aid a school district  
35 is allotted pursuant to subsection (E), qualifying school

1 districts shall receive a grant, paid in conjunction with a  
2 district's payments of general State aid, for supplemental  
3 general State aid based upon the concentration level of  
4 children from low-income households within the school  
5 district. Supplemental State aid grants provided for school  
6 districts under this subsection shall be appropriated for  
7 distribution to school districts as part of the same line item  
8 in which the general State financial aid of school districts is  
9 appropriated under this Section. If the appropriation in any  
10 fiscal year for general State aid and supplemental general  
11 State aid is insufficient to pay the amounts required under the  
12 general State aid and supplemental general State aid  
13 calculations, then the State Board of Education shall ensure  
14 that each school district receives the full amount due for  
15 general State aid and the remainder of the appropriation shall  
16 be used for supplemental general State aid, which the State  
17 Board of Education shall calculate and pay to eligible  
18 districts on a prorated basis.

19 (1.5) This paragraph (1.5) applies only to those school  
20 years preceding the 2003-2004 school year. For purposes of this  
21 subsection (H), the term "Low-Income Concentration Level"  
22 shall be the low-income eligible pupil count from the most  
23 recently available federal census divided by the Average Daily  
24 Attendance of the school district. If, however, (i) the  
25 percentage decrease from the 2 most recent federal censuses in  
26 the low-income eligible pupil count of a high school district  
27 with fewer than 400 students exceeds by 75% or more the  
28 percentage change in the total low-income eligible pupil count  
29 of contiguous elementary school districts, whose boundaries  
30 are coterminous with the high school district, or (ii) a high  
31 school district within 2 counties and serving 5 elementary  
32 school districts, whose boundaries are coterminous with the  
33 high school district, has a percentage decrease from the 2 most  
34 recent federal censuses in the low-income eligible pupil count  
35 and there is a percentage increase in the total low-income  
36 eligible pupil count of a majority of the elementary school

1 districts in excess of 50% from the 2 most recent federal  
2 censuses, then the high school district's low-income eligible  
3 pupil count from the earlier federal census shall be the number  
4 used as the low-income eligible pupil count for the high school  
5 district, for purposes of this subsection (H). The changes made  
6 to this paragraph (1) by Public Act 92-28 shall apply to  
7 supplemental general State aid grants for school years  
8 preceding the 2003-2004 school year that are paid in fiscal  
9 year 1999 or thereafter and to any State aid payments made in  
10 fiscal year 1994 through fiscal year 1998 pursuant to  
11 subsection 1(n) of Section 18-8 of this Code (which was  
12 repealed on July 1, 1998), and any high school district that is  
13 affected by Public Act 92-28 is entitled to a recomputation of  
14 its supplemental general State aid grant or State aid paid in  
15 any of those fiscal years. This recomputation shall not be  
16 affected by any other funding.

17 (1.10) This paragraph (1.10) applies to the 2003-2004  
18 school year and each school year thereafter. For purposes of  
19 this subsection (H), the term "Low-Income Concentration Level"  
20 shall, for each fiscal year, be the low-income eligible pupil  
21 count as of July 1 of the immediately preceding fiscal year (as  
22 determined by the Department of Human Services based on the  
23 number of pupils who are eligible for at least one of the  
24 following low income programs: Medicaid, KidCare, TANF, or Food  
25 Stamps, excluding pupils who are eligible for services provided  
26 by the Department of Children and Family Services, averaged  
27 over the 2 immediately preceding fiscal years for fiscal year  
28 2004 and over the 3 immediately preceding fiscal years for each  
29 fiscal year thereafter) divided by the Average Daily Attendance  
30 of the school district.

31 (2) Supplemental general State aid pursuant to this  
32 subsection (H) shall be provided as follows for the 1998-1999,  
33 1999-2000, and 2000-2001 school years only:

34 (a) For any school district with a Low Income  
35 Concentration Level of at least 20% and less than 35%, the  
36 grant for any school year shall be \$800 multiplied by the

1 low income eligible pupil count.

2 (b) For any school district with a Low Income  
3 Concentration Level of at least 35% and less than 50%, the  
4 grant for the 1998-1999 school year shall be \$1,100  
5 multiplied by the low income eligible pupil count.

6 (c) For any school district with a Low Income  
7 Concentration Level of at least 50% and less than 60%, the  
8 grant for the 1998-99 school year shall be \$1,500  
9 multiplied by the low income eligible pupil count.

10 (d) For any school district with a Low Income  
11 Concentration Level of 60% or more, the grant for the  
12 1998-99 school year shall be \$1,900 multiplied by the low  
13 income eligible pupil count.

14 (e) For the 1999-2000 school year, the per pupil amount  
15 specified in subparagraphs (b), (c), and (d) immediately  
16 above shall be increased to \$1,243, \$1,600, and \$2,000,  
17 respectively.

18 (f) For the 2000-2001 school year, the per pupil  
19 amounts specified in subparagraphs (b), (c), and (d)  
20 immediately above shall be \$1,273, \$1,640, and \$2,050,  
21 respectively.

22 (2.5) Supplemental general State aid pursuant to this  
23 subsection (H) shall be provided as follows for the 2002-2003  
24 school year:

25 (a) For any school district with a Low Income  
26 Concentration Level of less than 10%, the grant for each  
27 school year shall be \$355 multiplied by the low income  
28 eligible pupil count.

29 (b) For any school district with a Low Income  
30 Concentration Level of at least 10% and less than 20%, the  
31 grant for each school year shall be \$675 multiplied by the  
32 low income eligible pupil count.

33 (c) For any school district with a Low Income  
34 Concentration Level of at least 20% and less than 35%, the  
35 grant for each school year shall be \$1,330 multiplied by  
36 the low income eligible pupil count.

1           (d) For any school district with a Low Income  
2 Concentration Level of at least 35% and less than 50%, the  
3 grant for each school year shall be \$1,362 multiplied by  
4 the low income eligible pupil count.

5           (e) For any school district with a Low Income  
6 Concentration Level of at least 50% and less than 60%, the  
7 grant for each school year shall be \$1,680 multiplied by  
8 the low income eligible pupil count.

9           (f) For any school district with a Low Income  
10 Concentration Level of 60% or more, the grant for each  
11 school year shall be \$2,080 multiplied by the low income  
12 eligible pupil count.

13           (2.10) Except as otherwise provided, supplemental general  
14 State aid pursuant to this subsection (H) shall be provided as  
15 follows for the 2003-2004 school year and each school year  
16 thereafter:

17           (a) For any school district with a Low Income  
18 Concentration Level of 15% or less, the grant for each  
19 school year shall be \$355 multiplied by the low income  
20 eligible pupil count.

21           (b) For any school district with a Low Income  
22 Concentration Level greater than 15%, the grant for each  
23 school year shall be \$294.25 added to the product of \$2,700  
24 and the square of the Low Income Concentration Level, all  
25 multiplied by the low income eligible pupil count.

26           For the 2003-2004 school year only, the grant shall be no  
27 less than the grant for the 2002-2003 school year. For the  
28 2004-2005 school year only, the grant shall be no less than the  
29 grant for the 2002-2003 school year multiplied by 0.66. For the  
30 2005-2006 school year only, the grant shall be no less than the  
31 grant for the 2002-2003 school year multiplied by 0.33.

32           For the 2003-2004 school year only, the grant shall be no  
33 greater than the grant received during the 2002-2003 school  
34 year added to the product of 0.25 multiplied by the difference  
35 between the grant amount calculated under subsection (a) or (b)  
36 of this paragraph (2.10), whichever is applicable, and the



1 grant received during the 2002-2003 school year. For the  
2 2004-2005 school year only, the grant shall be no greater than  
3 the grant received during the 2002-2003 school year added to  
4 the product of 0.50 multiplied by the difference between the  
5 grant amount calculated under subsection (a) or (b) of this  
6 paragraph (2.10), whichever is applicable, and the grant  
7 received during the 2002-2003 school year. For the 2005-2006  
8 school year only, the grant shall be no greater than the grant  
9 received during the 2002-2003 school year added to the product  
10 of 0.75 multiplied by the difference between the grant amount  
11 calculated under subsection (a) or (b) of this paragraph  
12 (2.10), whichever is applicable, and the grant received during  
13 the 2002-2003 school year.

14 (3) School districts with an Average Daily Attendance of  
15 more than 1,000 and less than 50,000 that qualify for  
16 supplemental general State aid pursuant to this subsection  
17 shall submit a plan to the State Board of Education prior to  
18 October 30 of each year for the use of the funds resulting from  
19 this grant of supplemental general State aid for the  
20 improvement of instruction in which priority is given to  
21 meeting the education needs of disadvantaged children. Such  
22 plan shall be submitted in accordance with rules and  
23 regulations promulgated by the State Board of Education.

24 (4) School districts with an Average Daily Attendance of  
25 50,000 or more that qualify for supplemental general State aid  
26 pursuant to this subsection shall be required to distribute  
27 from funds available pursuant to this Section, no less than  
28 \$261,000,000 in accordance with the following requirements:

29 (a) The required amounts shall be distributed to the  
30 attendance centers within the district in proportion to the  
31 number of pupils enrolled at each attendance center who are  
32 eligible to receive free or reduced-price lunches or  
33 breakfasts under the federal Child Nutrition Act of 1966  
34 and under the National School Lunch Act during the  
35 immediately preceding school year.

36 (b) The distribution of these portions of supplemental

1 and general State aid among attendance centers according to  
2 these requirements shall not be compensated for or  
3 contravened by adjustments of the total of other funds  
4 appropriated to any attendance centers, and the Board of  
5 Education shall utilize funding from one or several sources  
6 in order to fully implement this provision annually prior  
7 to the opening of school.

8 (c) Each attendance center shall be provided by the  
9 school district a distribution of noncategorical funds and  
10 other categorical funds to which an attendance center is  
11 entitled under law in order that the general State aid and  
12 supplemental general State aid provided by application of  
13 this subsection supplements rather than supplants the  
14 noncategorical funds and other categorical funds provided  
15 by the school district to the attendance centers.

16 (d) Any funds made available under this subsection that  
17 by reason of the provisions of this subsection are not  
18 required to be allocated and provided to attendance centers  
19 may be used and appropriated by the board of the district  
20 for any lawful school purpose.

21 (e) Funds received by an attendance center pursuant to  
22 this subsection shall be used by the attendance center at  
23 the discretion of the principal and local school council  
24 for programs to improve educational opportunities at  
25 qualifying schools through the following programs and  
26 services: early childhood education, reduced class size or  
27 improved adult to student classroom ratio, enrichment  
28 programs, remedial assistance, attendance improvement, and  
29 other educationally beneficial expenditures which  
30 supplement the regular and basic programs as determined by  
31 the State Board of Education. Funds provided shall not be  
32 expended for any political or lobbying purposes as defined  
33 by board rule.

34 (f) Each district subject to the provisions of this  
35 subdivision (H) (4) shall submit an acceptable plan to meet  
36 the educational needs of disadvantaged children, in

1 compliance with the requirements of this paragraph, to the  
2 State Board of Education prior to July 15 of each year.  
3 This plan shall be consistent with the decisions of local  
4 school councils concerning the school expenditure plans  
5 developed in accordance with part 4 of Section 34-2.3. The  
6 State Board shall approve or reject the plan within 60 days  
7 after its submission. If the plan is rejected, the district  
8 shall give written notice of intent to modify the plan  
9 within 15 days of the notification of rejection and then  
10 submit a modified plan within 30 days after the date of the  
11 written notice of intent to modify. Districts may amend  
12 approved plans pursuant to rules promulgated by the State  
13 Board of Education.

14 Upon notification by the State Board of Education that  
15 the district has not submitted a plan prior to July 15 or a  
16 modified plan within the time period specified herein, the  
17 State aid funds affected by that plan or modified plan  
18 shall be withheld by the State Board of Education until a  
19 plan or modified plan is submitted.

20 If the district fails to distribute State aid to  
21 attendance centers in accordance with an approved plan, the  
22 plan for the following year shall allocate funds, in  
23 addition to the funds otherwise required by this  
24 subsection, to those attendance centers which were  
25 underfunded during the previous year in amounts equal to  
26 such underfunding.

27 For purposes of determining compliance with this  
28 subsection in relation to the requirements of attendance  
29 center funding, each district subject to the provisions of  
30 this subsection shall submit as a separate document by  
31 December 1 of each year a report of expenditure data for  
32 the prior year in addition to any modification of its  
33 current plan. If it is determined that there has been a  
34 failure to comply with the expenditure provisions of this  
35 subsection regarding contravention or supplanting, the  
36 State Superintendent of Education shall, within 60 days of

1 receipt of the report, notify the district and any affected  
2 local school council. The district shall within 45 days of  
3 receipt of that notification inform the State  
4 Superintendent of Education of the remedial or corrective  
5 action to be taken, whether by amendment of the current  
6 plan, if feasible, or by adjustment in the plan for the  
7 following year. Failure to provide the expenditure report  
8 or the notification of remedial or corrective action in a  
9 timely manner shall result in a withholding of the affected  
10 funds.

11 The State Board of Education shall promulgate rules and  
12 regulations to implement the provisions of this  
13 subsection. No funds shall be released under this  
14 subdivision (H) (4) to any district that has not submitted a  
15 plan that has been approved by the State Board of  
16 Education.

17 (I) General State Aid for Newly Configured School Districts.

18 (1) For a new school district formed by combining property  
19 included totally within 2 or more previously existing school  
20 districts, for its first year of existence the general State  
21 aid and supplemental general State aid calculated under this  
22 Section shall be computed for the new district and for the  
23 previously existing districts for which property is totally  
24 included within the new district. If the computation on the  
25 basis of the previously existing districts is greater, a  
26 supplementary payment equal to the difference shall be made for  
27 the first 4 years of existence of the new district.

28 (2) For a school district which annexes all of the  
29 territory of one or more entire other school districts, for the  
30 first year during which the change of boundaries attributable  
31 to such annexation becomes effective for all purposes as  
32 determined under Section 7-9 or 7A-8, the general State aid and  
33 supplemental general State aid calculated under this Section  
34 shall be computed for the annexing district as constituted  
35 after the annexation and for the annexing and each annexed

1 district as constituted prior to the annexation; and if the  
2 computation on the basis of the annexing and annexed districts  
3 as constituted prior to the annexation is greater, a  
4 supplementary payment equal to the difference shall be made for  
5 the first 4 years of existence of the annexing school district  
6 as constituted upon such annexation.

7 (3) For 2 or more school districts which annex all of the  
8 territory of one or more entire other school districts, and for  
9 2 or more community unit districts which result upon the  
10 division (pursuant to petition under Section 11A-2) of one or  
11 more other unit school districts into 2 or more parts and which  
12 together include all of the parts into which such other unit  
13 school district or districts are so divided, for the first year  
14 during which the change of boundaries attributable to such  
15 annexation or division becomes effective for all purposes as  
16 determined under Section 7-9 or 11A-10, as the case may be, the  
17 general State aid and supplemental general State aid calculated  
18 under this Section shall be computed for each annexing or  
19 resulting district as constituted after the annexation or  
20 division and for each annexing and annexed district, or for  
21 each resulting and divided district, as constituted prior to  
22 the annexation or division; and if the aggregate of the general  
23 State aid and supplemental general State aid as so computed for  
24 the annexing or resulting districts as constituted after the  
25 annexation or division is less than the aggregate of the  
26 general State aid and supplemental general State aid as so  
27 computed for the annexing and annexed districts, or for the  
28 resulting and divided districts, as constituted prior to the  
29 annexation or division, then a supplementary payment equal to  
30 the difference shall be made and allocated between or among the  
31 annexing or resulting districts, as constituted upon such  
32 annexation or division, for the first 4 years of their  
33 existence. The total difference payment shall be allocated  
34 between or among the annexing or resulting districts in the  
35 same ratio as the pupil enrollment from that portion of the  
36 annexed or divided district or districts which is annexed to or

1 included in each such annexing or resulting district bears to  
2 the total pupil enrollment from the entire annexed or divided  
3 district or districts, as such pupil enrollment is determined  
4 for the school year last ending prior to the date when the  
5 change of boundaries attributable to the annexation or division  
6 becomes effective for all purposes. The amount of the total  
7 difference payment and the amount thereof to be allocated to  
8 the annexing or resulting districts shall be computed by the  
9 State Board of Education on the basis of pupil enrollment and  
10 other data which shall be certified to the State Board of  
11 Education, on forms which it shall provide for that purpose, by  
12 the regional superintendent of schools for each educational  
13 service region in which the annexing and annexed districts, or  
14 resulting and divided districts are located.

15 (3.5) Claims for financial assistance under this  
16 subsection (I) shall not be recomputed except as expressly  
17 provided under this Section.

18 (4) Any supplementary payment made under this subsection  
19 (I) shall be treated as separate from all other payments made  
20 pursuant to this Section.

21 (J) Supplementary Grants in Aid.

22 (1) Notwithstanding any other provisions of this Section,  
23 the amount of the aggregate general State aid in combination  
24 with supplemental general State aid under this Section for  
25 which each school district is eligible shall be no less than  
26 the amount of the aggregate general State aid entitlement that  
27 was received by the district under Section 18-8 (exclusive of  
28 amounts received under subsections 5(p) and 5(p-5) of that  
29 Section) for the 1997-98 school year, pursuant to the  
30 provisions of that Section as it was then in effect. If a  
31 school district qualifies to receive a supplementary payment  
32 made under this subsection (J), the amount of the aggregate  
33 general State aid in combination with supplemental general  
34 State aid under this Section which that district is eligible to  
35 receive for each school year shall be no less than the amount

1 of the aggregate general State aid entitlement that was  
2 received by the district under Section 18-8 (exclusive of  
3 amounts received under subsections 5(p) and 5(p-5) of that  
4 Section) for the 1997-1998 school year, pursuant to the  
5 provisions of that Section as it was then in effect.

6 (2) If, as provided in paragraph (1) of this subsection  
7 (J), a school district is to receive aggregate general State  
8 aid in combination with supplemental general State aid under  
9 this Section for the 1998-99 school year and any subsequent  
10 school year that in any such school year is less than the  
11 amount of the aggregate general State aid entitlement that the  
12 district received for the 1997-98 school year, the school  
13 district shall also receive, from a separate appropriation made  
14 for purposes of this subsection (J), a supplementary payment  
15 that is equal to the amount of the difference in the aggregate  
16 State aid figures as described in paragraph (1).

17 (3) (Blank).

18 (K) Grants to Laboratory and Alternative Schools.

19 In calculating the amount to be paid to the governing board  
20 of a public university that operates a laboratory school under  
21 this Section or to any alternative school that is operated by a  
22 regional superintendent of schools, the State Board of  
23 Education shall require by rule such reporting requirements as  
24 it deems necessary.

25 As used in this Section, "laboratory school" means a public  
26 school which is created and operated by a public university and  
27 approved by the State Board of Education. The governing board  
28 of a public university which receives funds from the State  
29 Board under this subsection (K) may not increase the number of  
30 students enrolled in its laboratory school from a single  
31 district, if that district is already sending 50 or more  
32 students, except under a mutual agreement between the school  
33 board of a student's district of residence and the university  
34 which operates the laboratory school. A laboratory school may  
35 not have more than 1,000 students, excluding students with

1 disabilities in a special education program.

2 As used in this Section, "alternative school" means a  
3 public school which is created and operated by a Regional  
4 Superintendent of Schools and approved by the State Board of  
5 Education. Such alternative schools may offer courses of  
6 instruction for which credit is given in regular school  
7 programs, courses to prepare students for the high school  
8 equivalency testing program or vocational and occupational  
9 training. A regional superintendent of schools may contract  
10 with a school district or a public community college district  
11 to operate an alternative school. An alternative school serving  
12 more than one educational service region may be established by  
13 the regional superintendents of schools of the affected  
14 educational service regions. An alternative school serving  
15 more than one educational service region may be operated under  
16 such terms as the regional superintendents of schools of those  
17 educational service regions may agree.

18 Each laboratory and alternative school shall file, on forms  
19 provided by the State Superintendent of Education, an annual  
20 State aid claim which states the Average Daily Attendance of  
21 the school's students by month. The best 3 months' Average  
22 Daily Attendance shall be computed for each school. The general  
23 State aid entitlement shall be computed by multiplying the  
24 applicable Average Daily Attendance by the Foundation Level as  
25 determined under this Section.

26 (L) Payments, Additional Grants in Aid and Other Requirements.

27 (1) For a school district operating under the financial  
28 supervision of an Authority created under Article 34A, the  
29 general State aid otherwise payable to that district under this  
30 Section, but not the supplemental general State aid, shall be  
31 reduced by an amount equal to the budget for the operations of  
32 the Authority as certified by the Authority to the State Board  
33 of Education, and an amount equal to such reduction shall be  
34 paid to the Authority created for such district for its  
35 operating expenses in the manner provided in Section 18-11. The



1 remainder of general State school aid for any such district  
2 shall be paid in accordance with Article 34A when that Article  
3 provides for a disposition other than that provided by this  
4 Article.

5 (2) (Blank).

6 (3) Summer school. Summer school payments shall be made as  
7 provided in Section 18-4.3.

8 (M) Education Funding Advisory Board.

9 The Education Funding Advisory Board, hereinafter in this  
10 subsection (M) referred to as the "Board", is hereby created.  
11 The Board shall consist of 5 members who are appointed by the  
12 Governor, by and with the advice and consent of the Senate. The  
13 members appointed shall include representatives of education,  
14 business, and the general public. One of the members so  
15 appointed shall be designated by the Governor at the time the  
16 appointment is made as the chairperson of the Board. The  
17 initial members of the Board may be appointed any time after  
18 the effective date of this amendatory Act of 1997. The regular  
19 term of each member of the Board shall be for 4 years from the  
20 third Monday of January of the year in which the term of the  
21 member's appointment is to commence, except that of the 5  
22 initial members appointed to serve on the Board, the member who  
23 is appointed as the chairperson shall serve for a term that  
24 commences on the date of his or her appointment and expires on  
25 the third Monday of January, 2002, and the remaining 4 members,  
26 by lots drawn at the first meeting of the Board that is held  
27 after all 5 members are appointed, shall determine 2 of their  
28 number to serve for terms that commence on the date of their  
29 respective appointments and expire on the third Monday of  
30 January, 2001, and 2 of their number to serve for terms that  
31 commence on the date of their respective appointments and  
32 expire on the third Monday of January, 2000. All members  
33 appointed to serve on the Board shall serve until their  
34 respective successors are appointed and confirmed. Vacancies  
35 shall be filled in the same manner as original appointments. If

1 a vacancy in membership occurs at a time when the Senate is not  
2 in session, the Governor shall make a temporary appointment  
3 until the next meeting of the Senate, when he or she shall  
4 appoint, by and with the advice and consent of the Senate, a  
5 person to fill that membership for the unexpired term. If the  
6 Senate is not in session when the initial appointments are  
7 made, those appointments shall be made as in the case of  
8 vacancies.

9 The Education Funding Advisory Board shall be deemed  
10 established, and the initial members appointed by the Governor  
11 to serve as members of the Board shall take office, on the date  
12 that the Governor makes his or her appointment of the fifth  
13 initial member of the Board, whether those initial members are  
14 then serving pursuant to appointment and confirmation or  
15 pursuant to temporary appointments that are made by the  
16 Governor as in the case of vacancies.

17 The State Board of Education shall provide such staff  
18 assistance to the Education Funding Advisory Board as is  
19 reasonably required for the proper performance by the Board of  
20 its responsibilities.

21 For school years after the 2000-2001 school year, the  
22 Education Funding Advisory Board, in consultation with the  
23 State Board of Education, shall make recommendations as  
24 provided in this subsection (M) to the General Assembly for the  
25 foundation level under subdivision (B)(3) of this Section and  
26 for the supplemental general State aid grant level under  
27 subsection (H) of this Section for districts with high  
28 concentrations of children from poverty. The recommended  
29 foundation level shall be determined based on a methodology  
30 which incorporates the basic education expenditures of  
31 low-spending schools exhibiting high academic performance. The  
32 Education Funding Advisory Board shall make such  
33 recommendations to the General Assembly on January 1 of odd  
34 numbered years, beginning January 1, 2001.

35 (N) (Blank).

1 (O) References.

2 (1) References in other laws to the various subdivisions of  
3 Section 18-8 as that Section existed before its repeal and  
4 replacement by this Section 18-8.05 shall be deemed to refer to  
5 the corresponding provisions of this Section 18-8.05, to the  
6 extent that those references remain applicable.

7 (2) References in other laws to State Chapter 1 funds shall  
8 be deemed to refer to the supplemental general State aid  
9 provided under subsection (H) of this Section.

10 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,  
11 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,  
12 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

13 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

14 Sec. 18-12. Dates for filing State aid claims. The school  
15 board of each school district shall require teachers,  
16 principals, or superintendents to furnish from records kept by  
17 them such data as it needs in preparing and certifying to the  
18 regional superintendent its school district report of claims  
19 provided in Sections 18-8.05 through 18-10 as required by the  
20 State Superintendent of Education. The district claim shall be  
21 based on the latest available equalized assessed valuation and  
22 tax rates, as provided in Section 18-8.05 and shall use the  
23 average daily attendance as determined by the method outlined  
24 in Section 18-8.05 and shall be certified and filed with the  
25 regional superintendent by June 21 for districts with an  
26 official school calendar end date before June 15 or within 2  
27 weeks following the official school calendar end date for  
28 districts with a school year end date of June 15 or later. The  
29 regional superintendent shall certify and file with the State  
30 Superintendent of Education district State aid claims by July 1  
31 for districts with an official school calendar end date before  
32 June 15 or no later than July 15 for districts with an official  
33 school calendar end date of June 15 or later. Failure to so  
34 file by these deadlines constitutes a forfeiture of the right

1 to receive payment by the State until such claim is filed and  
2 vouchered for payment. The regional superintendent of schools  
3 shall certify the county report of claims by July 15; and the  
4 State Superintendent of Education shall voucher for payment  
5 those claims to the State Comptroller as provided in Section  
6 18-11.

7 Except as otherwise provided in this Section, if any school  
8 district fails to provide the minimum school term specified in  
9 Section 10-19, the State aid claim for that year shall be  
10 reduced by the State Superintendent of Education in an amount  
11 equivalent to 0.55555% ~~5.6818%~~ for each day less than the  
12 number of days required by this Code.

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

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

25 If, during any school day, (i) a school district has  
26 provided at least one clock hour of instruction but must close  
27 the schools due to adverse weather conditions or due to a  
28 condition beyond the control of the school district that poses  
29 a hazardous threat to the health and safety of pupils prior to  
30 providing the minimum hours of instruction required for a full  
31 day of attendance, or (ii) the school district must delay the  
32 start of the school day due to adverse weather conditions and  
33 this delay prevents the district from providing the minimum  
34 hours of instruction required for a full day of attendance, the  
35 partial day of attendance may be counted as a full day of  
36 attendance. The partial day of attendance and the reasons

1 therefor shall be certified in writing within a month of the  
2 closing or delayed start by the local school district  
3 superintendent to the Regional Superintendent of Schools for  
4 ~~forwarding to the State Superintendent of Education for~~  
5 approval.

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

13 ~~No exception to the requirement of providing a minimum~~  
14 ~~school term may be approved by the State Superintendent of~~  
15 ~~Education pursuant to this Section unless a school district has~~  
16 ~~first used all emergency days provided for in its regular~~  
17 ~~calendar.~~

18 If the State Superintendent of Education declares that an  
19 energy shortage exists during any part of the school year for  
20 the State or a designated portion of the State, a district may  
21 operate the school attendance centers within the district 4  
22 days of the week during the time of the shortage by extending  
23 each existing school day by one clock hour of school work, and  
24 the State aid claim shall not be reduced, nor shall the  
25 employees of that district suffer any reduction in salary or  
26 benefits as a result thereof. A district may operate all  
27 attendance centers on this revised schedule, or may apply the  
28 schedule to selected attendance centers, taking into  
29 consideration such factors as pupil transportation schedules  
30 and patterns and sources of energy for individual attendance  
31 centers.

32 No State aid claim may be filed for any district unless the  
33 district superintendent executes and files with the State  
34 Superintendent of Education, in the method prescribed by the  
35 Superintendent, certification that the district has complied  
36 with the requirements of Section 10-22.5 in regard to the

1 nonsegregation of pupils on account of color, creed, race, sex  
2 or nationality.

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

9 Electronically submitted State aid claims shall be  
10 submitted by duly authorized district or regional individuals  
11 over a secure network that is password protected. The  
12 electronic submission of a State aid claim must be accompanied  
13 with an affirmation that all of the provisions of Sections  
14 18-8.05 through 18-10, 10-22.5, and 24-4 of this Code are met  
15 in all respects.

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

17 (105 ILCS 5/2-3.16 rep.)

18 Section 10. The School Code is amended by repealing Section  
19 2-3.16.

20 Section 99. Effective date. This Act takes effect July 1,  
21 2004.