



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB5423**

Introduced 01/27/06, by Rep. Tom Cross

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/18-8.05

Amends the School Code. Makes a technical change in a Section concerning the State aid formula.

LRB094 16907 NHT 52186 b

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 ~~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 school year and each school year  
12 thereafter, the Foundation Level of support is \$5,164 or such  
13 greater amount as may be established by law by the General  
14 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.

36 (i) On the days when the Prairie State Achievement

1 Examination is administered under subsection (c) of  
2 Section 2-3.64 of this Code, the day of attendance for a  
3 pupil whose school day must be shortened to accommodate  
4 required testing procedures may be less than 5 clock hours  
5 and shall be counted towards the 176 days of actual pupil  
6 attendance required under Section 10-19 of this Code,  
7 provided that a sufficient number of minutes of school work  
8 in excess of 5 clock hours are first completed on other  
9 school days to compensate for the loss of school work on  
10 the examination days.

11 (G) Equalized Assessed Valuation Data.

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

22 The Department of Revenue shall add to the equalized  
23 assessed value of all taxable property of each school district  
24 situated entirely or partially within a county that is or was  
25 subject to the alternative general homestead exemption  
26 provisions of Section 15-176 of the Property Tax Code (a) an  
27 amount equal to the total amount by which the homestead  
28 exemption allowed under Section 15-176 of the Property Tax Code  
29 for real property situated in that school district exceeds the  
30 total amount that would have been allowed in that school  
31 district if the maximum reduction under Section 15-176 was (i)  
32 \$4,500 in Cook County or \$3,500 in all other counties in tax  
33 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and  
34 thereafter and (b) an amount equal to the aggregate amount for  
35 the taxable year of all additional exemptions under Section

1 15-175 of the Property Tax Code for owners with a household  
2 income of \$30,000 or less. The county clerk of any county that  
3 is or was subject to the alternative general homestead  
4 exemption provisions of Section 15-176 of the Property Tax Code  
5 shall annually calculate and certify to the Department of  
6 Revenue for each school district all homestead exemption  
7 amounts under Section 15-176 of the Property Tax Code and all  
8 amounts of additional exemptions under Section 15-175 of the  
9 Property Tax Code for owners with a household income of \$30,000  
10 or less. It is the intent of this paragraph that if the general  
11 homestead exemption for a parcel of property is determined  
12 under Section 15-176 of the Property Tax Code rather than  
13 Section 15-175, then the calculation of Available Local  
14 Resources shall not be affected by the difference, if any,  
15 between the amount of the general homestead exemption allowed  
16 for that parcel of property under Section 15-176 of the  
17 Property Tax Code and the amount that would have been allowed  
18 had the general homestead exemption for that parcel of property  
19 been determined under Section 15-175 of the Property Tax Code.  
20 It is further the intent of this paragraph that if additional  
21 exemptions are allowed under Section 15-175 of the Property Tax  
22 Code for owners with a household income of less than \$30,000,  
23 then the calculation of Available Local Resources shall not be  
24 affected by the difference, if any, because of those additional  
25 exemptions.

26 This equalized assessed valuation, as adjusted further by  
27 the requirements of this subsection, shall be utilized in the  
28 calculation of Available Local Resources.

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

31 (a) For the purposes of calculating State aid under  
32 this Section, with respect to any part of a school district  
33 within a redevelopment project area in respect to which a  
34 municipality has adopted tax increment allocation  
35 financing pursuant to the Tax Increment Allocation  
36 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11

1 of the Illinois Municipal Code or the Industrial Jobs  
2 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
3 Illinois Municipal Code, no part of the current equalized  
4 assessed valuation of real property located in any such  
5 project area which is attributable to an increase above the  
6 total initial equalized assessed valuation of such  
7 property shall be used as part of the equalized assessed  
8 valuation of the district, until such time as all  
9 redevelopment project costs have been paid, as provided in  
10 Section 11-74.4-8 of the Tax Increment Allocation  
11 Redevelopment Act or in Section 11-74.6-35 of the  
12 Industrial Jobs Recovery Law. For the purpose of the  
13 equalized assessed valuation of the district, the total  
14 initial equalized assessed valuation or the current  
15 equalized assessed valuation, whichever is lower, shall be  
16 used until such time as all redevelopment project costs  
17 have been paid.

18 (b) The real property equalized assessed valuation for  
19 a school district shall be adjusted by subtracting from the  
20 real property value as equalized or assessed by the  
21 Department of Revenue for the district an amount computed  
22 by dividing the amount of any abatement of taxes under  
23 Section 18-170 of the Property Tax Code by 3.00% for a  
24 district maintaining grades kindergarten through 12, by  
25 2.30% for a district maintaining grades kindergarten  
26 through 8, or by 1.05% for a district maintaining grades 9  
27 through 12 and adjusted by an amount computed by dividing  
28 the amount of any abatement of taxes under subsection (a)  
29 of Section 18-165 of the Property Tax Code by the same  
30 percentage rates for district type as specified in this  
31 subparagraph (b).

32 (3) For the 1999-2000 school year and each school year  
33 thereafter, if a school district meets all of the criteria of  
34 this subsection (G) (3), the school district's Available Local  
35 Resources shall be calculated under subsection (D) using the  
36 district's Extension Limitation Equalized Assessed Valuation

1 as calculated under this subsection (G) (3).

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

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

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

8 "Preceding Tax Year": The property tax levy year  
9 immediately preceding the Base Tax Year.

10 "Base Tax Year's Tax Extension": The product of the  
11 equalized assessed valuation utilized by the County Clerk  
12 in the Base Tax Year multiplied by the limiting rate as  
13 calculated by the County Clerk and defined in the Property  
14 Tax Extension Limitation Law.

15 "Preceding Tax Year's Tax Extension": The product of  
16 the equalized assessed valuation utilized by the County  
17 Clerk in the Preceding Tax Year multiplied by the Operating  
18 Tax Rate as defined in subsection (A).

19 "Extension Limitation Ratio": A numerical ratio,  
20 certified by the County Clerk, in which the numerator is  
21 the Base Tax Year's Tax Extension and the denominator is  
22 the Preceding Tax Year's Tax Extension.

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

25 If a school district is subject to property tax extension  
26 limitations as imposed under the Property Tax Extension  
27 Limitation Law, the State Board of Education shall calculate  
28 the Extension Limitation Equalized Assessed Valuation of that  
29 district. For the 1999-2000 school year, the Extension  
30 Limitation Equalized Assessed Valuation of a school district as  
31 calculated by the State Board of Education shall be equal to  
32 the product of the district's 1996 Equalized Assessed Valuation  
33 and the district's Extension Limitation Ratio. For the  
34 2000-2001 school year and each school year thereafter, the  
35 Extension Limitation Equalized Assessed Valuation of a school  
36 district as calculated by the State Board of Education shall be

1 equal to the product of the Equalized Assessed Valuation last  
2 used in the calculation of general State aid and the district's  
3 Extension Limitation Ratio. If the Extension Limitation  
4 Equalized Assessed Valuation of a school district as calculated  
5 under this subsection (G)(3) is less than the district's  
6 equalized assessed valuation as calculated pursuant to  
7 subsections (G)(1) and (G)(2), then for purposes of calculating  
8 the district's general State aid for the Budget Year pursuant  
9 to subsection (E), that Extension Limitation Equalized  
10 Assessed Valuation shall be utilized to calculate the  
11 district's Available Local Resources under subsection (D).

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

32 (5) For school districts having a majority of their  
33 equalized assessed valuation in any county except Cook, DuPage,  
34 Kane, Lake, McHenry, or Will, if the amount of general State  
35 aid allocated to the school district for the 1999-2000 school  
36 year under the provisions of subsection (E), (H), and (J) of



1 this Section is less than the amount of general State aid  
2 allocated to the district for the 1998-1999 school year under  
3 these subsections, then the general State aid of the district  
4 for the 1999-2000 school year only shall be increased by the  
5 difference between these amounts. The total payments made under  
6 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
7 be prorated if they exceed \$14,000,000.

8 (H) Supplemental General State Aid.

9 (1) In addition to the general State aid a school district  
10 is allotted pursuant to subsection (E), qualifying school  
11 districts shall receive a grant, paid in conjunction with a  
12 district's payments of general State aid, for supplemental  
13 general State aid based upon the concentration level of  
14 children from low-income households within the school  
15 district. Supplemental State aid grants provided for school  
16 districts under this subsection shall be appropriated for  
17 distribution to school districts as part of the same line item  
18 in which the general State financial aid of school districts is  
19 appropriated under this Section. If the appropriation in any  
20 fiscal year for general State aid and supplemental general  
21 State aid is insufficient to pay the amounts required under the  
22 general State aid and supplemental general State aid  
23 calculations, then the State Board of Education shall ensure  
24 that each school district receives the full amount due for  
25 general State aid and the remainder of the appropriation shall  
26 be used for supplemental general State aid, which the State  
27 Board of Education shall calculate and pay to eligible  
28 districts on a prorated basis.

29 (1.5) This paragraph (1.5) applies only to those school  
30 years preceding the 2003-2004 school year. For purposes of this  
31 subsection (H), the term "Low-Income Concentration Level"  
32 shall be the low-income eligible pupil count from the most  
33 recently available federal census divided by the Average Daily  
34 Attendance of the school district. If, however, (i) the  
35 percentage decrease from the 2 most recent federal censuses in

1 the low-income eligible pupil count of a high school district  
2 with fewer than 400 students exceeds by 75% or more the  
3 percentage change in the total low-income eligible pupil count  
4 of contiguous elementary school districts, whose boundaries  
5 are coterminous with the high school district, or (ii) a high  
6 school district within 2 counties and serving 5 elementary  
7 school districts, whose boundaries are coterminous with the  
8 high school district, has a percentage decrease from the 2 most  
9 recent federal censuses in the low-income eligible pupil count  
10 and there is a percentage increase in the total low-income  
11 eligible pupil count of a majority of the elementary school  
12 districts in excess of 50% from the 2 most recent federal  
13 censuses, then the high school district's low-income eligible  
14 pupil count from the earlier federal census shall be the number  
15 used as the low-income eligible pupil count for the high school  
16 district, for purposes of this subsection (H). The changes made  
17 to this paragraph (1) by Public Act 92-28 shall apply to  
18 supplemental general State aid grants for school years  
19 preceding the 2003-2004 school year that are paid in fiscal  
20 year 1999 or thereafter and to any State aid payments made in  
21 fiscal year 1994 through fiscal year 1998 pursuant to  
22 subsection 1(n) of Section 18-8 of this Code (which was  
23 repealed on July 1, 1998), and any high school district that is  
24 affected by Public Act 92-28 is entitled to a recomputation of  
25 its supplemental general State aid grant or State aid paid in  
26 any of those fiscal years. This recomputation shall not be  
27 affected by any other funding.

28 (1.10) This paragraph (1.10) applies to the 2003-2004  
29 school year and each school year thereafter. For purposes of  
30 this subsection (H), the term "Low-Income Concentration Level"  
31 shall, for each fiscal year, be the low-income eligible pupil  
32 count as of July 1 of the immediately preceding fiscal year (as  
33 determined by the Department of Human Services based on the  
34 number of pupils who are eligible for at least one of the  
35 following low income programs: Medicaid, KidCare, TANF, or Food  
36 Stamps, excluding pupils who are eligible for services provided

1 by the Department of Children and Family Services, averaged  
2 over the 2 immediately preceding fiscal years for fiscal year  
3 2004 and over the 3 immediately preceding fiscal years for each  
4 fiscal year thereafter) divided by the Average Daily Attendance  
5 of the school district.

6 (2) Supplemental general State aid pursuant to this  
7 subsection (H) shall be provided as follows for the 1998-1999,  
8 1999-2000, and 2000-2001 school years only:

9 (a) For any school district with a Low Income  
10 Concentration Level of at least 20% and less than 35%, the  
11 grant for any school year shall be \$800 multiplied by the  
12 low income eligible pupil count.

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

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

21 (d) For any school district with a Low Income  
22 Concentration Level of 60% or more, the grant for the  
23 1998-99 school year shall be \$1,900 multiplied by the low  
24 income eligible pupil count.

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

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

33 (2.5) Supplemental general State aid pursuant to this  
34 subsection (H) shall be provided as follows for the 2002-2003  
35 school year:

36 (a) For any school district with a Low Income

1 Concentration Level of less than 10%, the grant for each  
2 school year shall be \$355 multiplied by the low income  
3 eligible pupil count.

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

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

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

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

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

24 (2.10) Except as otherwise provided, supplemental general  
25 State aid pursuant to this subsection (H) shall be provided as  
26 follows for the 2003-2004 school year and each school year  
27 thereafter:

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

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

1 For the 2003-2004 school year, 2004-2005 school year, and  
2 2005-2006 school year only, the grant shall be no less than the  
3 grant for the 2002-2003 school year. For the 2006-2007 school  
4 year only, the grant shall be no less than the grant for the  
5 2002-2003 school year multiplied by 0.66. For the 2007-2008  
6 school year only, the grant shall be no less than the grant for  
7 the 2002-2003 school year multiplied by 0.33. Notwithstanding  
8 the provisions of this paragraph to the contrary, if for any  
9 school year supplemental general State aid grants are prorated  
10 as provided in paragraph (1) of this subsection (H), then the  
11 grants under this paragraph shall be prorated.

12 For the 2003-2004 school year only, the grant shall be no  
13 greater than the grant received during the 2002-2003 school  
14 year added to the product of 0.25 multiplied by the difference  
15 between the grant amount calculated under subsection (a) or (b)  
16 of this paragraph (2.10), whichever is applicable, and the  
17 grant received during the 2002-2003 school year. For the  
18 2004-2005 school year only, the grant shall be no greater than  
19 the grant received during the 2002-2003 school year added to  
20 the product of 0.50 multiplied by the difference between the  
21 grant amount calculated under subsection (a) or (b) of this  
22 paragraph (2.10), whichever is applicable, and the grant  
23 received during the 2002-2003 school year. For the 2005-2006  
24 school year only, the grant shall be no greater than the grant  
25 received during the 2002-2003 school year added to the product  
26 of 0.75 multiplied by the difference between the grant amount  
27 calculated under subsection (a) or (b) of this paragraph  
28 (2.10), whichever is applicable, and the grant received during  
29 the 2002-2003 school year.

30 (3) School districts with an Average Daily Attendance of  
31 more than 1,000 and less than 50,000 that qualify for  
32 supplemental general State aid pursuant to this subsection  
33 shall submit a plan to the State Board of Education prior to  
34 October 30 of each year for the use of the funds resulting from  
35 this grant of supplemental general State aid for the  
36 improvement of instruction in which priority is given to

1 meeting the education needs of disadvantaged children. Such  
2 plan shall be submitted in accordance with rules and  
3 regulations promulgated by the State Board of Education.

4 (4) School districts with an Average Daily Attendance of  
5 50,000 or more that qualify for supplemental general State aid  
6 pursuant to this subsection shall be required to distribute  
7 from funds available pursuant to this Section, no less than  
8 \$261,000,000 in accordance with the following requirements:

9 (a) The required amounts shall be distributed to the  
10 attendance centers within the district in proportion to the  
11 number of pupils enrolled at each attendance center who are  
12 eligible to receive free or reduced-price lunches or  
13 breakfasts under the federal Child Nutrition Act of 1966  
14 and under the National School Lunch Act during the  
15 immediately preceding school year.

16 (b) The distribution of these portions of supplemental  
17 and general State aid among attendance centers according to  
18 these requirements shall not be compensated for or  
19 contravened by adjustments of the total of other funds  
20 appropriated to any attendance centers, and the Board of  
21 Education shall utilize funding from one or several sources  
22 in order to fully implement this provision annually prior  
23 to the opening of school.

24 (c) Each attendance center shall be provided by the  
25 school district a distribution of noncategorical funds and  
26 other categorical funds to which an attendance center is  
27 entitled under law in order that the general State aid and  
28 supplemental general State aid provided by application of  
29 this subsection supplements rather than supplants the  
30 noncategorical funds and other categorical funds provided  
31 by the school district to the attendance centers.

32 (d) Any funds made available under this subsection that  
33 by reason of the provisions of this subsection are not  
34 required to be allocated and provided to attendance centers  
35 may be used and appropriated by the board of the district  
36 for any lawful school purpose.

1 (e) Funds received by an attendance center pursuant to  
2 this subsection shall be used by the attendance center at  
3 the discretion of the principal and local school council  
4 for programs to improve educational opportunities at  
5 qualifying schools through the following programs and  
6 services: early childhood education, reduced class size or  
7 improved adult to student classroom ratio, enrichment  
8 programs, remedial assistance, attendance improvement, and  
9 other educationally beneficial expenditures which  
10 supplement the regular and basic programs as determined by  
11 the State Board of Education. Funds provided shall not be  
12 expended for any political or lobbying purposes as defined  
13 by board rule.

14 (f) Each district subject to the provisions of this  
15 subdivision (H) (4) shall submit an acceptable plan to meet  
16 the educational needs of disadvantaged children, in  
17 compliance with the requirements of this paragraph, to the  
18 State Board of Education prior to July 15 of each year.  
19 This plan shall be consistent with the decisions of local  
20 school councils concerning the school expenditure plans  
21 developed in accordance with part 4 of Section 34-2.3. The  
22 State Board shall approve or reject the plan within 60 days  
23 after its submission. If the plan is rejected, the district  
24 shall give written notice of intent to modify the plan  
25 within 15 days of the notification of rejection and then  
26 submit a modified plan within 30 days after the date of the  
27 written notice of intent to modify. Districts may amend  
28 approved plans pursuant to rules promulgated by the State  
29 Board of Education.

30 Upon notification by the State Board of Education that  
31 the district has not submitted a plan prior to July 15 or a  
32 modified plan within the time period specified herein, the  
33 State aid funds affected by that plan or modified plan  
34 shall be withheld by the State Board of Education until a  
35 plan or modified plan is submitted.

36 If the district fails to distribute State aid to

1 attendance centers in accordance with an approved plan, the  
2 plan for the following year shall allocate funds, in  
3 addition to the funds otherwise required by this  
4 subsection, to those attendance centers which were  
5 underfunded during the previous year in amounts equal to  
6 such underfunding.

7 For purposes of determining compliance with this  
8 subsection in relation to the requirements of attendance  
9 center funding, each district subject to the provisions of  
10 this subsection shall submit as a separate document by  
11 December 1 of each year a report of expenditure data for  
12 the prior year in addition to any modification of its  
13 current plan. If it is determined that there has been a  
14 failure to comply with the expenditure provisions of this  
15 subsection regarding contravention or supplanting, the  
16 State Superintendent of Education shall, within 60 days of  
17 receipt of the report, notify the district and any affected  
18 local school council. The district shall within 45 days of  
19 receipt of that notification inform the State  
20 Superintendent of Education of the remedial or corrective  
21 action to be taken, whether by amendment of the current  
22 plan, if feasible, or by adjustment in the plan for the  
23 following year. Failure to provide the expenditure report  
24 or the notification of remedial or corrective action in a  
25 timely manner shall result in a withholding of the affected  
26 funds.

27 The State Board of Education shall promulgate rules and  
28 regulations to implement the provisions of this  
29 subsection. No funds shall be released under this  
30 subdivision (H) (4) to any district that has not submitted a  
31 plan that has been approved by the State Board of  
32 Education.

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

34 (1) For a new school district formed by combining property  
35 included totally within 2 or more previously existing school



1 districts, for its first year of existence the general State  
2 aid and supplemental general State aid calculated under this  
3 Section shall be computed for the new district and for the  
4 previously existing districts for which property is totally  
5 included within the new district. If the computation on the  
6 basis of the previously existing districts is greater, a  
7 supplementary payment equal to the difference shall be made for  
8 the first 4 years of existence of the new district.

9 (2) For a school district which annexes all of the  
10 territory of one or more entire other school districts, for the  
11 first year during which the change of boundaries attributable  
12 to such annexation becomes effective for all purposes as  
13 determined under Section 7-9 or 7A-8, the general State aid and  
14 supplemental general State aid calculated under this Section  
15 shall be computed for the annexing district as constituted  
16 after the annexation and for the annexing and each annexed  
17 district as constituted prior to the annexation; and if the  
18 computation on the basis of the annexing and annexed districts  
19 as constituted prior to the annexation is greater, a  
20 supplementary payment equal to the difference shall be made for  
21 the first 4 years of existence of the annexing school district  
22 as constituted upon such annexation.

23 (3) For 2 or more school districts which annex all of the  
24 territory of one or more entire other school districts, and for  
25 2 or more community unit districts which result upon the  
26 division (pursuant to petition under Section 11A-2) of one or  
27 more other unit school districts into 2 or more parts and which  
28 together include all of the parts into which such other unit  
29 school district or districts are so divided, for the first year  
30 during which the change of boundaries attributable to such  
31 annexation or division becomes effective for all purposes as  
32 determined under Section 7-9 or 11A-10, as the case may be, the  
33 general State aid and supplemental general State aid calculated  
34 under this Section shall be computed for each annexing or  
35 resulting district as constituted after the annexation or  
36 division and for each annexing and annexed district, or for

1 each resulting and divided district, as constituted prior to  
2 the annexation or division; and if the aggregate of the general  
3 State aid and supplemental general State aid as so computed for  
4 the annexing or resulting districts as constituted after the  
5 annexation or division is less than the aggregate of the  
6 general State aid and supplemental general State aid as so  
7 computed for the annexing and annexed districts, or for the  
8 resulting and divided districts, as constituted prior to the  
9 annexation or division, then a supplementary payment equal to  
10 the difference shall be made and allocated between or among the  
11 annexing or resulting districts, as constituted upon such  
12 annexation or division, for the first 4 years of their  
13 existence. The total difference payment shall be allocated  
14 between or among the annexing or resulting districts in the  
15 same ratio as the pupil enrollment from that portion of the  
16 annexed or divided district or districts which is annexed to or  
17 included in each such annexing or resulting district bears to  
18 the total pupil enrollment from the entire annexed or divided  
19 district or districts, as such pupil enrollment is determined  
20 for the school year last ending prior to the date when the  
21 change of boundaries attributable to the annexation or division  
22 becomes effective for all purposes. The amount of the total  
23 difference payment and the amount thereof to be allocated to  
24 the annexing or resulting districts shall be computed by the  
25 State Board of Education on the basis of pupil enrollment and  
26 other data which shall be certified to the State Board of  
27 Education, on forms which it shall provide for that purpose, by  
28 the regional superintendent of schools for each educational  
29 service region in which the annexing and annexed districts, or  
30 resulting and divided districts are located.

31 (3.5) Claims for financial assistance under this  
32 subsection (I) shall not be recomputed except as expressly  
33 provided under this Section.

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

1 (J) Supplementary Grants in Aid.

2 (1) Notwithstanding any other provisions of this Section,  
3 the amount of the aggregate general State aid in combination  
4 with supplemental general State aid under this Section for  
5 which each school district is eligible shall be no less than  
6 the amount of the aggregate general State aid entitlement that  
7 was received by the district under Section 18-8 (exclusive of  
8 amounts received under subsections 5(p) and 5(p-5) of that  
9 Section) for the 1997-98 school year, pursuant to the  
10 provisions of that Section as it was then in effect. If a  
11 school district qualifies to receive a supplementary payment  
12 made under this subsection (J), the amount of the aggregate  
13 general State aid in combination with supplemental general  
14 State aid under this Section which that district is eligible to  
15 receive for each school year shall be no less than the amount  
16 of the aggregate general State aid entitlement that was  
17 received by the district under Section 18-8 (exclusive of  
18 amounts received under subsections 5(p) and 5(p-5) of that  
19 Section) for the 1997-1998 school year, pursuant to the  
20 provisions of that Section as it was then in effect.

21 (2) If, as provided in paragraph (1) of this subsection  
22 (J), a school district is to receive aggregate general State  
23 aid in combination with supplemental general State aid under  
24 this Section for the 1998-99 school year and any subsequent  
25 school year that in any such school year is less than the  
26 amount of the aggregate general State aid entitlement that the  
27 district received for the 1997-98 school year, the school  
28 district shall also receive, from a separate appropriation made  
29 for purposes of this subsection (J), a supplementary payment  
30 that is equal to the amount of the difference in the aggregate  
31 State aid figures as described in paragraph (1).

32 (3) (Blank).

33 (K) Grants to Laboratory and Alternative Schools.

34 In calculating the amount to be paid to the governing board

1 of a public university that operates a laboratory school under  
2 this Section or to any alternative school that is operated by a  
3 regional superintendent of schools, the State Board of  
4 Education shall require by rule such reporting requirements as  
5 it deems necessary.

6 As used in this Section, "laboratory school" means a public  
7 school which is created and operated by a public university and  
8 approved by the State Board of Education. The governing board  
9 of a public university which receives funds from the State  
10 Board under this subsection (K) may not increase the number of  
11 students enrolled in its laboratory school from a single  
12 district, if that district is already sending 50 or more  
13 students, except under a mutual agreement between the school  
14 board of a student's district of residence and the university  
15 which operates the laboratory school. A laboratory school may  
16 not have more than 1,000 students, excluding students with  
17 disabilities in a special education program.

18 As used in this Section, "alternative school" means a  
19 public school which is created and operated by a Regional  
20 Superintendent of Schools and approved by the State Board of  
21 Education. Such alternative schools may offer courses of  
22 instruction for which credit is given in regular school  
23 programs, courses to prepare students for the high school  
24 equivalency testing program or vocational and occupational  
25 training. A regional superintendent of schools may contract  
26 with a school district or a public community college district  
27 to operate an alternative school. An alternative school serving  
28 more than one educational service region may be established by  
29 the regional superintendents of schools of the affected  
30 educational service regions. An alternative school serving  
31 more than one educational service region may be operated under  
32 such terms as the regional superintendents of schools of those  
33 educational service regions may agree.

34 Each laboratory and alternative school shall file, on forms  
35 provided by the State Superintendent of Education, an annual  
36 State aid claim which states the Average Daily Attendance of

1 the school's students by month. The best 3 months' Average  
2 Daily Attendance shall be computed for each school. The general  
3 State aid entitlement shall be computed by multiplying the  
4 applicable Average Daily Attendance by the Foundation Level as  
5 determined under this Section.

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

7 (1) For a school district operating under the financial  
8 supervision of an Authority created under Article 34A, the  
9 general State aid otherwise payable to that district under this  
10 Section, but not the supplemental general State aid, shall be  
11 reduced by an amount equal to the budget for the operations of  
12 the Authority as certified by the Authority to the State Board  
13 of Education, and an amount equal to such reduction shall be  
14 paid to the Authority created for such district for its  
15 operating expenses in the manner provided in Section 18-11. The  
16 remainder of general State school aid for any such district  
17 shall be paid in accordance with Article 34A when that Article  
18 provides for a disposition other than that provided by this  
19 Article.

20 (2) (Blank).

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

23 (M) Education Funding Advisory Board.

24 The Education Funding Advisory Board, hereinafter in this  
25 subsection (M) referred to as the "Board", is hereby created.  
26 The Board shall consist of 5 members who are appointed by the  
27 Governor, by and with the advice and consent of the Senate. The  
28 members appointed shall include representatives of education,  
29 business, and the general public. One of the members so  
30 appointed shall be designated by the Governor at the time the  
31 appointment is made as the chairperson of the Board. The  
32 initial members of the Board may be appointed any time after  
33 the effective date of this amendatory Act of 1997. The regular  
34 term of each member of the Board shall be for 4 years from the

1 third Monday of January of the year in which the term of the  
2 member's appointment is to commence, except that of the 5  
3 initial members appointed to serve on the Board, the member who  
4 is appointed as the chairperson shall serve for a term that  
5 commences on the date of his or her appointment and expires on  
6 the third Monday of January, 2002, and the remaining 4 members,  
7 by lots drawn at the first meeting of the Board that is held  
8 after all 5 members are appointed, shall determine 2 of their  
9 number to serve for terms that commence on the date of their  
10 respective appointments and expire on the third Monday of  
11 January, 2001, and 2 of their number to serve for terms that  
12 commence on the date of their respective appointments and  
13 expire on the third Monday of January, 2000. All members  
14 appointed to serve on the Board shall serve until their  
15 respective successors are appointed and confirmed. Vacancies  
16 shall be filled in the same manner as original appointments. If  
17 a vacancy in membership occurs at a time when the Senate is not  
18 in session, the Governor shall make a temporary appointment  
19 until the next meeting of the Senate, when he or she shall  
20 appoint, by and with the advice and consent of the Senate, a  
21 person to fill that membership for the unexpired term. If the  
22 Senate is not in session when the initial appointments are  
23 made, those appointments shall be made as in the case of  
24 vacancies.

25 The Education Funding Advisory Board shall be deemed  
26 established, and the initial members appointed by the Governor  
27 to serve as members of the Board shall take office, on the date  
28 that the Governor makes his or her appointment of the fifth  
29 initial member of the Board, whether those initial members are  
30 then serving pursuant to appointment and confirmation or  
31 pursuant to temporary appointments that are made by the  
32 Governor as in the case of vacancies.

33 The State Board of Education shall provide such staff  
34 assistance to the Education Funding Advisory Board as is  
35 reasonably required for the proper performance by the Board of  
36 its responsibilities.

1 For school years after the 2000-2001 school year, the  
2 Education Funding Advisory Board, in consultation with the  
3 State Board of Education, shall make recommendations as  
4 provided in this subsection (M) to the General Assembly for the  
5 foundation level under subdivision (B)(3) of this Section and  
6 for the supplemental general State aid grant level under  
7 subsection (H) of this Section for districts with high  
8 concentrations of children from poverty. The recommended  
9 foundation level shall be determined based on a methodology  
10 which incorporates the basic education expenditures of  
11 low-spending schools exhibiting high academic performance. The  
12 Education Funding Advisory Board shall make such  
13 recommendations to the General Assembly on January 1 of odd  
14 numbered years, beginning January 1, 2001.

15 (N) (Blank).

16 (O) References.

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

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

25 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
26 changes to this Section. Under Section 6 of the Statute on  
27 Statutes there is an irreconcilable conflict between Public Act  
28 93-808 and Public Act 93-838. Public Act 93-838, being the last  
29 acted upon, is controlling. The text of Public Act 93-838 is  
30 the law regardless of the text of Public Act 93-808.

31 (Source: P.A. 93-21, eff. 7-1-03; 93-715, eff. 7-12-04; 93-808,  
32 eff. 7-26-04; 93-838, eff. 7-30-04; 93-875, eff. 8-6-04; 94-69,  
33 eff. 7-1-05; 94-438, eff. 8-4-05; revised 8-22-05.)