



Rep. Gary Hannig

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1 AMENDMENT TO SENATE BILL 1815

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1815, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 FY2006 Budget Implementation (Education) Act.

7 Section 5. Purpose. It is the purpose of this Act to make  
8 changes in State programs that are necessary to implement the  
9 Governor's FY2006 budget recommendations concerning education.

10 Section 10. The State Finance Act is amended by adding  
11 Section 5.640, by changing and renumbering Section 6z-65, added  
12 by Public Act 93-838, and by changing Sections 6z-66 and 6z-67  
13 as follows:

14 (30 ILCS 105/5.640 new)

15 Sec. 5.640. The State Board of Education Special Purpose  
16 Trust Fund.

17 (30 ILCS 105/6z-65.5)

18 Sec. 6z-65.5 ~~6z-65~~. SBE Federal Department of Education  
19 Fund. The SBE Federal Department of Education Fund is created  
20 as a federal trust fund in the State treasury. This fund is  
21 established to receive funds from the federal Department of

1 Education, including administrative funds recovered from  
2 federal programs, for the specific purposes established by the  
3 terms and conditions of federal awards. Moneys ~~All moneys~~ in  
4 the SBE Federal Department of Education Fund shall be used,  
5 subject to appropriation by the General Assembly, for grants  
6 and contracts to local education agencies, colleges and  
7 universities, and other State agencies and for administrative  
8 expenses of the State Board of Education. However,  
9 non-appropriated spending is allowed for the refund of  
10 unexpended grant moneys to the federal government. The SBE  
11 Federal Department of Education Fund shall serve as the  
12 successor fund to the National Center for Education Statistics  
13 Fund, and any balance remaining in the National Center for  
14 Education Statistics Fund on the effective date of this  
15 amendatory Act of the 94th General Assembly must be transferred  
16 to the SBE Federal Department of Education Fund by the State  
17 Treasurer. Any future deposits that would otherwise be made  
18 into the National Center for Education Statistics Fund must  
19 instead be made into the SBE Federal Department of Education  
20 Fund.

21 (Source: P.A. 93-838, eff. 7-30-04; revised 11-8-04.)

22 (30 ILCS 105/6z-66)

23 Sec. 6z-66. SBE Federal Agency Services Fund. The SBE  
24 Federal Agency Services Fund is created as a federal trust fund  
25 in the State treasury. This fund is established to receive  
26 funds from all federal departments and agencies except the  
27 Departments of Education and Agriculture (including among  
28 others the Departments of Health and Human Services, Defense,  
29 and Labor and the Corporation for National and Community  
30 Service), including administrative funds recovered from  
31 federal programs, for the specific purposes established by the  
32 terms and conditions of federal awards. Moneys ~~All moneys~~ in  
33 the SBE Federal Agency Services Fund shall be used, subject to

1 appropriation by the General Assembly, for grants and contracts  
2 to local education agencies, colleges and universities, and  
3 other State agencies and for administrative expenses of the  
4 State Board of Education. However, non-appropriated spending  
5 is allowed for the refund of unexpended grant moneys to the  
6 federal government. The SBE Federal Agency Services Fund shall  
7 serve as the successor fund to the SBE Department of Health and  
8 Human Services Fund, the SBE Federal Department of Labor  
9 Federal Trust Fund, and the SBE Federal National Community  
10 Service Fund; and any balance remaining in the SBE Department  
11 of Health and Human Services Fund, the SBE Federal Department  
12 of Labor Federal Trust Fund, or the SBE Federal National  
13 Community Service Fund on the effective date of this amendatory  
14 Act of the 94th General Assembly must be transferred to the SBE  
15 Federal Agency Services Fund by the State Treasurer. Any future  
16 deposits that would otherwise be made into the SBE Department  
17 of Health and Human Services Fund, the SBE Federal Department  
18 of Labor Federal Trust Fund, or the SBE Federal National  
19 Community Service Fund must instead be made into the SBE  
20 Federal Agency Services Fund.

21 (Source: P.A. 93-838, eff. 7-30-04.)

22 (30 ILCS 105/6z-67)

23 Sec. 6z-67. SBE Federal Department of Agriculture Fund. The  
24 SBE Federal Department of Agriculture Fund is created as a  
25 federal trust fund in the State treasury. This fund is  
26 established to receive funds from the federal Department of  
27 Education, including administrative funds recovered from  
28 federal programs, for the specific purposes established by the  
29 terms and conditions of federal awards. Moneys ~~All moneys~~ in  
30 the SBE Federal Department of Agriculture Fund shall be used,  
31 subject to appropriation by the General Assembly, for grants  
32 and contracts to local education agencies, colleges and  
33 universities, and other State agencies and for administrative

1 expenses of the State Board of Education. However,  
2 non-appropriated spending is allowed for the refund of  
3 unexpended grant moneys to the federal government.

4 (Source: P.A. 93-838, eff. 7-30-04.)

5 Section 15. The School Code is amended by adding Section  
6 2-3.127a and by changing Sections 2-3.131, 14-8.01, and 18-8.05  
7 as follows:

8 (105 ILCS 5/2-3.127a new)

9 Sec. 2-3.127a. The State Board of Education Special Purpose  
10 Trust Fund. The State Board of Education Special Purpose Trust  
11 Fund is created as a special fund in the State treasury. Unless  
12 specifically directed to be deposited into other funds, all  
13 moneys received by the State Board of Education from gifts,  
14 grants, or donations from any source, public or private, shall  
15 be deposited into this Fund. Moneys in this Fund shall be used,  
16 subject to appropriation by the General Assembly, by the State  
17 Board of Education for the purposes established by the gifts,  
18 grants, or donations.

19 (105 ILCS 5/2-3.131)

20 Sec. 2-3.131. Transitional assistance payments.

21 (a) If the amount that the State Board of Education will  
22 pay to a school district from fiscal year 2004 appropriations,  
23 as estimated by the State Board of Education on April 1, 2004,  
24 is less than the amount that the State Board of Education paid  
25 to the school district from fiscal year 2003 appropriations,  
26 then, subject to appropriation, the State Board of Education  
27 shall make a fiscal year 2004 transitional assistance payment  
28 to the school district in an amount equal to the difference  
29 between the estimated amount to be paid from fiscal year 2004  
30 appropriations and the amount paid from fiscal year 2003  
31 appropriations.

1 (b) If the amount that the State Board of Education will  
2 pay to a school district from fiscal year 2005 appropriations,  
3 as estimated by the State Board of Education on April 1, 2005,  
4 is less than the amount that the State Board of Education paid  
5 to the school district from fiscal year 2004 appropriations,  
6 then the State Board of Education shall make a fiscal year 2005  
7 transitional assistance payment to the school district in an  
8 amount equal to the difference between the estimated amount to  
9 be paid from fiscal year 2005 appropriations and the amount  
10 paid from fiscal year 2004 appropriations.

11 (c) If the amount that the State Board of Education will  
12 pay to a school district from fiscal year 2006 appropriations,  
13 as estimated by the State Board of Education on April 1, 2006,  
14 is less than the amount that the State Board of Education paid  
15 to the school district from fiscal year 2005 appropriations,  
16 then the State Board of Education shall make a fiscal year 2006  
17 transitional assistance payment to the school district in an  
18 amount equal to the difference between the estimated amount to  
19 be paid from fiscal year 2006 appropriations and the amount  
20 paid from fiscal year 2005 appropriations.

21 (Source: P.A. 93-21, eff. 7-1-03; 93-838, eff. 7-30-04.)

22 (105 ILCS 5/14-8.01) (from Ch. 122, par. 14-8.01)

23 Sec. 14-8.01. Supervision of special education buildings  
24 and facilities. All special educational facilities, building  
25 programs, housing, and all educational programs for the types  
26 of disabled children defined in Section 14-1.02 shall be under  
27 the supervision of and subject to the approval of the State  
28 Board of Education.

29 All special education facilities, building programs, and  
30 housing shall comply with the building code authorized by  
31 Section 2-3.12.

32 All educational programs for children with disabilities as  
33 defined in Section 14-1.02 administered by any State agency

1 shall be under the general supervision of the State Board of  
2 Education. Such supervision shall be limited to insuring that  
3 such educational programs meet standards jointly developed and  
4 agreed to by both the State Board of Education and the  
5 operating State agency, including standards for educational  
6 personnel.

7 Any State agency providing special educational programs  
8 for children with disabilities as defined in Section 14-1.02  
9 shall promulgate rules and regulations, in consultation with  
10 the State Board of Education and pursuant to the Illinois  
11 Administrative Procedure Act as now or hereafter amended, to  
12 insure that all such programs comply with this Section and  
13 Section 14-8.02.

14 No otherwise qualified disabled child receiving special  
15 education and related services under Article 14 shall solely by  
16 reason of his or her disability be excluded from the  
17 participation in or be denied the benefits of or be subjected  
18 to discrimination under any program or activity provided by a  
19 State agency.

20 State agencies providing special education and related  
21 services, including room and board, either directly or through  
22 grants or purchases of services shall continue to provide these  
23 services according to current law and practice. Room and board  
24 costs not provided by a State agency other than the State Board  
25 of Education shall be provided by the State Board of Education  
26 to the extent of available funds. An amount equal to one-half  
27 of the State education agency's share of IDEA PART B federal  
28 monies, or so much thereof as may actually be needed, shall  
29 annually be appropriated to pay for the additional costs of  
30 providing for room and board for those children placed pursuant  
31 to Section 14-7.02 of this Code and, after all such room and  
32 board costs are paid, for similar expenditures for children  
33 served pursuant to Section 14-7.02 or 14-7.02b of this Code.  
34 Any such excess room and board funds must first be directed to

1 those school districts with students costing in excess of 4  
2 times the district's per capita tuition charge and then to  
3 community based programs that serve as alternatives to  
4 residential placements.

5 Beginning with Fiscal Year 1997 and continuing through  
6 Fiscal Year 2000, 100% of the former Chapter I, Section 89-313  
7 federal funds shall be allocated by the State Board of  
8 Education in the same manner as IDEA, PART B "flow through"  
9 funding to local school districts, joint agreements, and  
10 special education cooperatives for the maintenance of  
11 instructional and related support services to students with  
12 disabilities. However, beginning with Fiscal Year 1998, the  
13 total IDEA Part B discretionary funds available to the State  
14 Board of Education shall not exceed the maximum permissible  
15 under federal law or 20% of the total federal funds available  
16 to the State, whichever is less. ~~In no case shall the aggregate~~  
17 ~~IDEA Part B discretionary funds received by the State Board of~~  
18 ~~Education exceed the amount of IDEA Part B discretionary funds~~  
19 ~~available to the State Board of Education for Fiscal Year 1997,~~  
20 ~~excluding any carryover funds from prior fiscal years,~~  
21 ~~increased by 3% for Fiscal Year 1998 and increased by an~~  
22 ~~additional 3% for each fiscal year thereafter.~~ After all room  
23 and board payments and similar expenditures are made by the  
24 State Board of Education as required by this Section, the State  
25 Board of Education may use the remaining funds for  
26 administration and for providing discretionary activities.  
27 However, the State Board of Education may use no more than 25%  
28 of its available IDEA Part B discretionary funds for  
29 administrative services.

30 Special education and related services included in the  
31 child's individualized educational program which are not  
32 provided by another State agency shall be included in the  
33 special education and related services provided by the State  
34 Board of Education and the local school district.

1           The State Board of Education with the advice of the  
2           Advisory Council shall prescribe the standards and make the  
3           necessary rules and regulations for special education programs  
4           administered by local school boards, including but not limited  
5           to establishment of classes, training requirements of teachers  
6           and other professional personnel, eligibility and admission of  
7           pupils, the curriculum, class size limitation, building  
8           programs, housing, transportation, special equipment and  
9           instructional supplies, and the applications for claims for  
10          reimbursement. The State Board of Education shall promulgate  
11          rules and regulations for annual evaluations of the  
12          effectiveness of all special education programs and annual  
13          evaluation by the local school district of the individualized  
14          educational program for each child for whom it provides special  
15          education services.

16          A school district is responsible for the provision of  
17          educational services for all school age children residing  
18          within its boundaries excluding any student placed under the  
19          provisions of Section 14-7.02 or any disabled student whose  
20          parent or guardian lives outside of the State of Illinois as  
21          described in Section 14-1.11.

22          (Source: P.A. 93-1022, eff. 8-24-04.)

23                 (105 ILCS 5/18-8.05)

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

27          (A) General Provisions.

28                 (1) The provisions of this Section apply to the 1998-1999  
29          and subsequent school years. The system of general State  
30          financial aid provided for in this Section is designed to  
31          assure that, through a combination of State financial aid and  
32          required local resources, the financial support provided each



1 pupil in Average Daily Attendance equals or exceeds a  
2 prescribed per pupil Foundation Level. This formula approach  
3 imputes a level of per pupil Available Local Resources and  
4 provides for the basis to calculate a per pupil level of  
5 general State financial aid that, when added to Available Local  
6 Resources, equals or exceeds the Foundation Level. The amount  
7 of per pupil general State financial aid for school districts,  
8 in general, varies in inverse relation to Available Local  
9 Resources. Per pupil amounts are based upon each school  
10 district's Average Daily Attendance as that term is defined in  
11 this Section.

12 (2) In addition to general State financial aid, school  
13 districts with specified levels or concentrations of pupils  
14 from low income households are eligible to receive supplemental  
15 general State financial aid grants as provided pursuant to  
16 subsection (H). The supplemental State aid grants provided for  
17 school districts under subsection (H) shall be appropriated for  
18 distribution to school districts as part of the same line item  
19 in which the general State financial aid of school districts is  
20 appropriated under this Section.

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

24 (a) Any school district which fails for any given  
25 school year to maintain school as required by law, or to  
26 maintain a recognized school is not eligible to file for  
27 such school year any claim upon the Common School Fund. In  
28 case of nonrecognition of one or more attendance centers in  
29 a school district otherwise operating recognized schools,  
30 the claim of the district shall be reduced in the  
31 proportion which the Average Daily Attendance in the  
32 attendance center or centers bear to the Average Daily  
33 Attendance in the school district. A "recognized school"  
34 means any public school which meets the standards as

1 established for recognition by the State Board of  
2 Education. A school district or attendance center not  
3 having recognition status at the end of a school term is  
4 entitled to receive State aid payments due upon a legal  
5 claim which was filed while it was recognized.

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

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

14 (d) (Blank).

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

19 School districts are not required to exert a minimum  
20 Operating Tax Rate in order to qualify for assistance under  
21 this Section.

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

24 (a) "Average Daily Attendance": A count of pupil  
25 attendance in school, averaged as provided for in  
26 subsection (C) and utilized in deriving per pupil financial  
27 support levels.

28 (b) "Available Local Resources": A computation of  
29 local financial support, calculated on the basis of Average  
30 Daily Attendance and derived as provided pursuant to  
31 subsection (D).

32 (c) "Corporate Personal Property Replacement Taxes":  
33 Funds paid to local school districts pursuant to "An Act in  
34 relation to the abolition of ad valorem personal property

1 tax and the replacement of revenues lost thereby, and  
2 amending and repealing certain Acts and parts of Acts in  
3 connection therewith", certified August 14, 1979, as  
4 amended (Public Act 81-1st S.S.-1).

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

7 (e) "Operating Tax Rate": All school district property  
8 taxes extended for all purposes, except Bond and Interest,  
9 Summer School, Rent, Capital Improvement, and Vocational  
10 Education Building purposes.

11 (B) Foundation Level.

12 (1) The Foundation Level is a figure established by the  
13 State representing the minimum level of per pupil financial  
14 support that should be available to provide for the basic  
15 education of each pupil in Average Daily Attendance. As set  
16 forth in this Section, each school district is assumed to exert  
17 a sufficient local taxing effort such that, in combination with  
18 the aggregate of general State financial aid provided the  
19 district, an aggregate of State and local resources are  
20 available to meet the basic education needs of pupils in the  
21 district.

22 (2) For the 1998-1999 school year, the Foundation Level of  
23 support is \$4,225. For the 1999-2000 school year, the  
24 Foundation Level of support is \$4,325. For the 2000-2001 school  
25 year, the Foundation Level of support is \$4,425. For the  
26 2001-2002 school year and 2002-2003 school year, the Foundation  
27 Level of support is \$4,560. For the 2003-2004 school year, the  
28 Foundation Level of support is \$4,810. For the 2004-2005 school  
29 year, the Foundation Level of support is \$4,964.

30 (3) For the 2005-2006 ~~2004-2005~~ school year and each school  
31 year thereafter, the Foundation Level of support is \$5,164  
32 ~~\$4,964~~ ~~\$5,060~~ or such greater amount as may be established by  
33 law by the General Assembly.

1 (C) Average Daily Attendance.

2 (1) For purposes of calculating general State aid pursuant  
3 to subsection (E), an Average Daily Attendance figure shall be  
4 utilized. The Average Daily Attendance figure for formula  
5 calculation purposes shall be the monthly average of the actual  
6 number of pupils in attendance of each school district, as  
7 further averaged for the best 3 months of pupil attendance for  
8 each school district. In compiling the figures for the number  
9 of pupils in attendance, school districts and the State Board  
10 of Education shall, for purposes of general State aid funding,  
11 conform attendance figures to the requirements of subsection  
12 (F).

13 (2) The Average Daily Attendance figures utilized in  
14 subsection (E) shall be the requisite attendance data for the  
15 school year immediately preceding the school year for which  
16 general State aid is being calculated or the average of the  
17 attendance data for the 3 preceding school years, whichever is  
18 greater. The Average Daily Attendance figures utilized in  
19 subsection (H) shall be the requisite attendance data for the  
20 school year immediately preceding the school year for which  
21 general State aid is being calculated.

22 (D) Available Local Resources.

23 (1) For purposes of calculating general State aid pursuant  
24 to subsection (E), a representation of Available Local  
25 Resources per pupil, as that term is defined and determined in  
26 this subsection, shall be utilized. Available Local Resources  
27 per pupil shall include a calculated dollar amount representing  
28 local school district revenues from local property taxes and  
29 from Corporate Personal Property Replacement Taxes, expressed  
30 on the basis of pupils in Average Daily Attendance. Calculation  
31 of Available Local Resources shall exclude any tax amnesty  
32 funds received as a result of Public Act 93-26.

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

7           (3) For school districts maintaining grades kindergarten  
8 through 12, local property tax revenues per pupil shall be  
9 calculated as the product of the applicable equalized assessed  
10 valuation for the district multiplied by 3.00%, and divided by  
11 the district's Average Daily Attendance figure. For school  
12 districts maintaining grades kindergarten through 8, local  
13 property tax revenues per pupil shall be calculated as the  
14 product of the applicable equalized assessed valuation for the  
15 district multiplied by 2.30%, and divided by the district's  
16 Average Daily Attendance figure. For school districts  
17 maintaining grades 9 through 12, local property tax revenues  
18 per pupil shall be the applicable equalized assessed valuation  
19 of the district multiplied by 1.05%, and divided by the  
20 district's Average Daily Attendance figure.

21           (4) The Corporate Personal Property Replacement Taxes paid  
22 to each school district during the calendar year 2 years before  
23 the calendar year in which a school year begins, divided by the  
24 Average Daily Attendance figure for that district, shall be  
25 added to the local property tax revenues per pupil as derived  
26 by the application of the immediately preceding paragraph (3).  
27 The sum of these per pupil figures for each school district  
28 shall constitute Available Local Resources as that term is  
29 utilized in subsection (E) in the calculation of general State  
30 aid.

31           (E) Computation of General State Aid.

32           (1) For each school year, the amount of general State aid  
33 allotted to a school district shall be computed by the State

1 Board of Education as provided in this subsection.

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

8 (3) For any school district for which Available Local  
9 Resources per pupil is equal to or greater than the product of  
10 0.93 times the Foundation Level and less than the product of  
11 1.75 times the Foundation Level, the general State aid per  
12 pupil shall be a decimal proportion of the Foundation Level  
13 derived using a linear algorithm. Under this linear algorithm,  
14 the calculated general State aid per pupil shall decline in  
15 direct linear fashion from 0.07 times the Foundation Level for  
16 a school district with Available Local Resources equal to the  
17 product of 0.93 times the Foundation Level, to 0.05 times the  
18 Foundation Level for a school district with Available Local  
19 Resources equal to the product of 1.75 times the Foundation  
20 Level. The allocation of general State aid for school districts  
21 subject to this paragraph 3 shall be the calculated general  
22 State aid per pupil figure multiplied by the Average Daily  
23 Attendance of the school district.

24 (4) For any school district for which Available Local  
25 Resources per pupil equals or exceeds the product of 1.75 times  
26 the Foundation Level, the general State aid for the school  
27 district shall be calculated as the product of \$218 multiplied  
28 by the Average Daily Attendance of the school district.

29 (5) The amount of general State aid allocated to a school  
30 district for the 1999-2000 school year meeting the requirements  
31 set forth in paragraph (4) of subsection (G) shall be increased  
32 by an amount equal to the general State aid that would have  
33 been received by the district for the 1998-1999 school year by  
34 utilizing the Extension Limitation Equalized Assessed

1 Valuation as calculated in paragraph (4) of subsection (G) less  
2 the general State aid allotted for the 1998-1999 school year.  
3 This amount shall be deemed a one time increase, and shall not  
4 affect any future general State aid allocations.

5 (F) Compilation of Average Daily Attendance.

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

16 (a) In districts that do not hold year-round classes,  
17 days of attendance in August shall be added to the month of  
18 September and any days of attendance in June shall be added  
19 to the month of May.

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

24 (c) In districts in which some buildings, but not all,  
25 hold year-round classes, for the non-year-round buildings,  
26 days of attendance in August shall be added to the month of  
27 September and any days of attendance in June shall be added  
28 to the month of May. The average daily attendance for the  
29 year-round buildings shall be computed as provided in  
30 subdivision (b) of this paragraph (1). To calculate the  
31 Average Daily Attendance for the district, the average  
32 daily attendance for the year-round buildings shall be  
33 multiplied by the days in session for the non-year-round

1 buildings for each month and added to the monthly  
2 attendance of the non-year-round buildings.

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

12 Days of attendance by tuition pupils shall be accredited  
13 only to the districts that pay the tuition to a recognized  
14 school.

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

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

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

31 (c) A session of 4 or more clock hours may be counted  
32 as a day of attendance upon certification by the regional  
33 superintendent, and approved by the State Superintendent  
34 of Education to the extent that the district has been



1 forced to use daily multiple sessions.

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

33 (e) A session of not less than one clock hour of  
34 teaching hospitalized or homebound pupils on-site or by

1 telephone to the classroom may be counted as 1/2 day of  
2 attendance, however these pupils must receive 4 or more  
3 clock hours of instruction to be counted for a full day of  
4 attendance.

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

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

17 (h) A recognized kindergarten which provides for only  
18 1/2 day of attendance by each pupil shall not have more  
19 than 1/2 day of attendance counted in any one day. However,  
20 kindergartens may count 2 1/2 days of attendance in any 5  
21 consecutive school days. When a pupil attends such a  
22 kindergarten for 2 half days on any one school day, the  
23 pupil shall have the following day as a day absent from  
24 school, unless the school district obtains permission in  
25 writing from the State Superintendent of Education.  
26 Attendance at kindergartens which provide for a full day of  
27 attendance by each pupil shall be counted the same as  
28 attendance by first grade pupils. Only the first year of  
29 attendance in one kindergarten shall be counted, except in  
30 case of children who entered the kindergarten in their  
31 fifth year whose educational development requires a second  
32 year of kindergarten as determined under the rules and  
33 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) ~~(ii)~~ 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

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

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

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

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

1 valuation of the district, until such time as all  
2 redevelopment project costs have been paid, as provided in  
3 Section 11-74.4-8 of the Tax Increment Allocation  
4 Redevelopment Act or in Section 11-74.6-35 of the  
5 Industrial Jobs Recovery Law. For the purpose of the  
6 equalized assessed valuation of the district, the total  
7 initial equalized assessed valuation or the current  
8 equalized assessed valuation, whichever is lower, shall be  
9 used until such time as all redevelopment project costs  
10 have been paid.

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

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

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

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

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

3           "Preceding Tax Year": The property tax levy year  
4 immediately preceding the Base Tax Year.

5           "Base Tax Year's Tax Extension": The product of the  
6 equalized assessed valuation utilized by the County Clerk  
7 in the Base Tax Year multiplied by the limiting rate as  
8 calculated by the County Clerk and defined in the Property  
9 Tax Extension Limitation Law.

10           "Preceding Tax Year's Tax Extension": The product of  
11 the equalized assessed valuation utilized by the County  
12 Clerk in the Preceding Tax Year multiplied by the Operating  
13 Tax Rate as defined in subsection (A).

14           "Extension Limitation Ratio": A numerical ratio,  
15 certified by the County Clerk, in which the numerator is  
16 the Base Tax Year's Tax Extension and the denominator is  
17 the Preceding Tax Year's Tax Extension.

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

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

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

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

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

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

7 (H) Supplemental General State Aid.

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

28 (1.5) This paragraph (1.5) applies only to those school  
29 years preceding the 2003-2004 school year. For purposes of this  
30 subsection (H), the term "Low-Income Concentration Level"  
31 shall be the low-income eligible pupil count from the most  
32 recently available federal census divided by the Average Daily  
33 Attendance of the school district. If, however, (i) the



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

29 (1.10) This paragraph (1.10) applies to the 2003-2004  
30 school year and each school year thereafter. For purposes of  
31 this subsection (H), the term "Low-Income Concentration Level"  
32 shall, for each fiscal year, be the low-income eligible pupil  
33 count as of July 1 of the immediately preceding fiscal year (as  
34 determined by the Department of Human Services based on the

1 number of pupils who are eligible for at least one of the  
2 following low income programs: Medicaid, KidCare, TANF, or Food  
3 Stamps, excluding pupils who are eligible for services provided  
4 by the Department of Children and Family Services, averaged  
5 over the 2 immediately preceding fiscal years for fiscal year  
6 2004 and over the 3 immediately preceding fiscal years for each  
7 fiscal year thereafter) divided by the Average Daily Attendance  
8 of the school district.

9 (2) Supplemental general State aid pursuant to this  
10 subsection (H) shall be provided as follows for the 1998-1999,  
11 1999-2000, and 2000-2001 school years only:

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

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

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

24 (d) For any school district with a Low Income  
25 Concentration Level of 60% or more, the grant for the  
26 1998-99 school year shall be \$1,900 multiplied by the low  
27 income eligible pupil count.

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

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

1           respectively.

2           (2.5) Supplemental general State aid pursuant to this  
3 subsection (H) shall be provided as follows for the 2002-2003  
4 school year:

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

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

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

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

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

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

29           (2.10) Except as otherwise provided, supplemental general  
30 State aid pursuant to this subsection (H) shall be provided as  
31 follows for the 2003-2004 school year and each school year  
32 thereafter:

33           (a) For any school district with a Low Income  
34 Concentration Level of 15% or less, the grant for each

1 school year shall be \$355 multiplied by the low income  
2 eligible pupil count.

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

8 For the 2003-2004 school year, ~~and~~ 2004-2005 school year, ~~and~~  
9 and 2005-2006 school year only, the grant shall be no less than  
10 the grant for the 2002-2003 school year. For the 2006-2007  
11 ~~2005-2006~~ school year only, the grant shall be no less than the  
12 grant for the 2002-2003 school year multiplied by 0.66. For the  
13 2007-2008 ~~2006-2007~~ school year only, the grant shall be no  
14 less than the grant for the 2002-2003 school year multiplied by  
15 0.33. Notwithstanding the provisions of this paragraph to the  
16 contrary, if for any school year supplemental general State aid  
17 grants are prorated as provided in paragraph (1) of this  
18 subsection (H), then the grants under this paragraph shall be  
19 prorated.

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

1 calculated under subsection (a) or (b) of this paragraph  
2 (2.10), whichever is applicable, and the grant received during  
3 the 2002-2003 school year.

4 (3) School districts with an Average Daily Attendance of  
5 more than 1,000 and less than 50,000 that qualify for  
6 supplemental general State aid pursuant to this subsection  
7 shall submit a plan to the State Board of Education prior to  
8 October 30 of each year for the use of the funds resulting from  
9 this grant of supplemental general State aid for the  
10 improvement of instruction in which priority is given to  
11 meeting the education needs of disadvantaged children. Such  
12 plan shall be submitted in accordance with rules and  
13 regulations promulgated by the State Board of Education.

14 (4) School districts with an Average Daily Attendance of  
15 50,000 or more that qualify for supplemental general State aid  
16 pursuant to this subsection shall be required to distribute  
17 from funds available pursuant to this Section, no less than  
18 \$261,000,000 in accordance with the following requirements:

19 (a) The required amounts shall be distributed to the  
20 attendance centers within the district in proportion to the  
21 number of pupils enrolled at each attendance center who are  
22 eligible to receive free or reduced-price lunches or  
23 breakfasts under the federal Child Nutrition Act of 1966  
24 and under the National School Lunch Act during the  
25 immediately preceding school year.

26 (b) The distribution of these portions of supplemental  
27 and general State aid among attendance centers according to  
28 these requirements shall not be compensated for or  
29 contravened by adjustments of the total of other funds  
30 appropriated to any attendance centers, and the Board of  
31 Education shall utilize funding from one or several sources  
32 in order to fully implement this provision annually prior  
33 to the opening of school.

34 (c) Each attendance center shall be provided by the

1 school district a distribution of noncategorical funds and  
2 other categorical funds to which an attendance center is  
3 entitled under law in order that the general State aid and  
4 supplemental general State aid provided by application of  
5 this subsection supplements rather than supplants the  
6 noncategorical funds and other categorical funds provided  
7 by the school district to the attendance centers.

8 (d) Any funds made available under this subsection that  
9 by reason of the provisions of this subsection are not  
10 required to be allocated and provided to attendance centers  
11 may be used and appropriated by the board of the district  
12 for any lawful school purpose.

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

26 (f) Each district subject to the provisions of this  
27 subdivision (H) (4) shall submit an acceptable plan to meet  
28 the educational needs of disadvantaged children, in  
29 compliance with the requirements of this paragraph, to the  
30 State Board of Education prior to July 15 of each year.  
31 This plan shall be consistent with the decisions of local  
32 school councils concerning the school expenditure plans  
33 developed in accordance with part 4 of Section 34-2.3. The  
34 State Board shall approve or reject the plan within 60 days

1 after its submission. If the plan is rejected, the district  
2 shall give written notice of intent to modify the plan  
3 within 15 days of the notification of rejection and then  
4 submit a modified plan within 30 days after the date of the  
5 written notice of intent to modify. Districts may amend  
6 approved plans pursuant to rules promulgated by the State  
7 Board of Education.

8 Upon notification by the State Board of Education that  
9 the district has not submitted a plan prior to July 15 or a  
10 modified plan within the time period specified herein, the  
11 State aid funds affected by that plan or modified plan  
12 shall be withheld by the State Board of Education until a  
13 plan or modified plan is submitted.

14 If the district fails to distribute State aid to  
15 attendance centers in accordance with an approved plan, the  
16 plan for the following year shall allocate funds, in  
17 addition to the funds otherwise required by this  
18 subsection, to those attendance centers which were  
19 underfunded during the previous year in amounts equal to  
20 such underfunding.

21 For purposes of determining compliance with this  
22 subsection in relation to the requirements of attendance  
23 center funding, each district subject to the provisions of  
24 this subsection shall submit as a separate document by  
25 December 1 of each year a report of expenditure data for  
26 the prior year in addition to any modification of its  
27 current plan. If it is determined that there has been a  
28 failure to comply with the expenditure provisions of this  
29 subsection regarding contravention or supplanting, the  
30 State Superintendent of Education shall, within 60 days of  
31 receipt of the report, notify the district and any affected  
32 local school council. The district shall within 45 days of  
33 receipt of that notification inform the State  
34 Superintendent of Education of the remedial or corrective

1 action to be taken, whether by amendment of the current  
2 plan, if feasible, or by adjustment in the plan for the  
3 following year. Failure to provide the expenditure report  
4 or the notification of remedial or corrective action in a  
5 timely manner shall result in a withholding of the affected  
6 funds.

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

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

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

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



1 as constituted prior to the annexation is greater, a  
2 supplementary payment equal to the difference shall be made for  
3 the first 4 years of existence of the annexing school district  
4 as constituted upon such annexation.

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

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

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

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

21 (J) Supplementary Grants in Aid.

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

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

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

19 (3) (Blank).

20 (K) Grants to Laboratory and Alternative Schools.

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

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

1 students, except under a mutual agreement between the school  
2 board of a student's district of residence and the university  
3 which operates the laboratory school. A laboratory school may  
4 not have more than 1,000 students, excluding students with  
5 disabilities in a special education program.

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

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

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

31 (1) For a school district operating under the financial  
32 supervision of an Authority created under Article 34A, the  
33 general State aid otherwise payable to that district under this

1 Section, but not the supplemental general State aid, shall be  
2 reduced by an amount equal to the budget for the operations of  
3 the Authority as certified by the Authority to the State Board  
4 of Education, and an amount equal to such reduction shall be  
5 paid to the Authority created for such district for its  
6 operating expenses in the manner provided in Section 18-11. The  
7 remainder of general State school aid for any such district  
8 shall be paid in accordance with Article 34A when that Article  
9 provides for a disposition other than that provided by this  
10 Article.

11 (2) (Blank).

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

14 (M) Education Funding Advisory Board.

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

1 number to serve for terms that commence on the date of their  
2 respective appointments and expire on the third Monday of  
3 January, 2001, and 2 of their number to serve for terms that  
4 commence on the date of their respective appointments and  
5 expire on the third Monday of January, 2000. All members  
6 appointed to serve on the Board shall serve until their  
7 respective successors are appointed and confirmed. Vacancies  
8 shall be filled in the same manner as original appointments. If  
9 a vacancy in membership occurs at a time when the Senate is not  
10 in session, the Governor shall make a temporary appointment  
11 until the next meeting of the Senate, when he or she shall  
12 appoint, by and with the advice and consent of the Senate, a  
13 person to fill that membership for the unexpired term. If the  
14 Senate is not in session when the initial appointments are  
15 made, those appointments shall be made as in the case of  
16 vacancies.

17 The Education Funding Advisory Board shall be deemed  
18 established, and the initial members appointed by the Governor  
19 to serve as members of the Board shall take office, on the date  
20 that the Governor makes his or her appointment of the fifth  
21 initial member of the Board, whether those initial members are  
22 then serving pursuant to appointment and confirmation or  
23 pursuant to temporary appointments that are made by the  
24 Governor as in the case of vacancies.

25 The State Board of Education shall provide such staff  
26 assistance to the Education Funding Advisory Board as is  
27 reasonably required for the proper performance by the Board of  
28 its responsibilities.

29 For school years after the 2000-2001 school year, the  
30 Education Funding Advisory Board, in consultation with the  
31 State Board of Education, shall make recommendations as  
32 provided in this subsection (M) to the General Assembly for the  
33 foundation level under subdivision (B)(3) of this Section and  
34 for the supplemental general State aid grant level under

1 subsection (H) of this Section for districts with high  
2 concentrations of children from poverty. The recommended  
3 foundation level shall be determined based on a methodology  
4 which incorporates the basic education expenditures of  
5 low-spending schools exhibiting high academic performance. The  
6 Education Funding Advisory Board shall make such  
7 recommendations to the General Assembly on January 1 of odd  
8 numbered years, beginning January 1, 2001.

9 (N) (Blank).

10 (O) References.

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

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

19 (P) Public Act 93-838 ~~This amendatory Act of the 93rd General~~  
20 ~~Assembly~~ and Public Act 93-808 ~~House Bill 4266 of the 93rd~~  
21 ~~General Assembly~~ make inconsistent changes to this Section. ~~If~~  
22 ~~House Bill 4266 becomes law, then~~ Under Section 6 of the  
23 Statute on Statutes there is an irreconcilable conflict between  
24 Public Act 93-808 and Public Act 93-838 ~~House Bill 4266 and~~  
25 ~~this amendatory Act.~~ Public Act 93-838 ~~This amendatory Act,~~  
26 being the last acted upon, is controlling. The text of Public  
27 Act 93-838 ~~this amendatory Act~~ is the law regardless of the  
28 text of Public Act 93-808 ~~House Bill 4266~~.

29 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,  
30 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,  
31 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03; 93-715,

1 eff. 7-12-04; 93-808, eff. 7-26-04; 93-838, eff. 7-30-04;  
2 93-875, eff. 8-6-04; revised 5-26-05.)

3 Section 99. Effective date. This Act takes effect July 1,  
4 2005.".