

**HB0761**



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB0761**

Introduced 2/1/2005, by Rep. William Davis

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/18-8.05

Amends the School Code with regard to the State aid formula. Increases the foundation level of support by \$250. Effective July 1, 2005.

LRB094 05169 NHT 35211 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

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 Section  
5 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

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

10 (A) General Provisions.

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

27 (2) In addition to general State financial aid, school  
28 districts with specified levels or concentrations of pupils  
29 from low income households are eligible to receive supplemental  
30 general State financial aid grants as provided pursuant to  
31 subsection (H). The supplemental State aid grants provided for

1 school districts under subsection (H) shall be appropriated for  
2 distribution to school districts as part of the same line item  
3 in which the general State financial aid of school districts is  
4 appropriated under this Section.

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

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

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

27 (c) If a school district operates a full year school  
28 under Section 10-19.1, the general State aid to the school  
29 district shall be determined by the State Board of  
30 Education in accordance with this Section as near as may be  
31 applicable.

32 (d) (Blank).

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

1 School districts are not required to exert a minimum  
2 Operating Tax Rate in order to qualify for assistance under  
3 this Section.

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

6 (a) "Average Daily Attendance": A count of pupil  
7 attendance in school, averaged as provided for in  
8 subsection (C) and utilized in deriving per pupil financial  
9 support levels.

10 (b) "Available Local Resources": A computation of  
11 local financial support, calculated on the basis of Average  
12 Daily Attendance and derived as provided pursuant to  
13 subsection (D).

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

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

23 (e) "Operating Tax Rate": All school district property  
24 taxes extended for all purposes, except Bond and Interest,  
25 Summer School, Rent, Capital Improvement, and Vocational  
26 Education Building purposes.

27 (B) Foundation Level.

28 (1) The Foundation Level is a figure established by the  
29 State representing the minimum level of per pupil financial  
30 support that should be available to provide for the basic  
31 education of each pupil in Average Daily Attendance. As set  
32 forth in this Section, each school district is assumed to exert  
33 a sufficient local taxing effort such that, in combination with  
34 the aggregate of general State financial aid provided the  
35 district, an aggregate of State and local resources are

1 available to meet the basic education needs of pupils in the  
2 district.

3 (2) For the 1998-1999 school year, the Foundation Level of  
4 support is \$4,225. For the 1999-2000 school year, the  
5 Foundation Level of support is \$4,325. For the 2000-2001 school  
6 year, the Foundation Level of support is \$4,425. For the  
7 2001-2002 school year and 2002-2003 school year, the Foundation  
8 Level of support is \$4,560. For the 2003-2004 school year, the  
9 Foundation Level of support is \$4,810. For the 2004-2005 school  
10 year, the Foundation Level of support is \$4,964.

11 (3) For the 2005-2006 ~~2004-2005~~ school year and each school  
12 year thereafter, the Foundation Level of support is \$5,214  
13 ~~\$4,964~~ ~~\$5,060~~ or such greater amount as may be established by  
14 law by the General Assembly.

15 (C) Average Daily Attendance.

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

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

1 (D) Available Local Resources.

2 (1) For purposes of calculating general State aid pursuant  
3 to subsection (E), a representation of Available Local  
4 Resources per pupil, as that term is defined and determined in  
5 this subsection, shall be utilized. Available Local Resources  
6 per pupil shall include a calculated dollar amount representing  
7 local school district revenues from local property taxes and  
8 from Corporate Personal Property Replacement Taxes, expressed  
9 on the basis of pupils in Average Daily Attendance. Calculation  
10 of Available Local Resources shall exclude any tax amnesty  
11 funds received as a result of Public Act 93-26.

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

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

32 (4) The Corporate Personal Property Replacement Taxes paid  
33 to each school district during the calendar year 2 years before  
34 the calendar year in which a school year begins, divided by the  
35 Average Daily Attendance figure for that district, shall be

1 added to the local property tax revenues per pupil as derived  
2 by the application of the immediately preceding paragraph (3).  
3 The sum of these per pupil figures for each school district  
4 shall constitute Available Local Resources as that term is  
5 utilized in subsection (E) in the calculation of general State  
6 aid.

7 (E) Computation of General State Aid.

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

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

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

33 (4) For any school district for which Available Local  
34 Resources per pupil equals or exceeds the product of 1.75 times  
35 the Foundation Level, the general State aid for the school

1 district shall be calculated as the product of \$218 multiplied  
2 by the Average Daily Attendance of the school district.

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

13 (F) Compilation of Average Daily Attendance.

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

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

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

32 (c) In districts in which some buildings, but not all,  
33 hold year-round classes, for the non-year-round buildings,  
34 days of attendance in August shall be added to the month of  
35 September and any days of attendance in June shall be added



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

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

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

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

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

33 (b) Days of attendance may be less than 5 clock hours  
34 on the opening and closing of the school term, and upon the  
35 first day of pupil attendance, if preceded by a day or days  
36 utilized as an institute or teachers' workshop.

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

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

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

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

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

19           (h) A recognized kindergarten which provides for only  
20 1/2 day of attendance by each pupil shall not have more  
21 than 1/2 day of attendance counted in any one day. However,  
22 kindergartens may count 2 1/2 days of attendance in any 5  
23 consecutive school days. When a pupil attends such a  
24 kindergarten for 2 half days on any one school day, the  
25 pupil shall have the following day as a day absent from  
26 school, unless the school district obtains permission in  
27 writing from the State Superintendent of Education.  
28 Attendance at kindergartens which provide for a full day of  
29 attendance by each pupil shall be counted the same as  
30 attendance by first grade pupils. Only the first year of  
31 attendance in one kindergarten shall be counted, except in  
32 case of children who entered the kindergarten in their  
33 fifth year whose educational development requires a second  
34 year of kindergarten as determined under the rules and  
35 regulations of the State Board of Education.

1 (G) Equalized Assessed Valuation Data.

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

12 The Department of Revenue shall add to the equalized  
13 assessed value of all taxable property of each school district  
14 situated entirely or partially within a county that is or was  
15 subject to the alternative general homestead exemption  
16 provisions of Section 15-176 of the Property Tax Code (a) ~~(i)~~  
17 an amount equal to the total amount by which the homestead  
18 exemption allowed under Section 15-176 of the Property Tax Code  
19 for real property situated in that school district exceeds the  
20 total amount that would have been allowed in that school  
21 district if the maximum reduction under Section 15-176 was (i)  
22 \$4,500 in Cook County or \$3,500 in all other counties in tax  
23 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and  
24 thereafter and (b) ~~(i)~~ an amount equal to the aggregate amount  
25 for the taxable year of all additional exemptions under Section  
26 15-175 of the Property Tax Code for owners with a household  
27 income of \$30,000 or less. The county clerk of any county that  
28 is or was subject to the alternative general homestead  
29 exemption provisions of Section 15-176 of the Property Tax Code  
30 shall annually calculate and certify to the Department of  
31 Revenue for each school district all homestead exemption  
32 amounts under Section 15-176 of the Property Tax Code and all  
33 amounts of additional exemptions under Section 15-175 of the  
34 Property Tax Code for owners with a household income of \$30,000  
35 or less. It is the intent of this paragraph that if the general  
36 homestead exemption for a parcel of property is determined

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

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

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

20 (a) For the purposes of calculating State aid under  
21 this Section, with respect to any part of a school district  
22 within a redevelopment project area in respect to which a  
23 municipality has adopted tax increment allocation  
24 financing pursuant to the Tax Increment Allocation  
25 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11  
26 of the Illinois Municipal Code or the Industrial Jobs  
27 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
28 Illinois Municipal Code, no part of the current equalized  
29 assessed valuation of real property located in any such  
30 project area which is attributable to an increase above the  
31 total initial equalized assessed valuation of such  
32 property shall be used as part of the equalized assessed  
33 valuation of the district, until such time as all  
34 redevelopment project costs have been paid, as provided in  
35 Section 11-74.4-8 of the Tax Increment Allocation  
36 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 and 2004-2005 school year only, the grant  
27 shall be no less than the grant for the 2002-2003 school year.  
28 For the 2005-2006 school year only, the grant shall be no less  
29 than the grant for the 2002-2003 school year multiplied by  
30 0.66. For the 2006-2007 school year only, the grant shall be no  
31 less than the grant for the 2002-2003 school year multiplied by  
32 0.33.

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

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

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

25 (4) School districts with an Average Daily Attendance of  
26 50,000 or more that qualify for supplemental general State aid  
27 pursuant to this subsection shall be required to distribute  
28 from funds available pursuant to this Section, no less than  
29 \$261,000,000 in accordance with the following requirements:

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

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

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

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

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

35 (f) Each district subject to the provisions of this  
36 subdivision (H) (4) shall submit an acceptable plan to meet

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

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

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

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

1 State Superintendent of Education shall, within 60 days of  
2 receipt of the report, notify the district and any affected  
3 local school council. The district shall within 45 days of  
4 receipt of that notification inform the State  
5 Superintendent of Education of the remedial or corrective  
6 action to be taken, whether by amendment of the current  
7 plan, if feasible, or by adjustment in the plan for the  
8 following year. Failure to provide the expenditure report  
9 or the notification of remedial or corrective action in a  
10 timely manner shall result in a withholding of the affected  
11 funds.

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

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

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

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



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

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

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

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

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

22 (J) Supplementary Grants in Aid.

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

1 receive for each school year shall be no less than the amount  
2 of the aggregate general State aid entitlement that was  
3 received by the district under Section 18-8 (exclusive of  
4 amounts received under subsections 5(p) and 5(p-5) of that  
5 Section) for the 1997-1998 school year, pursuant to the  
6 provisions of that Section as it was then in effect.

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

18 (3) (Blank).

19 (K) Grants to Laboratory and Alternative Schools.

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

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

1 not have more than 1,000 students, excluding students with  
2 disabilities in a special education program.

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

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

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

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

1 operating expenses in the manner provided in Section 18-11. The  
2 remainder of general State school aid for any such district  
3 shall be paid in accordance with Article 34A when that Article  
4 provides for a disposition other than that provided by this  
5 Article.

6 (2) (Blank).

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

9 (M) Education Funding Advisory Board.

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

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

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

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

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

1 (N) (Blank).

2 (O) References.

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

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

11 (P) Public Act 93-838 ~~This amendatory Act of the 93rd General~~  
12 ~~Assembly~~ and Public Act 93-808 ~~House Bill 4266 of the 93rd~~  
13 ~~General Assembly~~ make inconsistent changes to this Section. ~~If~~  
14 ~~House Bill 4266 becomes law, then~~ Under Section 6 of the  
15 Statute on Statutes there is an irreconcilable conflict between  
16 Public Act 93-808 and Public Act 93-838 ~~House Bill 4266 and~~  
17 ~~this amendatory Act.~~ Public Act 93-838 ~~This amendatory Act,~~  
18 being the last acted upon, is controlling. The text of Public  
19 Act 93-838 ~~this amendatory Act~~ is the law regardless of the  
20 text of Public Act 93-808 ~~House Bill 4266~~.

21 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,  
22 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,  
23 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03; 93-715,  
24 eff. 7-12-04; 93-808, eff. 7-26-04; 93-838, eff. 7-30-04;  
25 93-875, eff. 8-6-04; revised 10-21-04.)

26 Section 99. Effective date. This Act takes effect July 1,  
27 2005.