

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 Building Authority Act is amended by  
5 changing Sections 3, 4, 5, and 9 as follows:

6 (20 ILCS 3110/3) (from Ch. 127, par. 213.3)

7 Sec. 3. Duties. The Authority shall make thorough and  
8 continuous studies and investigations of the following  
9 building needs of the State of Illinois as they may from time  
10 to time develop:

11 (a) Office structures, recreational facilities, fixed  
12 equipment of any kind, electric, gas, steam, water and sewer  
13 utilities, motor parking facilities, hospitals, penitentiaries  
14 and facilities of every kind and character, other than movable  
15 equipment, considered by the Authority necessary or convenient  
16 for the efficient operation of any unit which is used by any  
17 officer, department, board, commission or other agency of the  
18 State.

19 (b) Buildings and other facilities intended for use as  
20 classrooms, laboratories, libraries, student residence halls,  
21 instructional and administrative facilities for students,  
22 faculty, officers, and employees, and motor vehicle parking  
23 facilities and fixed equipment for any institution or unit  
24 under the control of the Board of Trustees of the University of  
25 Illinois, the Board of Trustees of Southern Illinois  
26 University, the Board of Trustees of Chicago State University,  
27 the Board of Trustees of Eastern Illinois University, the Board  
28 of Trustees of Governors State University, the Board of  
29 Trustees of Illinois State University, the Board of Trustees of  
30 Northeastern Illinois University, the Board of Trustees of  
31 Northern Illinois University, the Board of Trustees of Western  
32 Illinois University, the School Building Commission or any

1 public community college district board.

2 (c) School sites, buildings and fixed equipment to meet the  
3 needs of school districts unable to provide such facilities  
4 because of lack of funds and constitutional bond limitations,  
5 whenever any General Assembly has declared the acquisition of  
6 sites, construction of buildings and installation of fixed  
7 equipment for such school districts to be in the public  
8 interest, and allocations of said declarations shall be made as  
9 provided in Section 5 of this Act.

10 Whenever the General Assembly declares by law that it is in  
11 the public interest for the Authority to acquire any real  
12 estate, construct, complete and remodel buildings, and install  
13 fixed equipment in buildings and other facilities for public  
14 community college districts, ~~or for school districts that~~  
15 ~~qualify under Article 35 of The School Code, as amended or as~~  
16 ~~may hereafter be amended,~~ the amount of any declaration to be  
17 allocated to any public community college district shall be  
18 determined by the Illinois Community College Board, ~~and the~~  
19 ~~amount of any declaration to be allocated to any School~~  
20 ~~District qualifying under Article 35 of The School Code shall~~  
21 ~~be determined by the School Building Commission,~~ unless  
22 otherwise provided by law.

23 (Source: P.A. 89-4, eff. 1-1-96.)

24 (20 ILCS 3110/4) (from Ch. 127, par. 213.4)

25 Sec. 4. Any department, board, commission, agency or  
26 officer of this State or the Board of Trustees of the  
27 University of Illinois, the Board of Trustees of Southern  
28 Illinois University, the Board of Trustees of Chicago State  
29 University, the Board of Trustees of Eastern Illinois  
30 University, the Board of Trustees of Governors State  
31 University, the Board of Trustees of Illinois State University,  
32 the Board of Trustees of Northeastern Illinois University, the  
33 Board of Trustees of Northern Illinois University, the Board of  
34 Trustees of Western Illinois University, ~~the School Building~~  
35 ~~Commission,~~ or any public community college district board, may

1 transfer jurisdiction of or title to any property under its or  
2 his control to the Authority when such transfer is approved in  
3 writing by the Governor as being advantageous to the State.

4 (Source: P.A. 89-4, eff. 1-1-96.)

5 (20 ILCS 3110/5) (from Ch. 127, par. 213.5)

6 Sec. 5. Powers. To accomplish projects of the kind listed  
7 in Section 3 above, the Authority shall possess the following  
8 powers:

9 (a) Acquire by purchase or otherwise (including the power  
10 of condemnation in the manner provided for the exercise of the  
11 right of eminent domain under Article VII of the Code of Civil  
12 Procedure, as amended), construct, complete, remodel and  
13 install fixed equipment in any and all buildings and other  
14 facilities as the General Assembly by law declares to be in the  
15 public interest.

16 Whenever the General Assembly has by law declared it to be  
17 in the public interest for the Authority to acquire any real  
18 estate, construct, complete, remodel and install fixed  
19 equipment in buildings and other facilities for public  
20 community college districts, the Director of the Department of  
21 Central Management Services shall, when requested by any such  
22 public community college district board, enter into a lease by  
23 and on behalf of and for the use of such public community  
24 college district board to the extent appropriations have been  
25 made by the General Assembly to pay the rents under the terms  
26 of such lease.

27 In the course of such activities, acquire property of any  
28 and every kind and description, whether real, personal or  
29 mixed, by gift, purchase or otherwise. It may also acquire real  
30 estate of the State of Illinois controlled by any officer,  
31 department, board, commission, or other agency of the State, or  
32 the Board of Trustees of the University of Illinois, the Board  
33 of Trustees of Southern Illinois University, the Board of  
34 Trustees of Chicago State University, the Board of Trustees of  
35 Eastern Illinois University, the Board of Trustees of Governors

1 State University, the Board of Trustees of Illinois State  
2 University, the Board of Trustees of Northeastern Illinois  
3 University, the Board of Trustees of Northern Illinois  
4 University, the Board of Trustees of Western Illinois  
5 University, ~~the School Building Commission~~ or any public  
6 community college district board, the jurisdiction of which is  
7 transferred by such officer, department, board, commission, or  
8 other agency, or the Board of Trustees of Southern Illinois  
9 University, the Board of Trustees of Chicago State University,  
10 the Board of Trustees of Eastern Illinois University, the Board  
11 of Trustees of Governors State University, the Board of  
12 Trustees of Illinois State University, the Board of Trustees of  
13 Northeastern Illinois University, the Board of Trustees of  
14 Northern Illinois University, the Board of Trustees of Western  
15 Illinois University, ~~or the School Building Commission~~ or any  
16 public community college district board, to the Authority. The  
17 Board of Trustees of the University of Illinois, the Board of  
18 Trustees of Southern Illinois University, the Board of Trustees  
19 of Chicago State University, the Board of Trustees of Eastern  
20 Illinois University, the Board of Trustees of Governors State  
21 University, the Board of Trustees of Illinois State University,  
22 the Board of Trustees of Northeastern Illinois University, the  
23 Board of Trustees of Northern Illinois University, the Board of  
24 Trustees of Western Illinois University, ~~or the School Building  
25 Commission~~ and any public community college district board,  
26 respectively, shall prepare plans and specifications for and  
27 have supervision over any project to be undertaken by the  
28 Authority for their use. Before any other particular  
29 construction is undertaken, plans and specifications shall be  
30 approved by the lessee provided for under (b) below, except as  
31 indicated above.

32 (b) Execute leases of facilities and sites to, and charge  
33 for the use of any such facilities and sites by, any officer,  
34 department, board, commission or other agency of the State of  
35 Illinois, or the Director of the Department of Central  
36 Management Services when the Director is requested to, by and

1 on behalf of, or for the use of, any officer, department,  
2 board, commission or other agency of the State of Illinois, or  
3 by the Board of Trustees of the University of Illinois, the  
4 Board of Trustees of Southern Illinois University, the Board of  
5 Trustees of Chicago State University, the Board of Trustees of  
6 Eastern Illinois University, the Board of Trustees of Governors  
7 State University, the Board of Trustees of Illinois State  
8 University, the Board of Trustees of Northeastern Illinois  
9 University, the Board of Trustees of Northern Illinois  
10 University, the Board of Trustees of Western Illinois  
11 University, ~~or the School Building Commission~~ or any public  
12 community college district board. Such leases may be entered  
13 into contemporaneously with any financing to be done by the  
14 Authority and payments under the terms of the lease shall begin  
15 at any time after execution of any such lease.

16 (c) In the event of non-payment of rents reserved in such  
17 leases, maintain and operate such facilities and sites or  
18 execute leases thereof to others for any suitable purposes.  
19 Such leases to the officers, departments, boards, commissions,  
20 other agencies, the respective Boards of Trustees, ~~or the~~  
21 ~~School Building Commission~~ or any public community college  
22 district board shall contain the provision that rents under  
23 such leases shall be payable solely from appropriations to be  
24 made by the General Assembly for the payment of such rent and  
25 any revenues derived from the operation of the leased premises.

26 (d) Borrow money and issue and sell bonds in such amount or  
27 amounts as the Authority may determine for the purpose of  
28 acquiring, constructing, completing or remodeling, or putting  
29 fixed equipment in any such facility; refund and refinance the  
30 same from time to time as often as advantageous and in the  
31 public interest to do so; and pledge any and all income of such  
32 Authority, and any revenues derived from such facilities, or  
33 any combination thereof, to secure the payment of such bonds  
34 and to redeem such bonds. All such bonds are subject to the  
35 provisions of Section 6 of this Act.

36 In addition to the permanent financing authorized by

1 Sections 5 and 6 of this Act, the Illinois Building Authority  
2 may borrow money and issue interim notes in evidence thereof  
3 for any of the projects, or to perform any of the duties  
4 authorized under this Act, and in addition may borrow money and  
5 issue interim notes for planning, architectural and  
6 engineering, acquisition of land, and purchase of fixed  
7 equipment as follows:

8 1. Whenever the Authority considers it advisable and in  
9 the interests of the Authority to borrow funds temporarily  
10 for any of the purposes enumerated in this Section, the  
11 Authority may from time to time, and pursuant to  
12 appropriate resolution, issue interim notes to evidence  
13 such borrowings including funds for the payment of interest  
14 on such borrowings and funds for all necessary and  
15 incidental expenses in connection with any of the purposes  
16 provided for by this Section and this Act until the date of  
17 the permanent financing. Any resolution authorizing the  
18 issuance of such notes shall describe the project to be  
19 undertaken and shall specify the principal amount, rate of  
20 interest (not exceeding the maximum rate authorized by the  
21 Bond Authorization Act, as amended at the time of the  
22 making of the contract,) and maturity date, but not to  
23 exceed 5 years from date of issue, and such other terms as  
24 may be specified in such resolution; however, time of  
25 payment of any such notes may be extended for a period of  
26 not exceeding 3 years from the maturity date thereof.

27 The Authority may provide for the registration of the  
28 notes in the name of the owner either as to principal  
29 alone, or as to both principal and interest, on such terms  
30 and conditions as the Authority may determine by the  
31 resolution authorizing their issue. The notes shall be  
32 issued from time to time by the Authority as funds are  
33 borrowed, in the manner the Authority may determine.  
34 Interest on the notes may be made payable semiannually,  
35 annually or at maturity. The notes may be made redeemable,  
36 prior to maturity, at the option of the Authority, in the

1 manner and upon the terms fixed by the resolution  
2 authorizing their issuance. The notes may be executed in  
3 the name of the Authority by the Chairman of the Authority  
4 or by any other officer or officers of the Authority as the  
5 Authority by resolution may direct, shall be attested by  
6 the Secretary or such other officer or officers of the  
7 Authority as the Authority may by resolution direct, and be  
8 sealed with the Authority's corporate seal. All such notes  
9 and the interest thereon may be secured by a pledge of any  
10 income and revenue derived by the Authority from the  
11 project to be undertaken with the proceeds of the notes and  
12 shall be payable solely from such income and revenue and  
13 from the proceeds to be derived from the sale of any  
14 revenue bonds for permanent financing authorized to be  
15 issued under Sections 5 and 6 of this Act, and from the  
16 property acquired with the proceeds of the notes.

17 Contemporaneously with the issue of revenue bonds as  
18 provided by this Act, all interim notes, even though they  
19 may not then have matured, shall be paid, both principal  
20 and interest to date of payment, from the funds derived  
21 from the sale of revenue bonds for the permanent financing  
22 and such interim notes shall be surrendered and canceled.

23 2. The Authority, in order further to secure the  
24 payment of the interim notes, is, in addition to the  
25 foregoing, authorized and empowered to make any other or  
26 additional covenants, terms and conditions not  
27 inconsistent with the provisions of subparagraph (a) of  
28 this Section, and do any and all acts and things as may be  
29 necessary or convenient or desirable in order to secure  
30 payment of its interim notes, or in the discretion of the  
31 Authority, as will tend to make the interim notes more  
32 acceptable to lenders, notwithstanding that the covenants,  
33 acts or things may not be enumerated herein; however,  
34 nothing contained in this subparagraph shall authorize the  
35 Authority to secure the payment of the interim notes out of  
36 property or facilities, other than the facilities acquired

1 with the proceeds of the interim notes, and any net income  
2 and revenue derived from the facilities and the proceeds of  
3 revenue bonds as hereinabove provided.

4 (e) Convey property, without charge, to the State or to the  
5 appropriate corporate agency of the State or to any public  
6 community college district board if and when all debts which  
7 have been secured by the income from such property have been  
8 paid.

9 (f) Enter into contracts regarding any matter connected  
10 with any corporate purpose within the objects and purposes of  
11 this Act.

12 (g) Employ agents and employees necessary to carry out the  
13 duties and purposes of the Authority.

14 (h) Adopt all necessary by-laws, rules and regulations for  
15 the conduct of the business and affairs of the Authority, and  
16 for the management and use of facilities and sites acquired  
17 under the powers granted by this Act.

18 (i) Have and use a common seal and alter the same at  
19 pleasure.

20 The Interim notes shall constitute State debt of the State  
21 of Illinois within the meaning of any of the provisions of the  
22 Constitution and statutes of the State of Illinois.

23 No member, officer, agent or employee of the Authority, nor  
24 any other person who executes interim notes, shall be liable  
25 personally by reason of the issuance thereof.

26 With respect to instruments for the payment of money issued  
27 under this Section either before, on, or after the effective  
28 date of this amendatory Act of 1989, it is and always has been  
29 the intention of the General Assembly (i) that the Omnibus Bond  
30 Acts are and always have been supplementary grants of power to  
31 issue instruments in accordance with the Omnibus Bond Acts,  
32 regardless of any provision of this Act that may appear to be  
33 or to have been more restrictive than those Acts, (ii) that the  
34 provisions of this Section are not a limitation on the  
35 supplementary authority granted by the Omnibus Bond Acts, and  
36 (iii) that instruments issued under this Section within the



1 supplementary authority granted by the Omnibus Bond Acts are  
2 not invalid because of any provision of this Act that may  
3 appear to be or to have been more restrictive than those Acts.

4 (Source: P.A. 89-4, eff. 1-1-96.)

5 (20 ILCS 3110/9) (from Ch. 127, par. 213.9)

6 Sec. 9. Limitation on disbursements. The Authority shall  
7 keep account of the gross total income derived from each  
8 separate project or any combination thereof undertaken  
9 pursuant to this Act. Disbursements from a given account in The  
10 Public Building Fund shall be ordered by the Authority only for  
11 the payment of (1) the principal of and interest on the bonds  
12 issued for each project, or combination thereof, and (2) any  
13 other purposes set forth in the resolution authorizing the  
14 issuance of such bonds.

15 An accurate record shall be kept of the rental payments  
16 under each lease entered into by the Authority and any officer,  
17 department, board, commission or other agency of the State of  
18 Illinois, the Director of the Department of Central Management  
19 Services, the Board of Trustees of the University of Illinois,  
20 the Board of Trustees of Southern Illinois University, the  
21 Board of Trustees of Chicago State University, the Board of  
22 Trustees of Eastern Illinois University, the Board of Trustees  
23 of Governors State University, the Board of Trustees of  
24 Illinois State University, the Board of Trustees of  
25 Northeastern Illinois University, the Board of Trustees of  
26 Northern Illinois University, the Board of Trustees of Western  
27 Illinois University, ~~the School Building Commission,~~ or any  
28 public community college district board, and when the rentals  
29 applicable to each project or facility, or any combination  
30 thereof, constructed, completed, remodeled, maintained and  
31 equipped, have been paid in (1) amounts sufficient to amortize  
32 and pay the principal of and interest upon the total principal  
33 amount of bonds of the Authority issued to pay the cost of each  
34 project or facility, including maintenance and operation  
35 expenses and that proportion of the administrative expense of

1 the Authority as provided for by each lease, or (2) amounts  
2 which when invested in direct obligations of the United States  
3 of America are, together with earnings thereon, sufficient to  
4 amortize and pay the principal of and interest upon the total  
5 principal amount of bonds of the Authority issued to pay the  
6 cost of each project or facility, including maintenance and  
7 operation expenses and that proportion of the administrative  
8 expense of the Authority as provided for by each lease, the  
9 property shall be conveyed without charge to the lessee.

10 (Source: P.A. 89-4, eff. 1-1-96.)

11 Section 10. The State Finance Act is amended by changing  
12 Section 8a as follows:

13 (30 ILCS 105/8a) (from Ch. 127, par. 144a)

14 Sec. 8a. Common School Fund; transfers to Common School  
15 Fund and Education Assistance Fund.

16 (a) Except as provided in subsection (b) of this Section  
17 and except as otherwise provided in this subsection (a) with  
18 respect to amounts transferred from the General Revenue Fund to  
19 the Common School Fund for distribution therefrom for the  
20 benefit of the Teachers' Retirement System of the State of  
21 Illinois and the Public School Teachers' Pension and Retirement  
22 Fund of Chicago:

23 (1) With respect to all school districts, for each  
24 fiscal year other than fiscal year 1994, on or before the  
25 eleventh and twenty-first days of each of the months of  
26 August through the following July, at a time or times  
27 designated by the Governor, the State Treasurer and the  
28 State Comptroller shall transfer from the General Revenue  
29 Fund to the Common School Fund and Education Assistance  
30 Fund, as appropriate, 1/24 or so much thereof as may be  
31 necessary of the amount appropriated to the State Board of  
32 Education for distribution to all school districts from  
33 such Common School Fund and Education Assistance Fund, for  
34 the fiscal year, including interest on the School Fund

1 proportionate for that distribution for such year.

2 (2) With respect to all school districts, but for  
3 fiscal year 1994 only, on the 11th day of August, 1993 and  
4 on or before the 11th and 21st days of each of the months  
5 of October, 1993 through July, 1994 at a time or times  
6 designated by the Governor, the State Treasurer and the  
7 State Comptroller shall transfer from the General Revenue  
8 Fund to the Common School Fund 1/24 or so much thereof as  
9 may be necessary of the amount appropriated to the State  
10 Board of Education for distribution to all school districts  
11 from such Common School Fund, for fiscal year 1994,  
12 including interest on the School Fund proportionate for  
13 that distribution for such year; and on or before the 21st  
14 day of August, 1993 at a time or times designated by the  
15 Governor, the State Treasurer and the State Comptroller  
16 shall transfer from the General Revenue Fund to the Common  
17 School Fund 3/24 or so much thereof as may be necessary of  
18 the amount appropriated to the State Board of Education for  
19 distribution to all school districts from the Common School  
20 Fund, for fiscal year 1994, including interest  
21 proportionate for that distribution on the School Fund for  
22 such fiscal year.

23 The amounts of the payments made in July of each year: (i)  
24 shall be considered an outstanding liability as of the 30th day  
25 of June immediately preceding those July payments, within the  
26 meaning of Section 25 of this Act; (ii) shall be payable from  
27 the appropriation for the fiscal year that ended on that 30th  
28 day of June; and (iii) shall be considered payments for claims  
29 covering the school year that commenced during the immediately  
30 preceding calendar year.

31 Notwithstanding the foregoing provisions of this  
32 subsection, as soon as may be after the 10th and 20th days of  
33 each of the months of August through May, 1/24, and on or as  
34 soon as may be after the 10th and 20th days of June, 1/12 of the  
35 annual amount appropriated to the State Board of Education for  
36 distribution and payment during that fiscal year from the

1 Common School Fund to and for the benefit of the Teachers'  
2 Retirement System of the State of Illinois (until the end of  
3 State fiscal year 1995) and the Public School Teachers' Pension  
4 and Retirement Fund of Chicago as provided by the Illinois  
5 Pension Code and Section 18-7 of the School Code, or so much  
6 thereof as may be necessary, shall be transferred by the State  
7 Treasurer and the State Comptroller from the General Revenue  
8 Fund to the Common School Fund to permit semi-monthly payments  
9 from the Common School Fund to and for the benefit of such  
10 teacher retirement systems as required by Section 18-7 of the  
11 School Code.

12 Notwithstanding the other provisions of this Section, on or  
13 as soon as may be after the 15th day of each month, beginning  
14 in July of 1995, 1/12 of the annual amount appropriated for  
15 that fiscal year from the Common School Fund to the Teachers'  
16 Retirement System of the State of Illinois (other than amounts  
17 appropriated under Section 1.1 of the State Pension Funds  
18 Continuing Appropriation Act), or so much thereof as may be  
19 necessary, shall be transferred by the State Treasurer and the  
20 State Comptroller from the General Revenue Fund to the Common  
21 School Fund to permit monthly payments from the Common School  
22 Fund to that retirement system in accordance with Section  
23 16-158 of the Illinois Pension Code and Section 18-7 of the  
24 School Code, except that such transfers in fiscal year 2004  
25 from the General Revenue Fund to the Common School Fund for the  
26 benefit of the Teachers' Retirement System of the State of  
27 Illinois shall be reduced in the aggregate by the State  
28 Comptroller and State Treasurer to adjust for the amount  
29 transferred to the Teachers' Retirement System of the State of  
30 Illinois pursuant to subsection (a) of Section 6z-61. Amounts  
31 appropriated to the Teachers' Retirement System of the State of  
32 Illinois under Section 1.1 of the State Pension Funds  
33 Continuing Appropriation Act shall be transferred by the State  
34 Treasurer and the State Comptroller from the General Revenue  
35 Fund to the Common School Fund as necessary to provide for the  
36 payment of vouchers drawn against those appropriations.

1           The Governor may notify the State Treasurer and the State  
2 Comptroller to transfer, at a time designated by the Governor,  
3 such additional amount as may be necessary to effect advance  
4 distribution to school districts of amounts that otherwise  
5 would be payable in the next month pursuant to Sections 18-8.05  
6 ~~18-8~~ through 18-9 ~~18-10~~ of the School Code. The State Treasurer  
7 and the State Comptroller shall thereupon transfer such  
8 additional amount. The aggregate amount transferred from the  
9 General Revenue Fund to the Common School Fund in the eleven  
10 months beginning August 1 of any fiscal year shall not be in  
11 excess of the amount necessary for payment of claims certified  
12 by the State Superintendent of Education pursuant to the  
13 appropriation of the Common School Fund for that fiscal year.  
14 Notwithstanding the provisions of the first paragraph in this  
15 section, no transfer to effect an advance distribution shall be  
16 made in any month except on notification, as provided above, by  
17 the Governor.

18           The State Comptroller and State Treasurer shall transfer  
19 from the General Revenue Fund to the Common School Fund and the  
20 Education Assistance Fund such amounts as may be required to  
21 honor the vouchers presented by the State Board of Education  
22 pursuant to Sections 18-3, 18-4.3, 18-5, 18-6 and 18-7 of the  
23 School Code.

24           The State Comptroller shall report all transfers provided  
25 for in this Act to the President of the Senate, Minority Leader  
26 of the Senate, Speaker of the House, and Minority Leader of the  
27 House.

28           (b) On or before the 11th and 21st days of each of the  
29 months of June, 1982 through July, 1983, at a time or times  
30 designated by the Governor, the State Treasurer and the State  
31 Comptroller shall transfer from the General Revenue Fund to the  
32 Common School Fund 1/24 or so much thereof as may be necessary  
33 of the amount appropriated to the State Board of Education for  
34 distribution from such Common School Fund, for that same fiscal  
35 year, including interest on the School Fund for such year. The  
36 amounts of the payments in the months of July, 1982 and July,

1 1983 shall be considered an outstanding liability as of the  
2 30th day of June immediately preceding such July payment,  
3 within the meaning of Section 25 of this Act, and shall be  
4 payable from the appropriation for the fiscal year which ended  
5 on such 30th day of June, and such July payments shall be  
6 considered payments for claims covering school years 1981-1982  
7 and 1982-1983 respectively.

8 In the event the Governor makes notification to effect  
9 advanced distribution under the provisions of subsection (a) of  
10 this Section, the aggregate amount transferred from the General  
11 Revenue Fund to the Common School Fund in the 12 months  
12 beginning August 1, 1981 or the 12 months beginning August 1,  
13 1982 shall not be in excess of the amount necessary for payment  
14 of claims certified by the State Superintendent of Education  
15 pursuant to the appropriation of the Common School Fund for the  
16 fiscal years commencing on the first of July of the years 1981  
17 and 1982.

18 (Source: P.A. 93-665, eff. 3-5-04.)

19 Section 15. The Illinois Pension Code is amended by  
20 changing Sections 17-130, 17-154, and 17-156.1 as follows:

21 (40 ILCS 5/17-130) (from Ch. 108 1/2, par. 17-130)

22 Sec. 17-130. Participants' contributions by payroll  
23 deductions.

24 (a) There shall be deducted from the salary of each teacher  
25 7.50% of his salary for service or disability retirement  
26 pension and 0.5% of salary for the annual increase in base  
27 pension.

28 In addition, there shall be deducted from the salary of  
29 each teacher 1% of his salary for survivors' and children's  
30 pensions.

31 (b) An Employer and any employer of eligible contributors  
32 as defined in Section 17-106 is authorized to make the  
33 necessary deductions from the salaries of its teachers. Such  
34 amounts shall be included as a part of the Fund. An Employer

1 and any employer of eligible contributors as defined in Section  
2 17-106 shall formulate such rules and regulations as may be  
3 necessary to give effect to the provisions of this Section.

4 (c) All persons employed as teachers shall, by such  
5 employment, accept the provisions of this Article and of  
6 Sections 34-83 to 34-85b ~~34-87~~, inclusive, of "The School  
7 Code", approved March 18, 1961, as amended, and thereupon  
8 become contributors to the Fund in accordance with the terms  
9 thereof. The provisions of this Article and of those Sections  
10 shall become a part of the contract of employment.

11 (d) A person who (i) was a member before July 1, 1998, (ii)  
12 retires with more than 34 years of creditable service, and  
13 (iii) does not elect to qualify for the augmented rate under  
14 Section 17-119.1 shall be entitled, at the time of retirement,  
15 to receive a partial refund of contributions made under this  
16 Section for service occurring after the later of June 30, 1998  
17 or attainment of 34 years of creditable service, in an amount  
18 equal to 1.00% of the salary upon which those contributions  
19 were based.

20 (Source: P.A. 90-566, eff. 1-2-98; 90-582, eff. 5-27-98.)

21 (40 ILCS 5/17-154) (from Ch. 108 1/2, par. 17-154)

22 Sec. 17-154. Retired teachers supplementary payments. All  
23 persons who were on June 30, 1975, entitled to a service  
24 retirement pension or disability retirement pension, under  
25 this Fund or any fund of which this Fund is a continuation, and  
26 who meet the conditions prescribed hereinafter, shall receive  
27 supplementary payments as follows:

28 (1) In the case of any such retired person, who attained or  
29 shall attain after June 30, 1975, the age of 60 years, who was  
30 in receipt of a service retirement pension, the payment  
31 pursuant to this section shall be an amount equal to the  
32 difference between (a) his annual service retirement pension  
33 from the Fund plus any annual payment received under the  
34 provisions of Section 34-87 (now repealed) of "The School  
35 Code", approved March 18, 1961, as amended, if the total of

1 such amounts is less than \$4500 per year, and (b) an amount  
2 equal to \$100 for each year of validated teaching service  
3 forming the basis of the service retirement pension up to a  
4 maximum of 45 years of such service;

5 (2) In the case of any such retired person, who was in  
6 receipt on June 30, 1975, of a disability retirement pension,  
7 the payment shall be equal to the difference between (a) his  
8 total annual disability retirement pension and (b) an amount  
9 equal to \$100 for each year of validated teaching service  
10 forming the basis of the disability retirement pension.

11 (Source: P.A. 90-566, eff. 1-2-98.)

12 (40 ILCS 5/17-156.1) (from Ch. 108 1/2, par. 17-156.1)

13 Sec. 17-156.1. Increases to retired members. A teacher who  
14 retired prior to September 1, 1959 on service retirement  
15 pension who was at least 55 years of age at date of retirement  
16 and had at least 20 years of validated service shall be  
17 entitled to receive benefits under this Section.

18 These benefits shall be in an amount equal to 1-1/2% of the  
19 total of (1) the initial service retirement pension plus (2)  
20 any emeritus payment payable under Sections 34-86 and 34-87  
21 (now repealed) of the School Code, multiplied by the number of  
22 full years on pension. This payment shall begin in January of  
23 1970. An additional 1-1/2% shall be added in January of each  
24 year thereafter. Beginning January 1, 1972 the rate of increase  
25 in the service retirement pension each year shall be 2%.  
26 Beginning January 1, 1979, the rate of increase in the service  
27 retirement pension each year shall be 3%. Beginning January 1,  
28 1990, all automatic annual increases payable under this Section  
29 shall be calculated as a percentage of the total pension  
30 payable at the time of the increase, including all increases  
31 previously granted under this Article, notwithstanding Section  
32 17-157.

33 A pensioner who otherwise qualifies for the aforesaid  
34 benefit shall make a one-time payment of 1% of the final  
35 monthly average salary multiplied by the number of completed



1 years of service forming the basis of his service retirement  
2 pension or, if the pension was not computed according to  
3 average salary as defined in Section 17-116, 1% of the monthly  
4 base pension multiplied by each complete year of service  
5 forming the basis of his service retirement pension. Unless the  
6 pensioner rejects the benefits of this Section, such sum shall  
7 be deducted from the pensioner's December 1969 pension check  
8 and shall not be refundable.

9 (Source: P.A. 90-655, eff. 7-30-98.)

10 Section 20. The School Code is amended by changing Sections  
11 2-3.12, 2-3.62, 5-1, 5-17, 7-14, 7A-11, 11A-12, 11B-11, 11D-9,  
12 14C-1, 14C-8, 15-31, 18-8.05, 18-11, 18-12, 34-56, 34-73, and  
13 34-74 as follows:

14 (105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

15 Sec. 2-3.12. School building code. To prepare for school  
16 boards with the advice of the Department of Public Health, the  
17 Capital Development Board, and the State Fire Marshal a school  
18 building code that will conserve the health and safety and  
19 general welfare of the pupils and school personnel and others  
20 who use public school facilities.

21 The document known as "Efficient and Adequate Standards for  
22 the Construction of Schools" applies only to temporary school  
23 facilities, new school buildings, and additions to existing  
24 schools whose construction contracts are awarded after July 1,  
25 1965. On or before July 1, 1967, each school board shall have  
26 its school district buildings that were constructed prior to  
27 January 1, 1955, surveyed by an architect or engineer licensed  
28 in the State of Illinois as to minimum standards necessary to  
29 conserve the health and safety of the pupils enrolled in the  
30 school buildings of the district. Buildings constructed  
31 between January 1, 1955 and July 1, 1965, not owned by the  
32 State of Illinois, shall be surveyed by an architect or  
33 engineer licensed in the State of Illinois beginning 10 years  
34 after acceptance of the completed building by the school board.

1 Buildings constructed between January 1, 1955 and July 1, 1955  
2 and previously exempt under the provisions of Section 35-27  
3 (now repealed) shall be surveyed prior to July 1, 1977 by an  
4 architect or engineer licensed in the State of Illinois. The  
5 architect or engineer, using the document known as "Building  
6 Specifications for Health and Safety in Public Schools" as a  
7 guide, shall make a report of the findings of the survey to the  
8 school board, giving priority in that report to fire safety  
9 problems and recommendations thereon if any such problems  
10 exist. The school board of each district so surveyed and  
11 receiving a report of needed recommendations to be made to  
12 improve standards of safety and health of the pupils enrolled  
13 has until July 1, 1970, or in case of buildings not owned by  
14 the State of Illinois and completed between January 1, 1955 and  
15 July 1, 1965 or in the case of buildings previously exempt  
16 under the provisions of Section 35-27 has a period of 3 years  
17 after the survey is commenced, to effectuate those  
18 recommendations, giving first attention to the recommendations  
19 in the survey report having priority status, and is authorized  
20 to levy the tax provided for in Section 17-2.11, according to  
21 the provisions of that Section, to make such improvements.  
22 School boards unable to effectuate those recommendations prior  
23 to July 1, 1970, on July 1, 1980 in the case of buildings  
24 previously exempt under the provisions of Section 35-27, may  
25 petition the State Superintendent of Education upon the  
26 recommendation of the Regional Superintendent for an extension  
27 of time. The extension of time may be granted by the State  
28 Superintendent of Education for a period of one year, but may  
29 be extended from year to year provided substantial progress, in  
30 the opinion of the State Superintendent of Education, is being  
31 made toward compliance. However, for fire protection issues,  
32 only one one-year extension may be made, and no other provision  
33 of this Code or an applicable code may supersede this  
34 requirement. For routine inspections, fire officials shall  
35 provide written notice to the principal of the school to  
36 schedule a mutually agreed upon time for the fire safety check.

1 However, no more than 2 routine inspections may be made in a  
2 calendar year.

3       Within 2 years after the effective date of this amendatory  
4 Act of 1983, and every 10 years thereafter, or at such other  
5 times as the State Board of Education deems necessary or the  
6 regional superintendent so orders, each school board subject to  
7 the provisions of this Section shall again survey its school  
8 buildings and effectuate any recommendations in accordance  
9 with the procedures set forth herein. An architect or engineer  
10 licensed in the State of Illinois is required to conduct the  
11 surveys under the provisions of this Section and shall make a  
12 report of the findings of the survey titled "safety survey  
13 report" to the school board. The school board shall approve the  
14 safety survey report, including any recommendations to  
15 effectuate compliance with the code, and submit it to the  
16 Regional Superintendent. The Regional Superintendent shall  
17 render a decision regarding approval or denial and submit the  
18 safety survey report to the State Superintendent of Education.  
19 The State Superintendent of Education shall approve or deny the  
20 report including recommendations to effectuate compliance with  
21 the code and, if approved, issue a certificate of approval.  
22 Upon receipt of the certificate of approval, the Regional  
23 Superintendent shall issue an order to effect any approved  
24 recommendations included in the report. Items in the report  
25 shall be prioritized. Urgent items shall be considered as those  
26 items related to life safety problems that present an immediate  
27 hazard to the safety of students. Required items shall be  
28 considered as those items that are necessary for a safe  
29 environment but present less of an immediate hazard to the  
30 safety of students. Urgent and required items shall reference a  
31 specific rule in the code authorized by this Section that is  
32 currently being violated or will be violated within the next 12  
33 months if the violation is not remedied. The school board of  
34 each district so surveyed and receiving a report of needed  
35 recommendations to be made to maintain standards of safety and  
36 health of the pupils enrolled shall effectuate the correction

1 of urgent items as soon as achievable to ensure the safety of  
2 the students, but in no case more than one year after the date  
3 of the State Superintendent of Education's approval of the  
4 recommendation. Required items shall be corrected in a timely  
5 manner, but in no case more than 5 years from the date of the  
6 State Superintendent of Education's approval of the  
7 recommendation. Once each year the school board shall submit a  
8 report of progress on completion of any recommendations to  
9 effectuate compliance with the code. For each year that the  
10 school board does not effectuate any or all approved  
11 recommendations, it shall petition the Regional Superintendent  
12 and the State Superintendent of Education detailing what work  
13 was completed in the previous year and a work plan for  
14 completion of the remaining work. If in the judgement of the  
15 Regional Superintendent and the State Superintendent of  
16 Education substantial progress has been made and just cause has  
17 been shown by the school board, the petition for a one year  
18 extension of time may be approved.

19 As soon as practicable, but not later than 2 years after  
20 the effective date of this amendatory Act of 1992, the State  
21 Board of Education shall combine the document known as  
22 "Efficient and Adequate Standards for the Construction of  
23 Schools" with the document known as "Building Specifications  
24 for Health and Safety in Public Schools" together with any  
25 modifications or additions that may be deemed necessary. The  
26 combined document shall be known as the "Health/Life Safety  
27 Code for Public Schools" and shall be the governing code for  
28 all facilities that house public school students or are  
29 otherwise used for public school purposes, whether such  
30 facilities are permanent or temporary and whether they are  
31 owned, leased, rented, or otherwise used by the district.  
32 Facilities owned by a school district but that are not used to  
33 house public school students or are not used for public school  
34 purposes shall be governed by separate provisions within the  
35 code authorized by this Section.

36 The 10 year survey cycle specified in this Section shall

1 continue to apply based upon the standards contained in the  
2 "Health/Life Safety Code for Public Schools", which shall  
3 specify building standards for buildings that are constructed  
4 prior to the effective date of this amendatory Act of 1992 and  
5 for buildings that are constructed after that date.

6 The "Health/Life Safety Code for Public Schools" shall be  
7 the governing code for public schools; however, the provisions  
8 of this Section shall not preclude inspection of school  
9 premises and buildings pursuant to Section 9 of the Fire  
10 Investigation Act, provided that the provisions of the  
11 "Health/Life Safety Code for Public Schools", or such  
12 predecessor document authorized by this Section as may be  
13 applicable are used, and provided that those inspections are  
14 coordinated with the Regional Superintendent having  
15 jurisdiction over the public school facility. Nothing in this  
16 Section shall be construed to prohibit a local fire department,  
17 fire protection district, or the Office of the State Fire  
18 Marshal from conducting a fire safety check in a public school.  
19 Upon being notified by a fire official that corrective action  
20 must be taken to resolve a violation, the school board shall  
21 take corrective action within one year. However, violations  
22 that present imminent danger must be addressed immediately.

23 Any agency having jurisdiction beyond the scope of the  
24 applicable document authorized by this Section may issue a  
25 lawful order to a school board to effectuate recommendations,  
26 and the school board receiving the order shall certify to the  
27 Regional Superintendent and the State Superintendent of  
28 Education when it has complied with the order.

29 The State Board of Education is authorized to adopt any  
30 rules that are necessary relating to the administration and  
31 enforcement of the provisions of this Section. The code  
32 authorized by this Section shall apply only to those school  
33 districts having a population of less than 500,000 inhabitants.  
34 (Source: P.A. 92-593, eff. 1-1-03.)

1           Sec. 2-3.62. Educational Service Centers.

2           (a) A regional network of educational service centers shall  
3 be established by the State Board of Education to coordinate  
4 and combine existing services in a manner which is practical  
5 and efficient and to provide new services to schools as  
6 provided in this Section. Services to be made available by such  
7 centers shall include the planning, implementation and  
8 evaluation of:

9           (1) (blank);

10           (2) computer technology education ~~including the~~  
11 ~~evaluation, use and application of state-of-the-art~~  
12 ~~technology in computer software as provided in Section~~  
13 ~~2-3.43;~~

14           (3) mathematics, science and reading resources for  
15 teachers including continuing education, inservice  
16 training and staff development.

17           The centers may provide training, technical assistance,  
18 coordination and planning in other program areas such as school  
19 improvement, school accountability, career guidance, early  
20 childhood education, alcohol/drug education and prevention,  
21 family life - sex education, electronic transmission of data  
22 from school districts to the State, alternative education and  
23 regional special education, and telecommunications systems  
24 that provide distance learning. Such telecommunications  
25 systems may be obtained through the Department of Central  
26 Management Services pursuant to Section 405-270 of the  
27 Department of Central Management Services Law (20 ILCS  
28 405/405-270). The programs and services of educational service  
29 centers may be offered to private school teachers and private  
30 school students within each service center area provided public  
31 schools have already been afforded adequate access to such  
32 programs and services.

33           The State Board of Education shall promulgate rules and  
34 regulations necessary to implement this Section. The rules  
35 shall include detailed standards which delineate the scope and  
36 specific content of programs to be provided by each Educational

1 Service Center, as well as the specific planning,  
2 implementation and evaluation services to be provided by each  
3 Center relative to its programs. The Board shall also provide  
4 the standards by which it will evaluate the programs provided  
5 by each Center.

6 (b) Centers serving Class 1 county school units shall be  
7 governed by an 11-member board, 3 members of which shall be  
8 public school teachers nominated by the local bargaining  
9 representatives to the appropriate regional superintendent for  
10 appointment and no more than 3 members of which shall be from  
11 each of the following categories, including but not limited to  
12 superintendents, regional superintendents, school board  
13 members and a representative of an institution of higher  
14 education. The members of the board shall be appointed by the  
15 regional superintendents whose school districts are served by  
16 the educational service center. The composition of the board  
17 will reflect the revisions of this amendatory Act of 1989 as  
18 the terms of office of current members expire.

19 (c) The centers shall be of sufficient size and number to  
20 assure delivery of services to all local school districts in  
21 the State.

22 (d) From monies appropriated for this program the State  
23 Board of Education shall provide grants to qualifying  
24 Educational Service Centers applying for such grants in  
25 accordance with rules and regulations promulgated by the State  
26 Board of Education to implement this Section.

27 (e) The governing authority of each of the 18 regional  
28 educational service centers shall appoint a family life - sex  
29 education advisory board consisting of 2 parents, 2 teachers, 2  
30 school administrators, 2 school board members, 2 health care  
31 professionals, one library system representative, and the  
32 director of the regional educational service center who shall  
33 serve as chairperson of the advisory board so appointed.  
34 Members of the family life - sex education advisory boards  
35 shall serve without compensation. Each of the advisory boards  
36 appointed pursuant to this subsection shall develop a plan for

1 regional teacher-parent family life - sex education training  
2 sessions and shall file a written report of such plan with the  
3 governing board of their regional educational service center.  
4 The directors of each of the regional educational service  
5 centers shall thereupon meet, review each of the reports  
6 submitted by the advisory boards and combine those reports into  
7 a single written report which they shall file with the Citizens  
8 Council on School Problems prior to the end of the regular  
9 school term of the 1987-1988 school year.

10 (f) The 14 educational service centers serving Class I  
11 county school units shall be disbanded on the first Monday of  
12 August, 1995, and their statutory responsibilities and  
13 programs shall be assumed by the regional offices of education,  
14 subject to rules and regulations developed by the State Board  
15 of Education. The regional superintendents of schools elected  
16 by the voters residing in all Class I counties shall serve as  
17 the chief administrators for these programs and services. By  
18 rule of the State Board of Education, the 10 educational  
19 service regions of lowest population shall provide such  
20 services under cooperative agreements with larger regions.

21 (Source: P.A. 93-21, eff. 7-1-03.)

22 (105 ILCS 5/5-1) (from Ch. 122, par. 5-1)

23 Sec. 5-1. County school units.

24 (a) The territory in each county, exclusive of any school  
25 district governed by any special act which requires the  
26 district to appoint its own school treasurer, shall constitute  
27 a county school unit. County school units of less than  
28 2,000,000 inhabitants shall be known as Class I county school  
29 units and the office of township trustees, where existing on  
30 July 1, 1962, in such units shall be abolished on that date and  
31 all books and records of such former township trustees shall be  
32 forthwith thereafter transferred to the county board of school  
33 trustees. County school units of 2,000,000 or more inhabitants  
34 shall be known as Class II county school units and shall retain  
35 the office of township trustees unless otherwise provided in



1 subsection (b) or (c).

2 (b) Notwithstanding subsections (a) and (c), the school  
3 board of any elementary school district having a fall, 1989  
4 aggregate enrollment of at least 2,500 but less than 6,500  
5 pupils and having boundaries that are coterminous with the  
6 boundaries of a high school district, and the school board of  
7 any high school district having a fall, 1989 aggregate  
8 enrollment of at least 2,500 but less than 6,500 pupils and  
9 having boundaries that are coterminous with the boundaries of  
10 an elementary school district, may, whenever the territory of  
11 such school district forms a part of a Class II county school  
12 unit, by proper resolution withdraw such school district from  
13 the jurisdiction and authority of the trustees of schools of  
14 the township in which such school district is located and from  
15 the jurisdiction and authority of the township treasurer in  
16 such Class II county school unit; provided that the school  
17 board of any such school district shall, upon the adoption and  
18 passage of such resolution, thereupon elect or appoint its own  
19 school treasurer as provided in Section 8-1. Upon the adoption  
20 and passage of such resolution and the election or appointment  
21 by the school board of its own school treasurer: (1) the  
22 trustees of schools in such township shall no longer have or  
23 exercise any powers and duties with respect to the school  
24 district governed by such school board or with respect to the  
25 school business, operations or assets of such school district;  
26 and (2) all books and records of the township trustees relating  
27 to the school business and affairs of such school district  
28 shall be transferred and delivered to the school board of such  
29 school district. Upon the effective date of this amendatory Act  
30 of 1993, the legal title to, and all right, title and interest  
31 formerly held by the township trustees in any school buildings  
32 and school sites used and occupied by the school board of such  
33 school district for school purposes, that legal title, right,  
34 title and interest thereafter having been transferred to and  
35 vested in the regional board of school trustees under P.A.  
36 87-473 until the abolition of that regional board of school

1 trustees by P.A. 87-969, shall be deemed transferred by  
2 operation of law to and shall vest in the school board of that  
3 school district.

4 (c) Notwithstanding the provisions of subsection (a), the  
5 offices of township treasurer and trustee of schools of any  
6 township located in a Class II county school unit shall be  
7 abolished as provided in this subsection if all of the  
8 following conditions are met:

9 (1) During the same 30 day period, each school board of  
10 each elementary and unit school district that is subject to  
11 the jurisdiction and authority of the township treasurer  
12 and trustees of schools of the township in which those  
13 offices are sought to be abolished gives written notice by  
14 certified mail, return receipt requested to the township  
15 treasurer and trustees of schools of that township of the  
16 date of a meeting of the school board, to be held not more  
17 than 90 nor less than 60 days after the date when the  
18 notice is given, at which meeting the school board is to  
19 consider and vote upon the question of whether there shall  
20 be submitted to the electors of the school district a  
21 proposition to abolish the offices of township treasurer  
22 and trustee of schools of that township. None of the  
23 notices given under this paragraph to the township  
24 treasurer and trustees of schools of a township shall be  
25 deemed sufficient or in compliance with the requirements of  
26 this paragraph unless all of those notices are given within  
27 the same 30 day period.

28 (2) Each school board of each elementary and unit  
29 school district that is subject to the jurisdiction and  
30 authority of the township treasurer and trustees of schools  
31 of the township in which those offices are sought to be  
32 abolished, by the affirmative vote of at least 5 members of  
33 the school board at a school board meeting of which notice  
34 is given as required by paragraph (1) of this subsection,  
35 adopts a resolution requiring the secretary of the school  
36 board to certify to the proper election authorities for

1 submission to the electors of the school district at the  
 2 next consolidated election in accordance with the general  
 3 election law a proposition to abolish the offices of  
 4 township treasurer and trustee of schools of that township.  
 5 None of the resolutions adopted under this paragraph by any  
 6 elementary or unit school districts that are subject to the  
 7 jurisdiction and authority of the township treasurer and  
 8 trustees of schools of the township in which those offices  
 9 are sought to be abolished shall be deemed in compliance  
 10 with the requirements of this paragraph or sufficient to  
 11 authorize submission of the proposition to abolish those  
 12 offices to a referendum of the electors in any such school  
 13 district unless all of the school boards of all of the  
 14 elementary and unit school districts that are subject to  
 15 the jurisdiction and authority of the township treasurer  
 16 and trustees of schools of that township adopt such a  
 17 resolution in accordance with the provisions of this  
 18 paragraph.

19 (3) The school boards of all of the elementary and unit  
 20 school districts that are subject to the jurisdiction and  
 21 authority of the township treasurer and trustees of schools  
 22 of the township in which those offices are sought to be  
 23 abolished submit a proposition to abolish the offices of  
 24 township treasurer and trustee of schools of that township  
 25 to the electors of their respective school districts at the  
 26 same consolidated election in accordance with the general  
 27 election law, the ballot in each such district to be in  
 28 substantially the following form:

29 -----  
 30 OFFICIAL BALLOT  
 31 Shall the offices of township  
 32 treasurer and YES  
 33 trustee of -----  
 34 schools of Township ..... NO  
 35 Range ..... be abolished?  
 36 -----

1           (4) At the consolidated election at which the  
2           proposition to abolish the offices of township treasurer  
3           and trustee of schools of a township is submitted to the  
4           electors of each elementary and unit school district that  
5           is subject to the jurisdiction and authority of the  
6           township treasurer and trustee of schools of that township,  
7           a majority of the electors voting on the proposition in  
8           each such elementary and unit school district votes in  
9           favor of the proposition as submitted to them.

10          If in each elementary and unit school district that is  
11          subject to the jurisdiction and authority of the township  
12          treasurer and trustees of schools of the township in which  
13          those offices are sought to be abolished a majority of the  
14          electors in each such district voting at the consolidated  
15          election on the proposition to abolish the offices of township  
16          treasurer and trustee of schools of that township votes in  
17          favor of the proposition as submitted to them, the proposition  
18          shall be deemed to have passed; but if in any such elementary  
19          or unit school district a majority of the electors voting on  
20          that proposition in that district fails to vote in favor of the  
21          proposition as submitted to them, then notwithstanding the vote  
22          of the electors in any other such elementary or unit school  
23          district on that proposition the proposition shall not be  
24          deemed to have passed in any of those elementary or unit school  
25          districts, and the offices of township treasurer and trustee of  
26          schools of the township in which those offices were sought to  
27          be abolished shall not be abolished, unless in each of those  
28          elementary and unit school districts remaining subject to the  
29          jurisdiction and authority of the township treasurer and  
30          trustees of schools of that township proceedings are again  
31          initiated to abolish those offices and all of the proceedings  
32          and conditions prescribed in paragraphs (1) through (4) of this  
33          subsection are repeated and met in each of those elementary and  
34          unit school districts.

35          Notwithstanding the foregoing provisions of this Section  
36          or any other provision of the School Code, the offices of

1 township treasurer and trustee of schools of a township that  
2 has a population of less than 200,000 and that contains a unit  
3 school district and is located in a Class II county school unit  
4 shall also be abolished as provided in this subsection if all  
5 of the conditions set forth in paragraphs (1), (2), and (3) of  
6 this subsection are met and if the following additional  
7 condition is met:

8         The electors in all of the school districts subject to  
9 the jurisdiction and authority of the township treasurer  
10 and trustees of schools of the township in which those  
11 offices are sought to be abolished shall vote at the  
12 consolidated election on the proposition to abolish the  
13 offices of township treasurer and trustee of schools of  
14 that township. If a majority of the electors in all of the  
15 school districts combined voting on the proposition vote in  
16 favor of the proposition, then the proposition shall be  
17 deemed to have passed; but if a majority of the electors  
18 voting on the proposition in all of the school district  
19 fails to vote in favor of the proposition as submitted to  
20 them, then the proposition shall not be deemed to have  
21 passed and the offices of township treasurer and trustee of  
22 schools of the township in which those offices were sought  
23 to be abolished shall not be abolished, unless and until  
24 the proceedings detailed in paragraphs (1) through (3) of  
25 this subsection and the conditions set forth in this  
26 paragraph are met.

27         If the proposition to abolish the offices of township  
28 treasurer and trustee of schools of a township is deemed to  
29 have passed at the consolidated election as provided in this  
30 subsection, those offices shall be deemed abolished by  
31 operation of law effective on January 1 of the calendar year  
32 immediately following the calendar year in which that  
33 consolidated election is held, provided that if after the  
34 election, the trustees of schools by resolution elect to  
35 abolish the offices of township treasurer and trustee of  
36 schools effective on July 1 immediately following the election,

1 then the offices shall be abolished on July 1 immediately  
2 following the election. On the date that the offices of  
3 township treasurer and trustee of schools of a township are  
4 deemed abolished by operation of law, the school board of each  
5 elementary and unit school district and the school board of  
6 each high school district that is subject to the jurisdiction  
7 and authority of the township treasurer and trustees of schools  
8 of that township at the time those offices are abolished: (i)  
9 shall appoint its own school treasurer as provided in Section  
10 8-1; and (ii) unless the term of the contract of a township  
11 treasurer expires on the date that the office of township  
12 treasurer is abolished, shall pay to the former township  
13 treasurer its proportionate share of any aggregate  
14 compensation that, were the office of township treasurer not  
15 abolished at that time, would have been payable to the former  
16 township treasurer after that date over the remainder of the  
17 term of the contract of the former township treasurer that  
18 began prior to but ends after that date. In addition, on the  
19 date that the offices of township treasurer and trustee of  
20 schools of a township are deemed abolished as provided in this  
21 subsection, the school board of each elementary school, high  
22 school and unit school district that until that date is subject  
23 to the jurisdiction and authority of the township treasurer and  
24 trustees of schools of that township shall be deemed by  
25 operation of law to have agreed and assumed to pay and, when  
26 determined, shall pay to the Illinois Municipal Retirement Fund  
27 a proportionate share of the unfunded liability existing in  
28 that Fund at the time these offices are abolished in that  
29 calendar year for all annuities or other benefits then or  
30 thereafter to become payable from that Fund with respect to all  
31 periods of service performed prior to that date as a  
32 participating employee in that Fund by persons serving during  
33 those periods of service as a trustee of schools, township  
34 treasurer or regular employee in the office of the township  
35 treasurer of that township. That unfunded liability shall be  
36 actuarially determined by the board of trustees of the Illinois

1 Municipal Retirement Fund, and the board of trustees shall  
2 thereupon notify each school board required to pay a  
3 proportionate share of that unfunded liability of the aggregate  
4 amount of the unfunded liability so determined. The amount so  
5 paid to the Illinois Municipal Retirement Fund by each of those  
6 school districts shall be credited to the account of the  
7 township in that Fund. For each elementary school, high school  
8 and unit school district under the jurisdiction and authority  
9 of a township treasurer and trustees of schools of a township  
10 in which those offices are abolished as provided in this  
11 subsection, each such district's proportionate share of the  
12 aggregate compensation payable to the former township  
13 treasurer as provided in this paragraph and each such  
14 district's proportionate share of the aggregate amount of the  
15 unfunded liability payable to the Illinois Municipal  
16 Retirement Fund as provided in this paragraph shall be computed  
17 in accordance with the ratio that the number of pupils in  
18 average daily attendance in each such district ~~as reported in~~  
19 ~~schedules prepared under Section 24-19~~ for the school year last  
20 ending prior to the date on which the offices of township  
21 treasurer and trustee of schools of that township are abolished  
22 bears to the aggregate number of pupils in average daily  
23 attendance in all of those districts as so reported for that  
24 school year.

25 Upon abolition of the offices of township treasurer and  
26 trustee of schools of a township as provided in this  
27 subsection: (i) the regional board of school trustees, in its  
28 corporate capacity, shall be deemed the successor in interest  
29 to the former trustees of schools of that township with respect  
30 to the common school lands and township loanable funds of the  
31 township; (ii) all right, title and interest existing or vested  
32 in the former trustees of schools of that township in the  
33 common school lands and township loanable funds of the  
34 township, and all records, moneys, securities and other assets,  
35 rights of property and causes of action pertaining to or  
36 constituting a part of those common school lands or township

1 loanable funds, shall be transferred to and deemed vested by  
2 operation of law in the regional board of school trustees,  
3 which shall hold legal title to, manage and operate all common  
4 school lands and township loanable funds of the township,  
5 receive the rents, issues and profits therefrom, and have and  
6 exercise with respect thereto the same powers and duties as are  
7 provided by this Code to be exercised by regional boards of  
8 school trustees when acting as township land commissioners in  
9 counties having at least 220,000 but fewer than 2,000,000  
10 inhabitants; (iii) the regional board of school trustees shall  
11 select to serve as its treasurer with respect to the common  
12 school lands and township loanable funds of the township a  
13 person from time to time also serving as the appointed school  
14 treasurer of any school district that was subject to the  
15 jurisdiction and authority of the township treasurer and  
16 trustees of schools of that township at the time those offices  
17 were abolished, and the person selected to also serve as  
18 treasurer of the regional board of school trustees shall have  
19 his compensation for services in that capacity fixed by the  
20 regional board of school trustees, to be paid from the township  
21 loanable funds, and shall make to the regional board of school  
22 trustees the reports required to be made by treasurers of  
23 township land commissioners, give bond as required by  
24 treasurers of township land commissioners, and perform the  
25 duties and exercise the powers of treasurers of township land  
26 commissioners; (iv) the regional board of school trustees shall  
27 designate in the manner provided by Section 8-7, insofar as  
28 applicable, a depository for its treasurer, and the proceeds of  
29 all rents, issues and profits from the common school lands and  
30 township loanable funds of that township shall be deposited and  
31 held in the account maintained for those purposes with that  
32 depository and shall be expended and distributed therefrom as  
33 provided in Section 15-24 and other applicable provisions of  
34 this Code; and (v) whenever there is vested in the trustees of  
35 schools of a township at the time that office is abolished  
36 under this subsection the legal title to any school buildings



1 or school sites used or occupied for school purposes by any  
2 elementary school, high school or unit school district subject  
3 to the jurisdiction and authority of those trustees of school  
4 at the time that office is abolished, the legal title to those  
5 school buildings and school sites shall be deemed transferred  
6 by operation of law to and invested in the school board of that  
7 school district, in its corporate capacity Section 7-28, the  
8 same to be held, sold, exchanged leased or otherwise  
9 transferred in accordance with applicable provisions of this  
10 Code.

11 Notwithstanding Section 2-3.25g of this Code, a waiver of a  
12 mandate established under this Section may not be requested.

13 (Source: P.A. 91-269, eff. 7-23-99; 92-448, eff. 8-21-01.)

14 (105 ILCS 5/5-17) (from Ch. 122, par. 5-17)

15 Sec. 5-17. Payment of claims - Apportionment and  
16 distribution of funds. At the regular meetings, the trustees  
17 shall appropriate and pay from the income of the permanent  
18 township fund, if it is sufficient, all valid claims for the  
19 following:

- 20 1. The compensation of the treasurer.
- 21 2. The cost of publishing the annual statement.
- 22 3. The cost of a record book, if any.
- 23 4. The cost of dividing school lands and making plats.

24 If the income of the permanent township fund is not  
25 sufficient to meet such items the additional amount needed may  
26 be taken from the total of other funds subject to distribution,  
27 each district -- exclusive of any district which has withdrawn  
28 from the jurisdiction and authority of the trustees of schools  
29 of the township and which has elected or appointed its own  
30 school treasurer as provided in subsection (b) of Section 5-1  
31 -- being charged as its share of such items the proportion  
32 which the amount of school funds of the district handled by the  
33 township treasurer bears to the total amount of all school  
34 funds handled by such treasurer.

35 In Class II county school units (excluding therefrom,

1 however, any township therein in which the offices of township  
2 treasurer and trustee of schools have been abolished as  
3 provided in subsection (c) of Section 5-1) if any balance of  
4 the income from the permanent township fund in any township  
5 remains after paying such items, such balance shall be  
6 apportioned and distributed to the districts and parts of  
7 districts in the township -- including any district which has  
8 withdrawn from the jurisdiction and authority of the trustees  
9 of schools of the township and which has elected or appointed  
10 its own school treasurer as provided in subsection (b) of  
11 Section 5-1 -- in which schools have been kept as required by  
12 law during the preceding year ending June 30, according to the  
13 number of pupils in average daily attendance in grades one to  
14 eight inclusive ~~as reported in schedules prepared under Section~~  
15 ~~24-19~~. At the semi-annual meetings in all such townships all  
16 remaining funds subject to distribution shall be apportioned  
17 and distributed to the districts and parts of districts in the  
18 township in which schools have been kept as required by law  
19 during the preceding year ending June 30, in the manner and  
20 subject to the limitations prescribed in Sections 18-2 through  
21 18-11 for the distribution of the common school fund among the  
22 counties, provided that -- except for any balance of the income  
23 from the permanent township fund remaining after payment of the  
24 items set forth in subparagraphs 1, 2, 3 and 4 of this Section  
25 -- no funds shall be apportioned or distributed to any school  
26 district which has withdrawn from the jurisdiction and  
27 authority of the trustees of schools and appointed its own  
28 school treasurer pursuant to Section 5-1; and the trustees  
29 shall direct the treasurer to make a regular monthly  
30 apportionment and distribution between semi-annual meetings,  
31 in the manner prescribed by those sections, of any available  
32 funds on hand from the common school fund. The funds  
33 distributed shall be credited to the respective districts and  
34 parts of districts.

35 In Class I county school units and in any township forming  
36 a part of a Class II county school unit in which township the

1 offices of township treasurer and trustee of schools have been  
2 abolished as provided in subsection (c) of Section 5-1, if any  
3 balance of income from the permanent township fund in any  
4 township remains after paying such items, such balance or a  
5 part thereof equal to but not greater than the then current tax  
6 levy or tax levies for common school purposes by all the school  
7 districts or parts of school districts in said township on  
8 property in said township in process of collection in the  
9 county wherein the township having such fund is located, shall,  
10 upon an order drawn by the treasurer and signed by the  
11 president and secretary of the township land commissioners or  
12 regional board of school trustees, be paid annually on or  
13 before February 1 to the County Treasurer of the county in  
14 which such township is situated. It shall then be the duty of  
15 the County Treasurer to apply and credit the sum so received  
16 upon all tax bills for school purposes of the taxpayers in the  
17 township, said sum to be applied and credited proportionately  
18 upon the basis of the value of assessed property represented by  
19 each such tax bill. Any sum received by the County Treasurer in  
20 excess of the amount required to discharge in full the amount  
21 of all taxes for school purposes so extended against taxable  
22 property within the township shall be held by the County  
23 Treasurer and applied to taxes subsequently extended for such  
24 purposes: Provided, that if a petition, signed by at least 5%  
25 of the legal voters of the township, is presented to the  
26 regional superintendent of schools of the educational service  
27 region in which the township is located requesting a vote on  
28 the proposition that such balance of the income from the  
29 permanent township fund shall be apportioned and distributed to  
30 the districts and parts of districts in the township in which  
31 schools have been kept as required by law during the preceding  
32 year ending June 30, according to the number of pupils in  
33 average daily attendance in grades one to eight, inclusive, ~~as~~  
34 ~~reported in schedules prepared pursuant to Section 24-19~~ upon  
35 an order drawn by the treasurer and signed by the president and  
36 secretary of the township land commissioners or regional board

1 of school trustees, to be paid annually on or before February  
2 1, the regional superintendent of schools shall certify to the  
3 proper election authority the proposition for submission to the  
4 voters of the township in accordance with the general election  
5 law. The treasurer shall cause a copy of the order to be  
6 published in one or more newspapers published in the county  
7 school unit within 10 days after the order is drawn. If no  
8 newspaper is published in the county school unit, the order  
9 shall be published in a newspaper having general circulation  
10 within the county school unit. The publication of the order  
11 shall include a notice of (1) the specific number of voters  
12 required to sign a petition requesting that the proposition to  
13 apportion and distribute to the several school districts the  
14 excess of the income from the permanent township fund be  
15 submitted to the voters of the township; (2) the time within  
16 which the petition must be filed; and (3) the date of the  
17 prospective referendum. The treasurer shall provide a petition  
18 form to any individual requesting one. If the proposition  
19 receives a majority of the votes cast thereon, it shall  
20 supersede the preceding provisions for the distribution of such  
21 balance.

22 (Source: P.A. 86-1253; 86-1441; 87-435; 87-473.)

23 (105 ILCS 5/7-14) (from Ch. 122, par. 7-14)

24 Sec. 7-14. Bonded indebtedness-Tax rate.

25 (a) Except as provided in subsection (b), whenever the  
26 boundaries of any school district are changed by the annexation  
27 or detachment of territory, each such district as it exists on  
28 and after such action shall assume the bonded indebtedness, as  
29 well as financial obligations to the Capital Development Board  
30 pursuant to Section 35-15 (now repealed) of this ~~the School~~  
31 Code, of all the territory included therein after such change.  
32 The tax rate for bonded indebtedness shall be determined in the  
33 manner provided in Section 19-7 of this Act, except the County  
34 Clerk shall annually extend taxes against all the taxable  
35 property situated in the county and contained in each such

1 district as it exists after the action. Notwithstanding the  
2 provisions of this subsection, if the boundaries of a school  
3 district are changed by annexation or detachment of territory  
4 after June 30, 1987, and prior to September 15, 1987, and if  
5 the school district to which territory is being annexed has no  
6 outstanding bonded indebtedness on the date such annexation  
7 occurs, then the annexing school district shall not be liable  
8 for any bonded indebtedness of the district from which the  
9 territory is detached, and the school district from which the  
10 territory is detached shall remain liable for all of its bonded  
11 indebtedness.

12 (b) Whenever a school district with bonded indebtedness has  
13 become dissolved under this Article and its territory annexed  
14 to another district, the annexing district or districts shall  
15 not, except by action pursuant to resolution of the school  
16 board of the annexing district prior to the effective date of  
17 the annexation, assume the bonded indebtedness of the dissolved  
18 district; nor, except by action pursuant to resolution of the  
19 school board of the dissolving district, shall the territory of  
20 the dissolved district assume the bonded indebtedness of the  
21 annexing district or districts. If the annexing district or  
22 districts do not assume the bonded indebtedness of the  
23 dissolved district, a tax rate for the bonded indebtedness  
24 shall be determined in the manner provided in Section 19-7, and  
25 the county clerk or clerks shall annually extend taxes for each  
26 outstanding bond issue against all the taxable property that  
27 was situated within the boundaries of the district as the  
28 boundaries existed at the time of the issuance of each bond  
29 issue regardless of whether the property is still contained in  
30 that same district at the time of the extension of the taxes by  
31 the county clerk or clerks.

32 (Source: P.A. 87-107; 87-1120; 87-1215; 88-45.)

33 (105 ILCS 5/7A-11) (from Ch. 122, par. 7A-11)

34 Sec. 7A-11. Assets, liabilities and bonded indebtedness -  
35 Tax rate.

1 (a) Upon the effective date of the change as provided in  
2 Section 7A-8, and subject to the provisions of subsection (b)  
3 of this Section 7A-11, the newly created elementary school  
4 district shall receive all the assets and assume all the  
5 liabilities and obligations of the dissolved unit school  
6 district, including all the bonded indebtedness of the  
7 dissolved unit school district and its financial obligations to  
8 the Capital Development Board pursuant to Section 35-15 (now  
9 repealed).

10 (b) Notwithstanding the provisions of subsection (a) of  
11 this Section, upon the stipulation of the school board of the  
12 annexing high school district and either the school board of  
13 the unit school district prior to the effective date of its  
14 dissolution, or thereafter of the school board of the newly  
15 created elementary school district, and with the approval in  
16 either case of the regional superintendent of schools of the  
17 educational service region in which the territory described in  
18 the petition filed under this Article or the greater portion of  
19 the equalized assessed valuation of such territory is situated,  
20 the assets, liabilities and obligations of the dissolved unit  
21 school district, including all the bonded indebtedness of the  
22 dissolved unit school district and its financial obligations to  
23 the Capital Development Board pursuant to Section 35-15 (now  
24 repealed), may be divided and assumed between and by such newly  
25 created elementary school district and the annexing high school  
26 district in accordance with the terms and provisions of such  
27 stipulation and approval. In such event, the provisions of  
28 Section 19-29, as now or hereafter amended, shall be applied to  
29 determine the debt incurring power of the newly created  
30 elementary school district and of the contiguous annexing high  
31 school district.

32 (c) Without regard to whether the receipt of assets and the  
33 assumption of liabilities and obligations of the dissolved unit  
34 school district is determined pursuant to subsection (a) or (b)  
35 of this Section, the tax rate for bonded indebtedness shall be  
36 determined in the manner provided in Section 19-7; and

1 notwithstanding the creation of such new elementary school  
2 district, the county clerk or clerks shall annually extend  
3 taxes for each outstanding bond issue against all the taxable  
4 property that was situated within the boundaries of the  
5 dissolved unit school district as such boundaries existed at  
6 the time of the issuance of each such bond issue, regardless of  
7 whether such property was still contained in that unit school  
8 district at the time of its dissolution and regardless of  
9 whether such property is contained in the newly created  
10 elementary school district at the time of the extension of such  
11 taxes by the county clerk or clerks.

12 (Source: P.A. 86-1028.)

13 (105 ILCS 5/11A-12) (from Ch. 122, par. 11A-12)

14 Sec. 11A-12. Bonded indebtedness - Tax rate.

15 (a) Except as provided in subsection (b), whenever a new  
16 district is created under the provisions of this Article, each  
17 such district as it exists on and after such action shall  
18 assume the financial obligations to the Capital Development  
19 Board, pursuant to Section 35-15 (now repealed) of this ~~the~~  
20 ~~School~~ Code and the Capital Development Board Act, of all the  
21 territory included therein after such change, and the  
22 outstanding bonded indebtedness shall be treated as  
23 hereinafter provided in this Section and in Section 19-29 of  
24 this Act. The tax rate for bonded indebtedness shall be  
25 determined in the manner provided in Section 19-7 of this Act,  
26 and notwithstanding the creation of any such new district, the  
27 County Clerk or Clerks shall annually extend taxes for each  
28 outstanding bond issue against all the taxable property that  
29 was situated within the boundaries of the district as such  
30 boundaries existed at the time of the issuance of each such  
31 bond issue regardless of whether such property is still  
32 contained in that same district at the time of the extension of  
33 such taxes by the County Clerk or Clerks.

34 (b) Whenever the entire territory of 2 or more school  
35 districts is organized into a community unit school district

1 pursuant to a petition filed under this Article, the petition  
2 may provide that the entire territory of the new community unit  
3 school district shall assume the bonded indebtedness of the  
4 previously existing school district. In that case the tax rate  
5 for bonded indebtedness shall be determined in the manner  
6 provided in Section 19-7 of this Act, except the County Clerk  
7 shall annually extend taxes for each outstanding bond issue  
8 against all the taxable property situated in the new community  
9 unit school district as it exists after the organization.

10 (Source: P.A. 88-555, eff. 7-27-94.)

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

12 Sec. 11B-11. Bonded indebtedness - Tax rate. Whenever a new  
13 district is created under any of the provisions of this Act,  
14 each such district as it exists on and after such action shall  
15 assume the financial obligations to the Capital Development  
16 Board, pursuant to Section 35-15 (now repealed) of this ~~"The~~  
17 ~~School Code"~~ and the Capital Development Board Act, of all the  
18 territory included therein after such change, and the  
19 outstanding bonded indebtedness shall be treated as  
20 hereinafter provided in this Section and in Section 19-29 of  
21 this Act. The tax rate for bonded indebtedness shall be  
22 determined in the manner provided in Section 19-7 of this Act,  
23 and notwithstanding the creation of any such new district, the  
24 County Clerk or Clerks shall annually extend taxes for each  
25 outstanding bond issue against all the taxable property that  
26 was situated within the boundaries of the district as such  
27 boundaries existed at the time of the issuance of each such  
28 bond issue regardless of whether such property is still  
29 contained in that same district at the time of the extension of  
30 such taxes by the County Clerk or Clerks.

31 (Source: P.A. 83-686.)

32 (105 ILCS 5/11D-9) (from Ch. 122, par. 11D-9)

33 Sec. 11D-9. Bonded indebtedness; tax rate. Whenever new  
34 districts are created under any of the provisions of this



1 Article, each such district as it exists on and after such  
2 action shall assume the financial obligations to the Capital  
3 Development Board, pursuant to Section 35-15 (now repealed) of  
4 this ~~The School~~ Code and the Capital Development Board Act, of  
5 all the territory included therein after such change, and the  
6 outstanding bonded indebtedness shall be treated as provided in  
7 this Section and in Section 19-29 of this Act. The tax rate for  
8 bonded indebtedness shall be determined in the manner provided  
9 in Section 19-7 of this Act, and notwithstanding the creation  
10 of any such new districts, the county clerk or clerks shall  
11 annually extend taxes for each outstanding bond issue against  
12 all the taxable property that was situated within the  
13 boundaries of each district as such boundaries existed at the  
14 time of the issuance of each such bond issue, regardless of  
15 whether such property is still contained in that same district  
16 at the time of the extension of such taxes by the county clerk  
17 or clerks.

18 (Source: P.A. 86-1334.)

19 (105 ILCS 5/14C-1) (from Ch. 122, par. 14C-1)

20 Sec. 14C-1.

21 The General Assembly finds that there are large numbers of  
22 children in this State who come from environments where the  
23 primary language is other than English. Experience has shown  
24 that public school classes in which instruction is given only  
25 in English are often inadequate for the education of children  
26 whose native tongue is another language. The General Assembly  
27 believes that a program of transitional bilingual education can  
28 meet the needs of these children and facilitate their  
29 integration into the regular public school curriculum.  
30 Therefore, pursuant to the policy of this State to insure equal  
31 educational opportunity to every child, and in recognition of  
32 the educational needs of children of limited English-speaking  
33 ability, ~~and in recognition of the success of the limited~~  
34 ~~existing bilingual programs conducted pursuant to Sections~~  
35 ~~10-22.38a and 34-18.2 of The School Code~~, it is the purpose of

1 this Act to provide for the establishment of transitional  
2 bilingual education programs in the public schools, and to  
3 provide supplemental financial assistance to help local school  
4 districts meet the extra costs of such programs.

5 (Source: P.A. 78-727.)

6 (105 ILCS 5/14C-8) (from Ch. 122, par. 14C-8)

7 Sec. 14C-8. Teacher certification - Qualifications -  
8 Issuance of certificates. No person shall be eligible for  
9 employment by a school district as a teacher of transitional  
10 bilingual education without either (a) holding a valid teaching  
11 certificate issued pursuant to Article 21 of this Code and  
12 meeting such additional language and course requirements as  
13 prescribed by the State Board of Education or (b) meeting the  
14 requirements set forth in this Section. The Certification Board  
15 shall issue certificates valid for teaching in all grades of  
16 the common school in transitional bilingual education programs  
17 to any person who presents it with satisfactory evidence that  
18 he possesses an adequate speaking and reading ability in a  
19 language other than English in which transitional bilingual  
20 education is offered and communicative skills in English, and  
21 possessed within 5 years previous to his or her applying for a  
22 certificate under this Section a valid teaching certificate  
23 issued by a foreign country, or by a State or possession or  
24 territory of the United States, or other evidence of teaching  
25 preparation as may be determined to be sufficient by the  
26 Certification Board, or holds a degree from an institution of  
27 higher learning in a foreign country which the Certification  
28 Board determines to be the equivalent of a bachelor's degree  
29 from a recognized institution of higher learning in the United  
30 States; provided that any person seeking a certificate under  
31 this Section must meet the following additional requirements:

- 32 (1) Such persons must be in good health;  
33 (2) Such persons must be of sound moral character;  
34 (3) Such persons must be legally present in the United  
35 States and possess legal authorization for employment;

1           (4) Such persons must not be employed to replace any  
2 presently employed teacher who otherwise would not be replaced  
3 for any reason.

4           Certificates issuable pursuant to this Section shall be  
5 issuable only during the 5 years immediately following the  
6 effective date of this Act and thereafter for additional  
7 periods of one year only upon a determination by the State  
8 Board of Education that a school district lacks the number of  
9 teachers necessary to comply with the mandatory requirements of  
10 Section ~~Sections 14C 2.1 and~~ 14C-3 of this Article for the  
11 establishment and maintenance of programs of transitional  
12 bilingual education and said certificates issued by the  
13 Certification Board shall be valid for a period of 6 years  
14 following their date of issuance and shall not be renewed,  
15 except that one renewal for a period of two years may be  
16 granted if necessary to permit the holder of a certificate  
17 issued under this Section to acquire a teaching certificate  
18 pursuant to Article 21 of this Code. Such certificates and the  
19 persons to whom they are issued shall be exempt from the  
20 provisions of Article 21 of this Code except that Sections  
21 21-12, 21-13, 21-16, 21-17, 21-19, 21-21, 21-22, 21-23 and  
22 21-24 shall continue to be applicable to all such certificates.

23           After the effective date of this amendatory Act of 1984, an  
24 additional renewal for a period to expire August 31, 1985, may  
25 be granted. The State Board of Education shall report to the  
26 General Assembly on or before January 31, 1985 its  
27 recommendations for the qualification of teachers of bilingual  
28 education and for the qualification of teachers of English as a  
29 second language. Said qualification program shall take effect  
30 no later than August 31, 1985.

31           Beginning July 1, 2001, the State Board of Education shall  
32 implement a test or tests to assess the speaking, reading,  
33 writing, and grammar skills of applicants for a certificate  
34 issued under this Section in the English language and in the  
35 language of the transitional bilingual education program  
36 requested by the applicant and shall establish appropriate fees

1 for these tests. The State Board of Education, in consultation  
2 with the Certification Board, shall promulgate rules to  
3 implement the required tests, including specific provisions to  
4 govern test selection, test validation, determination of a  
5 passing score, administration of the test or tests, frequency  
6 of administration, applicant fees, identification requirements  
7 for test takers, frequency of applicants taking the tests, the  
8 years for which a score is valid, waiving tests for individuals  
9 who have satisfactorily passed other tests, and the  
10 consequences of dishonest conduct in the application for or  
11 taking of the tests.

12 If the qualifications of an applicant for a certificate  
13 valid for teaching in transitional bilingual education  
14 programs in all grades of the common schools do not meet the  
15 requirements established for the issuance of that certificate,  
16 the Certification Board nevertheless shall issue the applicant  
17 a substitute teacher's certificate under Section 21-9 whenever  
18 it appears from the face of the application submitted for  
19 certification as a teacher of transitional bilingual education  
20 and the evidence presented in support thereof that the  
21 applicant's qualifications meet the requirements established  
22 for the issuance of a certificate under Section 21-9; provided,  
23 that if it does not appear from the face of such application  
24 and supporting evidence that the applicant is qualified for  
25 issuance of a certificate under Section 21-9 the Certification  
26 Board shall evaluate the application with reference to the  
27 requirements for issuance of certificates under Section 21-9  
28 and shall inform the applicant, at the time it denies the  
29 application submitted for certification as a teacher of  
30 transitional bilingual education, of the additional  
31 qualifications which the applicant must possess in order to  
32 meet the requirements established for issuance of (i) a  
33 certificate valid for teaching in transitional bilingual  
34 education programs in all grades of the common schools and (ii)  
35 a substitute teacher's certificate under Section 21-9.

36 (Source: P.A. 91-370, eff. 7-30-99.)

1 (105 ILCS 5/15-31) (from Ch. 122, par. 15-31)

2 Sec. 15-31. Disposition of funds upon liquidation of  
3 permanent funds.

4 Any funds received as the result of the liquidation of the  
5 permanent funds belonging to any school township shall after  
6 the payment of the necessary expenses connected therewith be  
7 apportioned and distributed to the school districts or parts of  
8 districts of such township -- including, in the case of the  
9 liquidation of the permanent funds belonging to any school  
10 township in a Class II county school unit, any school district  
11 located in such township which theretofore withdrew from the  
12 jurisdiction and authority of the trustees of schools of that  
13 township and from the jurisdiction and authority of the  
14 township treasurer as provided in subsection (b) of Section 5-1  
15 -- in which schools have been kept as required by law during  
16 the preceding year ending June 30 according to the number of  
17 pupils in average daily attendance in grades one to eight, each  
18 inclusive, ~~as reported in schedules prepared under Section~~  
19 ~~24-19 of this Act,~~ and upon the completion of such liquidation  
20 and distribution and the submission of all reports required by  
21 law the office of township land commissioners and their  
22 treasurer in such township shall terminate.

23 (Source: P.A. 86-1441.)

24 (105 ILCS 5/18-8.05)

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

28 (A) General Provisions.

29 (1) The provisions of this Section apply to the 1998-1999  
30 and subsequent school years. The system of general State  
31 financial aid provided for in this Section is designed to  
32 assure that, through a combination of State financial aid and  
33 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  
35 established for recognition by the State Board of  
36 Education. A school district or attendance center not

1           having recognition status at the end of a school term is  
2           entitled to receive State aid payments due upon a legal  
3           claim which was filed while it was recognized.

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

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

12          (d) (Blank).

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

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

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

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

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

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

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

3 (e) "Operating Tax Rate": All school district property  
4 taxes extended for all purposes, except Bond and Interest,  
5 Summer School, Rent, Capital Improvement, and Vocational  
6 Education Building purposes.

7 (B) Foundation Level.

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

18 (2) For the 1998-1999 school year, the Foundation Level of  
19 support is \$4,225. For the 1999-2000 school year, the  
20 Foundation Level of support is \$4,325. For the 2000-2001 school  
21 year, the Foundation Level of support is \$4,425. For the  
22 2001-2002 school year and 2002-2003 school year, the Foundation  
23 Level of support is \$4,560. For the 2003-2004 school year, the  
24 Foundation Level of support is \$4,810.

25 (3) For the 2004-2005 school year and each school year  
26 thereafter, the Foundation Level of support is \$4,964 ~~\$5,060~~ or  
27 such greater amount as may be established by law by the General  
28 Assembly.

29 (C) Average Daily Attendance.

30 (1) For purposes of calculating general State aid pursuant  
31 to subsection (E), an Average Daily Attendance figure shall be  
32 utilized. The Average Daily Attendance figure for formula  
33 calculation purposes shall be the monthly average of the actual  
34 number of pupils in attendance of each school district, as



1 further averaged for the best 3 months of pupil attendance for  
2 each school district. In compiling the figures for the number  
3 of pupils in attendance, school districts and the State Board  
4 of Education shall, for purposes of general State aid funding,  
5 conform attendance figures to the requirements of subsection  
6 (F).

7 (2) The Average Daily Attendance figures utilized in  
8 subsection (E) shall be the requisite attendance data for the  
9 school year immediately preceding the school year for which  
10 general State aid is being calculated or the average of the  
11 attendance data for the 3 preceding school years, whichever is  
12 greater. The Average Daily Attendance figures utilized in  
13 subsection (H) shall be the requisite attendance data for the  
14 school year immediately preceding the school year for which  
15 general State aid is being calculated.

16 (D) Available Local Resources.

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

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

33 (3) For school districts maintaining grades kindergarten  
34 through 12, local property tax revenues per pupil shall be  
35 calculated as the product of the applicable equalized assessed

1 valuation for the district multiplied by 3.00%, and divided by  
2 the district's Average Daily Attendance figure. For school  
3 districts maintaining grades kindergarten through 8, local  
4 property tax revenues per pupil shall be calculated as the  
5 product of the applicable equalized assessed valuation for the  
6 district multiplied by 2.30%, and divided by the district's  
7 Average Daily Attendance figure. For school districts  
8 maintaining grades 9 through 12, local property tax revenues  
9 per pupil shall be the applicable equalized assessed valuation  
10 of the district multiplied by 1.05%, and divided by the  
11 district's Average Daily Attendance figure.

12 (4) The Corporate Personal Property Replacement Taxes paid  
13 to each school district during the calendar year 2 years before  
14 the calendar year in which a school year begins, divided by the  
15 Average Daily Attendance figure for that district, shall be  
16 added to the local property tax revenues per pupil as derived  
17 by the application of the immediately preceding paragraph (3).  
18 The sum of these per pupil figures for each school district  
19 shall constitute Available Local Resources as that term is  
20 utilized in subsection (E) in the calculation of general State  
21 aid.

22 (E) Computation of General State Aid.

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

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

32 (3) For any school district for which Available Local  
33 Resources per pupil is equal to or greater than the product of  
34 0.93 times the Foundation Level and less than the product of  
35 1.75 times the Foundation Level, the general State aid per

1 pupil shall be a decimal proportion of the Foundation Level  
2 derived using a linear algorithm. Under this linear algorithm,  
3 the calculated general State aid per pupil shall decline in  
4 direct linear fashion from 0.07 times the Foundation Level for  
5 a school district with Available Local Resources equal to the  
6 product of 0.93 times the Foundation Level, to 0.05 times the  
7 Foundation Level for a school district with Available Local  
8 Resources equal to the product of 1.75 times the Foundation  
9 Level. The allocation of general State aid for school districts  
10 subject to this paragraph 3 shall be the calculated general  
11 State aid per pupil figure multiplied by the Average Daily  
12 Attendance of the school district.

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

18 (5) The amount of general State aid allocated to a school  
19 district for the 1999-2000 school year meeting the requirements  
20 set forth in paragraph (4) of subsection (G) shall be increased  
21 by an amount equal to the general State aid that would have  
22 been received by the district for the 1998-1999 school year by  
23 utilizing the Extension Limitation Equalized Assessed  
24 Valuation as calculated in paragraph (4) of subsection (G) less  
25 the general State aid allotted for the 1998-1999 school year.  
26 This amount shall be deemed a one time increase, and shall not  
27 affect any future general State aid allocations.

28 (F) Compilation of Average Daily Attendance.

29 (1) Each school district shall, by July 1 of each year,  
30 submit to the State Board of Education, on forms prescribed by  
31 the State Board of Education, attendance figures for the school  
32 year that began in the preceding calendar year. The attendance  
33 information so transmitted shall identify the average daily  
34 attendance figures for each month of the school year. Beginning  
35 with the general State aid claim form for the 2002-2003 school

1 year, districts shall calculate Average Daily Attendance as  
2 provided in subdivisions (a), (b), and (c) of this paragraph  
3 (1).

4 (a) In districts that do not hold year-round classes,  
5 days of attendance in August shall be added to the month of  
6 September and any days of attendance in June shall be added  
7 to the month of May.

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

12 (c) In districts in which some buildings, but not all,  
13 hold year-round classes, for the non-year-round buildings,  
14 days of attendance in August shall be added to the month of  
15 September and any days of attendance in June shall be added  
16 to the month of May. The average daily attendance for the  
17 year-round buildings shall be computed as provided in  
18 subdivision (b) of this paragraph (1). To calculate the  
19 Average Daily Attendance for the district, the average  
20 daily attendance for the year-round buildings shall be  
21 multiplied by the days in session for the non-year-round  
22 buildings for each month and added to the monthly  
23 attendance of the non-year-round buildings.

24 Except as otherwise provided in this Section, days of  
25 attendance by pupils shall be counted only for sessions of not  
26 less than 5 clock hours of school work per day under direct  
27 supervision of: (i) teachers, or (ii) non-teaching personnel or  
28 volunteer personnel when engaging in non-teaching duties and  
29 supervising in those instances specified in subsection (a) of  
30 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
31 of legal school age and in kindergarten and grades 1 through  
32 12.

33 Days of attendance by tuition pupils shall be accredited  
34 only to the districts that pay the tuition to a recognized  
35 school.

36 (2) Days of attendance by pupils of less than 5 clock hours

1 of school shall be subject to the following provisions in the  
2 compilation of Average Daily Attendance.

3 (a) Pupils regularly enrolled in a public school for  
4 only a part of the school day may be counted on the basis  
5 of 1/6 day for every class hour of instruction of 40  
6 minutes or more attended pursuant to such enrollment,  
7 unless a pupil is enrolled in a block-schedule format of 80  
8 minutes or more of instruction, in which case the pupil may  
9 be counted on the basis of the proportion of minutes of  
10 school work completed each day to the minimum number of  
11 minutes that school work is required to be held that day.

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

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

21 (d) A session of 3 or more clock hours may be counted  
22 as a day of attendance (1) when the remainder of the school  
23 day or at least 2 hours in the evening of that day is  
24 utilized for an in-service training program for teachers,  
25 up to a maximum of 5 days per school year of which a  
26 maximum of 4 days of such 5 days may be used for  
27 parent-teacher conferences, provided a district conducts  
28 an in-service training program for teachers which has been  
29 approved by the State Superintendent of Education; or, in  
30 lieu of 4 such days, 2 full days may be used, in which  
31 event each such day may be counted as a day of attendance;  
32 and (2) when days in addition to those provided in item (1)  
33 are scheduled by a school pursuant to its school  
34 improvement plan adopted under Article 34 or its revised or  
35 amended school improvement plan adopted under Article 2,  
36 provided that (i) such sessions of 3 or more clock hours

1 are scheduled to occur at regular intervals, (ii) the  
2 remainder of the school days in which such sessions occur  
3 are utilized for in-service training programs or other  
4 staff development activities for teachers, and (iii) a  
5 sufficient number of minutes of school work under the  
6 direct supervision of teachers are added to the school days  
7 between such regularly scheduled sessions to accumulate  
8 not less than the number of minutes by which such sessions  
9 of 3 or more clock hours fall short of 5 clock hours. Any  
10 full days used for the purposes of this paragraph shall not  
11 be considered for computing average daily attendance. Days  
12 scheduled for in-service training programs, staff  
13 development activities, or parent-teacher conferences may  
14 be scheduled separately for different grade levels and  
15 different attendance centers of the district.

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

22 (f) A session of at least 4 clock hours may be counted  
23 as a day of attendance for first grade pupils, and pupils  
24 in full day kindergartens, and a session of 2 or more hours  
25 may be counted as 1/2 day of attendance by pupils in  
26 kindergartens which provide only 1/2 day of attendance.

27 (g) For children with disabilities who are below the  
28 age of 6 years and who cannot attend 2 or more clock hours  
29 because of their disability or immaturity, a session of not  
30 less than one clock hour may be counted as 1/2 day of  
31 attendance; however for such children whose educational  
32 needs so require a session of 4 or more clock hours may be  
33 counted as a full day of attendance.

34 (h) A recognized kindergarten which provides for only  
35 1/2 day of attendance by each pupil shall not have more  
36 than 1/2 day of attendance counted in any one day. However,

1 kindergartens may count 2 1/2 days of attendance in any 5  
2 consecutive school days. When a pupil attends such a  
3 kindergarten for 2 half days on any one school day, the  
4 pupil shall have the following day as a day absent from  
5 school, unless the school district obtains permission in  
6 writing from the State Superintendent of Education.  
7 Attendance at kindergartens which provide for a full day of  
8 attendance by each pupil shall be counted the same as  
9 attendance by first grade pupils. Only the first year of  
10 attendance in one kindergarten shall be counted, except in  
11 case of children who entered the kindergarten in their  
12 fifth year whose educational development requires a second  
13 year of kindergarten as determined under the rules and  
14 regulations of the State Board of Education.

15 (G) Equalized Assessed Valuation Data.

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

26 The Department of Revenue shall add to the equalized  
27 assessed value of all taxable property of each school district  
28 situated entirely or partially within a county that is or was  
29 subject to the alternative general homestead exemption  
30 provisions of Section 15-176 of the Property Tax Code (a) ~~(i)~~  
31 an amount equal to the total amount by which the homestead  
32 exemption allowed under Section 15-176 of the Property Tax Code  
33 for real property situated in that school district exceeds the  
34 total amount that would have been allowed in that school  
35 district if the maximum reduction under Section 15-176 was (i)

1 \$4,500 in Cook County or \$3,500 in all other counties in tax  
2 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and  
3 thereafter and (b) ~~(ii)~~ an amount equal to the aggregate amount  
4 for the taxable year of all additional exemptions under Section  
5 15-175 of the Property Tax Code for owners with a household  
6 income of \$30,000 or less. The county clerk of any county that  
7 is or was subject to the alternative general homestead  
8 exemption provisions of Section 15-176 of the Property Tax Code  
9 shall annually calculate and certify to the Department of  
10 Revenue for each school district all homestead exemption  
11 amounts under Section 15-176 of the Property Tax Code and all  
12 amounts of additional exemptions under Section 15-175 of the  
13 Property Tax Code for owners with a household income of \$30,000  
14 or less. It is the intent of this paragraph that if the general  
15 homestead exemption for a parcel of property is determined  
16 under Section 15-176 of the Property Tax Code rather than  
17 Section 15-175, then the calculation of Available Local  
18 Resources shall not be affected by the difference, if any,  
19 between the amount of the general homestead exemption allowed  
20 for that parcel of property under Section 15-176 of the  
21 Property Tax Code and the amount that would have been allowed  
22 had the general homestead exemption for that parcel of property  
23 been determined under Section 15-175 of the Property Tax Code.  
24 It is further the intent of this paragraph that if additional  
25 exemptions are allowed under Section 15-175 of the Property Tax  
26 Code for owners with a household income of less than \$30,000,  
27 then the calculation of Available Local Resources shall not be  
28 affected by the difference, if any, because of those additional  
29 exemptions.

30 This equalized assessed valuation, as adjusted further by  
31 the requirements of this subsection, shall be utilized in the  
32 calculation of Available Local Resources.

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

35 (a) For the purposes of calculating State aid under  
36 this Section, with respect to any part of a school district



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

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

36 (3) For the 1999-2000 school year and each school year

1 thereafter, if a school district meets all of the criteria of  
2 this subsection (G) (3), the school district's Available Local  
3 Resources shall be calculated under subsection (D) using the  
4 district's Extension Limitation Equalized Assessed Valuation  
5 as calculated under this subsection (G) (3).

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

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

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

12 "Preceding Tax Year": The property tax levy year  
13 immediately preceding the Base Tax Year.

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

19 "Preceding Tax Year's Tax Extension": The product of  
20 the equalized assessed valuation utilized by the County  
21 Clerk in the Preceding Tax Year multiplied by the Operating  
22 Tax Rate as defined in subsection (A).

23 "Extension Limitation Ratio": A numerical ratio,  
24 certified by the County Clerk, in which the numerator is  
25 the Base Tax Year's Tax Extension and the denominator is  
26 the Preceding Tax Year's Tax Extension.

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

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

1 and the district's Extension Limitation Ratio. For the  
2 2000-2001 school year and each school year thereafter, the  
3 Extension Limitation Equalized Assessed Valuation of a school  
4 district as calculated by the State Board of Education shall be  
5 equal to the product of the Equalized Assessed Valuation last  
6 used in the calculation of general State aid and the district's  
7 Extension Limitation Ratio. If the Extension Limitation  
8 Equalized Assessed Valuation of a school district as calculated  
9 under this subsection (G)(3) is less than the district's  
10 equalized assessed valuation as calculated pursuant to  
11 subsections (G)(1) and (G)(2), then for purposes of calculating  
12 the district's general State aid for the Budget Year pursuant  
13 to subsection (E), that Extension Limitation Equalized  
14 Assessed Valuation shall be utilized to calculate the  
15 district's Available Local Resources under subsection (D).

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

36 (5) For school districts having a majority of their

1 equalized assessed valuation in any county except Cook, DuPage,  
2 Kane, Lake, McHenry, or Will, if the amount of general State  
3 aid allocated to the school district for the 1999-2000 school  
4 year under the provisions of subsection (E), (H), and (J) of  
5 this Section is less than the amount of general State aid  
6 allocated to the district for the 1998-1999 school year under  
7 these subsections, then the general State aid of the district  
8 for the 1999-2000 school year only shall be increased by the  
9 difference between these amounts. The total payments made under  
10 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
11 be prorated if they exceed \$14,000,000.

12 (H) Supplemental General State Aid.

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

33 (1.5) This paragraph (1.5) applies only to those school  
34 years preceding the 2003-2004 school year. For purposes of this  
35 subsection (H), the term "Low-Income Concentration Level"

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

32 (1.10) This paragraph (1.10) applies to the 2003-2004  
33 school year and each school year thereafter. For purposes of  
34 this subsection (H), the term "Low-Income Concentration Level"  
35 shall, for each fiscal year, be the low-income eligible pupil  
36 count as of July 1 of the immediately preceding fiscal year (as

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

10 (2) Supplemental general State aid pursuant to this  
11 subsection (H) shall be provided as follows for the 1998-1999,  
12 1999-2000, and 2000-2001 school years only:

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

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

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

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

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

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

1           (2.5) Supplemental general State aid pursuant to this  
2 subsection (H) shall be provided as follows for the 2002-2003  
3 school year:

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

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

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

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

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

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

28           (2.10) Except as otherwise provided, supplemental general  
29 State aid pursuant to this subsection (H) shall be provided as  
30 follows for the 2003-2004 school year and each school year  
31 thereafter:

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

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

1 Concentration Level greater than 15%, the grant for each  
2 school year shall be \$294.25 added to the product of \$2,700  
3 and the square of the Low Income Concentration Level, all  
4 multiplied by the low income eligible pupil count.

5 For the 2003-2004 and 2004-2005 school year only, the grant  
6 shall be no less than the grant for the 2002-2003 school year.  
7 For the 2005-2006 school year only, the grant shall be no less  
8 than the grant for the 2002-2003 school year multiplied by  
9 0.66. For the 2006-2007 school year only, the grant shall be no  
10 less than the grant for the 2002-2003 school year multiplied by  
11 0.33.

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 ~~This amendatory Act of the 93rd General~~  
26 ~~Assembly~~ and Public Act 93-808 ~~House Bill 4266 of the 93rd~~  
27 ~~General Assembly~~ make inconsistent changes to this Section. ~~If~~  
28 ~~House Bill 4266 becomes law, then~~ Under Section 6 of the  
29 Statute on Statutes there is an irreconcilable conflict between  
30 Public Act 93-808 and Public Act 93-838 ~~House Bill 4266~~ and  
31 ~~this amendatory Act~~. Public Act 93-838 ~~This amendatory Act~~,  
32 being the last acted upon, is controlling. The text of Public  
33 Act 93-838 ~~this amendatory Act~~ is the law regardless of the

1 text of Public Act 93-808 ~~House Bill 4266~~.

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

7 (105 ILCS 5/18-11) (from Ch. 122, par. 18-11)

8 Sec. 18-11. Payment of claims.

9 (a) Except as provided in subsection (b) of this Section,  
10 and except as provided in subsection (c) of this Section with  
11 respect to payments made under Sections 18-8 through 18-10 for  
12 fiscal year 1994 only, as soon as may be after the 10th and  
13 20th days of each of the months of August through the following  
14 July if moneys are available in the common school fund in the  
15 State treasury for payments under Sections 18-8.05 ~~18-8~~ through  
16 18-9 ~~18-10~~ the State Comptroller shall draw his warrants upon  
17 the State Treasurer as directed by the State Board of Education  
18 pursuant to Section 2-3.17b and in accordance with the  
19 transfers from the General Revenue Fund to the Common School  
20 Fund as specified in Section 8a of the State Finance Act.

21 Each such semimonthly warrant shall be in an amount equal  
22 to 1/24 of the total amount to be distributed to school  
23 districts for the fiscal year. The amount of payments made in  
24 July of each year shall be considered as payments for claims  
25 covering the school year that commenced during the immediately  
26 preceding calendar year. If the payments provided for under  
27 Sections 18-8.05 ~~18-8~~ through 18-9 ~~18-10~~ have been assigned as  
28 security for State aid anticipation certificates pursuant to  
29 Section 18-18, the State Board of Education shall pay the  
30 appropriate amount of the payment, as specified in the  
31 notification required by Section 18-18, directly to the  
32 assignee.

33 (b) As soon as may be after the 10th and 20th days of each  
34 of the months of June, 1982 through July, 1983, if moneys are  
35 available in the Common School Fund in the State treasury for

1 payments under Sections 18-8 through 18-10, the State  
2 Comptroller shall draw his warrants upon the State Treasurer  
3 proportionate for the various counties payable to the regional  
4 superintendent of schools in accordance with the transfers from  
5 the General Revenue Fund to the Common School Fund as specified  
6 in Section 8a of the State Finance Act.

7 Each such semimonthly warrant for the months of June and  
8 July, 1982 shall be in an amount equal to 1/24 of the total  
9 amount to be distributed to school districts by the regional  
10 superintendent for school year 1981-1982.

11 Each such semimonthly warrant for the months of August,  
12 1982 through July, 1983 shall be in an amount equal to 1/24 of  
13 the total amount to be distributed to school districts by the  
14 regional superintendent for school year 1982-1983.

15 The State Superintendent of Education shall, from monies  
16 appropriated for such purpose, compensate districts for  
17 interest lost arising from the change in payments in June, 1982  
18 to payments in the months of June and July, 1982, for claims  
19 arising from school year 1981-1982. The amount appropriated for  
20 such purpose shall be based upon the Prime Commercial Rate in  
21 effect May 15, 1982. The amount of such compensation shall be  
22 equal to the ratio of the district's net State aid entitlement  
23 for school year 1981-1982 divided by the total net State aid  
24 entitlement times the funds appropriated for such purpose.  
25 Payment in full of the amount of compensation derived from the  
26 computation required in the preceding sentence shall be made as  
27 soon as may be after July 1, 1982 upon warrants payable to the  
28 several regional superintendents of schools.

29 The State Superintendent of Education shall, from monies  
30 appropriated for such purpose, compensate districts for  
31 interest lost arising from the change in payments in June, 1983  
32 to payments in the months of June and July, 1983, for claims  
33 arising from school year 1982-1983. The amount appropriated for  
34 such purpose shall be based upon an interest rate of no less  
35 than 15 per cent or the Prime Commercial Rate in effect May 15,  
36 1983, whichever is greater. The amount of such compensation

1 shall be equal to the ratio of the district's net State aid  
2 entitlement for school year 1982-1983 divided by the total net  
3 State aid entitlement times the funds appropriated for such  
4 purpose. Payment in full of the amount of compensation derived  
5 from the computation required in the preceding sentence shall  
6 be made as soon as may be after July 1, 1983 upon warrants  
7 payable to the several regional superintendents of schools.

8 The State Superintendent of Education shall, from monies  
9 appropriated for such purpose, compensate districts for  
10 interest lost arising from the change in payments in June, 1992  
11 and each year thereafter to payments in the months of June and  
12 July, 1992 and each year thereafter. The amount appropriated  
13 for such purpose shall be based upon the Prime Commercial Rate  
14 in effect June 15, 1992 and June 15 annually thereafter. The  
15 amount of such compensation shall be equal to the ratio of the  
16 district's net State aid entitlement divided by the total net  
17 State aid entitlement times the amount of funds appropriated  
18 for such purpose. Payment of the compensation shall be made as  
19 soon as may be after July 1 upon warrants payable to the  
20 several regional superintendents of schools.

21 The regional superintendents shall make payments to their  
22 respective school districts as soon as may be after receipt of  
23 the warrants unless the payments have been assigned as security  
24 for State aid anticipation certificates pursuant to Section  
25 18-18. If such an assignment has been made, the regional  
26 superintendent shall, as soon as may be after receipt of the  
27 warrants, pay the appropriate amount of the payment as  
28 specified in the notification required by Section 18-18,  
29 directly to the assignee.

30 As used in this Section, "Prime Commercial Rate" means such  
31 prime rate as from time to time is publicly announced by the  
32 largest commercial banking institution in this State, measured  
33 in terms of total assets.

34 (c) With respect to all school districts but for fiscal  
35 year 1994 only, as soon as may be after the 10th and 20th days  
36 of August, 1993 and as soon as may be after the 10th and 20th

1 days of each of the months of October, 1993 through July, 1994  
2 if moneys are available in the Common School Fund in the State  
3 treasury for payments under Sections 18-8 through 18-10, the  
4 State Comptroller shall draw his warrants upon the State  
5 Treasurer as directed by the State Board of Education in  
6 accordance with transfers from the General Revenue Fund to the  
7 Common School Fund as specified in Section 8a of the State  
8 Finance Act. The warrant for the 10th day of August, 1993 and  
9 each semimonthly warrant for the months of October, 1993  
10 through July, 1994 shall be in an amount equal to 1/24 of the  
11 total amount to be distributed to that school district for  
12 fiscal year 1994, and the warrant for the 20th day of August,  
13 1993 shall be in an amount equal to 3/24 of that total. The  
14 amount of payments made in July of 1994 shall be considered as  
15 payments for claims covering the school year that commenced  
16 during the immediately preceding calendar year.

17 (Source: P.A. 87-14; 87-887; 87-895; 88-45; 88-89; 88-641, eff.  
18 9-9-94.)

19 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

20 Sec. 18-12. Dates for filing State aid claims. The school  
21 board of each school district shall require teachers,  
22 principals, or superintendents to furnish from records kept by  
23 them such data as it needs in preparing and certifying to the  
24 regional superintendent its school district report of claims  
25 provided in Sections 18-8.05 through 18-9 ~~18-10~~ as required by  
26 the State Superintendent of Education. The district claim shall  
27 be based on the latest available equalized assessed valuation  
28 and tax rates, as provided in Section 18-8.05 and shall use the  
29 average daily attendance as determined by the method outlined  
30 in Section 18-8.05 and shall be certified and filed with the  
31 regional superintendent by June 21 for districts with an  
32 official school calendar end date before June 15 or within 2  
33 weeks following the official school calendar end date for  
34 districts with a school year end date of June 15 or later. The  
35 regional superintendent shall certify and file with the State

1 Superintendent of Education district State aid claims by July 1  
2 for districts with an official school calendar end date before  
3 June 15 or no later than July 15 for districts with an official  
4 school calendar end date of June 15 or later. Failure to so  
5 file by these deadlines constitutes a forfeiture of the right  
6 to receive payment by the State until such claim is filed and  
7 vouchered for payment. The regional superintendent of schools  
8 shall certify the county report of claims by July 15; and the  
9 State Superintendent of Education shall voucher for payment  
10 those claims to the State Comptroller as provided in Section  
11 18-11.

12 Except as otherwise provided in this Section, if any school  
13 district fails to provide the minimum school term specified in  
14 Section 10-19, the State aid claim for that year shall be  
15 reduced by the State Superintendent of Education in an amount  
16 equivalent to .56818% for each day less than the number of days  
17 required by this Code.

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

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

30 If, during any school day, (i) a school district has  
31 provided at least one clock hour of instruction but must close  
32 the schools due to adverse weather conditions or due to a  
33 condition beyond the control of the school district that poses  
34 a hazardous threat to the health and safety of pupils prior to  
35 providing the minimum hours of instruction required for a full  
36 day of attendance, or (ii) the school district must delay the

1 start of the school day due to adverse weather conditions and  
2 this delay prevents the district from providing the minimum  
3 hours of instruction required for a full day of attendance, the  
4 partial day of attendance may be counted as a full day of  
5 attendance. The partial day of attendance and the reasons  
6 therefor shall be certified in writing within a month of the  
7 closing or delayed start by the local school district  
8 superintendent to the Regional Superintendent of Schools for  
9 forwarding to the State Superintendent of Education for  
10 approval.

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

18 No exception to the requirement of providing a minimum  
19 school term may be approved by the State Superintendent of  
20 Education pursuant to this Section unless a school district has  
21 first used all emergency days provided for in its regular  
22 calendar.

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



1 No State aid claim may be filed for any district unless the  
2 district superintendent executes and files with the State  
3 Superintendent of Education, in the method prescribed by the  
4 Superintendent, certification that the district has complied  
5 with the requirements of Section 10-22.5 in regard to the  
6 nonsegregation of pupils on account of color, creed, race, sex  
7 or nationality.

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

14 Electronically submitted State aid claims shall be  
15 submitted by duly authorized district or regional individuals  
16 over a secure network that is password protected. The  
17 electronic submission of a State aid claim must be accompanied  
18 with an affirmation that all of the provisions of Sections  
19 18-8.05 through 18-9 ~~18-10~~, 10-22.5, and 24-4 of this Code are  
20 met in all respects.

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

22 (105 ILCS 5/34-56) (from Ch. 122, par. 34-56)

23 Sec. 34-56. Amount to cover loss and cost of collecting tax  
24 not added.

25 In ascertaining the rate per cent that will produce the  
26 amount of any tax levied pursuant to the authority granted by  
27 Section 34-53, ~~Sections 34-53 and 34-54~~ the county clerk  
28 shall not add any amount to cover the loss and cost of  
29 collecting the tax.

30 (Source: Laws 1961, p. 31.)

31 (105 ILCS 5/34-73) (from Ch. 122, par. 34-73)

32 Sec. 34-73. Certain taxes additional to maximum otherwise  
33 authorized - not reducible. Each of the taxes authorized to be  
34 levied by Sections 34-33, 34-39, 34-53.2, 34-53.3, 34-54.1,

1 34-57, 34-58, 34-60, 34-62, and 34-69, ~~and 34-72~~ of this Code,  
2 and by Section 17-128 of the "Illinois Pension Code" shall be  
3 in addition to and exclusive of the maximum of all other taxes  
4 which the school district is authorized by law to levy upon the  
5 aggregate valuation of all taxable property within the school  
6 district or city and the county clerk in reducing taxes under  
7 the provisions of the Property Tax Code shall not consider any  
8 of such taxes therein authorized as a part of the tax levy of  
9 the school district or city required to be included in the  
10 aggregate of all taxes to be reduced and no reduction of any  
11 tax levy made under the Property Tax Code shall diminish any  
12 amount appropriated or levied for any such tax.

13 (Source: P.A. 88-670, eff. 12-2-94.)

14 (105 ILCS 5/34-74) (from Ch. 122, par. 34-74)

15 Sec. 34-74. Custody of school moneys. Except as provided in  
16 Article ~~Articles~~ 34A ~~and 34B~~, and Section 34-29.2 of this Code,  
17 all moneys raised by taxation for school purposes, or received  
18 from the state common school fund, or from any other source for  
19 school purposes, shall be held by the city treasurer,  
20 ex-officio, as school treasurer, in separate funds for school  
21 purposes, subject to the order of the board upon (i) its  
22 warrants signed by its president and secretary and  
23 countersigned by the mayor and city comptroller or (ii) its  
24 checks, as defined in Section 3-104 of the Uniform Commercial  
25 Code, signed by its president, secretary, and comptroller and  
26 countersigned by the mayor and city comptroller.

27 (Source: P.A. 91-151, eff. 1-1-00.)

28 Section 25. The Public Community College Act is amended by  
29 changing Section 2-12 as follows:

30 (110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

31 Sec. 2-12. The State Board shall have the power and it  
32 shall be its duty:

33 (a) To provide statewide planning for community colleges as

1 institutions of higher education and co-ordinate the programs,  
2 services and activities of all community colleges in the State  
3 so as to encourage and establish a system of locally initiated  
4 and administered comprehensive community colleges.

5 (b) To organize and conduct feasibility surveys for new  
6 community colleges or for the inclusion of existing  
7 institutions as community colleges and the locating of new  
8 institutions.

9 (c) To approve all locally funded capital projects for  
10 which no State monies are required, in accordance with  
11 standards established by rule.

12 (d) To cooperate with the community colleges in continuing  
13 studies of student characteristics, admission standards,  
14 grading policies, performance of transfer students,  
15 qualification and certification of facilities and any other  
16 problem of community college education.

17 (e) To enter into contracts with other governmental  
18 agencies and eligible providers, such as local educational  
19 agencies, community-based organizations of demonstrated  
20 effectiveness, volunteer literacy organizations of  
21 demonstrated effectiveness, institutions of higher education,  
22 public and private nonprofit agencies, libraries, and public  
23 housing authorities; to accept federal funds and to plan with  
24 other State agencies when appropriate for the allocation of  
25 such federal funds for instructional programs and student  
26 services including such funds for adult education and adult  
27 literacy, vocational and technical education, and retraining  
28 as may be allocated by state and federal agencies for the aid  
29 of community colleges. To receive, receipt for, hold in trust,  
30 expend and administer, for all purposes of this Act, funds and  
31 other aid made available by the federal government or by other  
32 agencies public or private, subject to appropriation by the  
33 General Assembly. The changes to this subdivision (e) made by  
34 this amendatory Act of the 91st General Assembly apply on and  
35 after July 1, 2001.

36 (f) To determine efficient and adequate standards for

1 community colleges for the physical plant, heating, lighting,  
2 ventilation, sanitation, safety, equipment and supplies,  
3 instruction and teaching, curriculum, library, operation,  
4 maintenance, administration and supervision, and to grant  
5 recognition certificates to community colleges meeting such  
6 standards.

7 (g) To determine the standards for establishment of  
8 community colleges and the proper location of the site in  
9 relation to existing institutions of higher education offering  
10 academic, occupational and technical training curricula,  
11 possible enrollment, assessed valuation, industrial, business,  
12 agricultural, and other conditions reflecting educational  
13 needs in the area to be served; however, no community college  
14 may be considered as being recognized nor may the establishment  
15 of any community college be authorized in any district which  
16 shall be deemed inadequate for the maintenance, in accordance  
17 with the desirable standards thus determined, of a community  
18 college offering the basic subjects of general education and  
19 suitable vocational and semiprofessional and technical  
20 curricula.

21 (h) To approve or disapprove new units of instruction,  
22 research or public service as defined in Section 3-25.1 of this  
23 Act submitted by the boards of trustees of the respective  
24 community college districts of this State. The State Board may  
25 discontinue programs which fail to reflect the educational  
26 needs of the area being served. The community college district  
27 shall be granted 60 days following the State Board staff  
28 recommendation and prior to the State Board's action to respond  
29 to concerns regarding the program in question. If the State  
30 Board acts to abolish a community college program, the  
31 community college district has a right to appeal the decision  
32 in accordance with administrative rules promulgated by the  
33 State Board under the provisions of the Illinois Administrative  
34 Procedure Act.

35 (i) To participate in, to recommend approval or  
36 disapproval, and to assist in the coordination of the programs

1 of community colleges participating in programs of  
2 interinstitutional cooperation with other public or nonpublic  
3 institutions of higher education. If the State Board does not  
4 approve a particular cooperative agreement, the community  
5 college district has a right to appeal the decision in  
6 accordance with administrative rules promulgated by the State  
7 Board under the provisions of the Illinois Administrative  
8 Procedure Act.

9 (j) To establish guidelines regarding sabbatical leaves.

10 (k) To establish guidelines for the admission into special,  
11 appropriate programs conducted or created by community  
12 colleges for elementary and secondary school dropouts who have  
13 received truant status from the school districts of this State  
14 in compliance with Section 26-14 of The School Code.

15 (l) The Community College Board shall conduct a study of  
16 community college teacher education courses to determine how  
17 the community college system can increase its participation in  
18 the preparation of elementary and secondary teachers.

19 (m) To establish by July 1, 1997 uniform financial  
20 accounting and reporting standards and principles for  
21 community colleges and develop procedures and systems for  
22 community colleges for reporting financial data to the State  
23 Board.

24 (n) To create and participate in the conduct and operation  
25 of any corporation, joint venture, partnership, association,  
26 or other organizational entity that has the power: (i) to  
27 acquire land, buildings, and other capital equipment for the  
28 use and benefit of the community colleges or their students;  
29 (ii) to accept gifts and make grants for the use and benefit of  
30 the community colleges or their students; (iii) to aid in the  
31 instruction and education of students of community colleges;  
32 and (iv) to promote activities to acquaint members of the  
33 community with the facilities of the various community  
34 colleges.

35 (o) On and after July 1, 2001, to ensure the effective  
36 teaching of adults and to prepare them for success in

1 employment and lifelong learning by administering a network of  
2 providers, programs, and services to provide adult basic  
3 education, adult secondary/general education development,  
4 English as a second language, and any other instruction  
5 designed to prepare adult students to function successfully in  
6 society and to experience success in postsecondary education  
7 and the world of work. ~~In order to effect an orderly transition~~  
8 ~~as provided under Section 10-22.19a of the School Code and~~  
9 ~~Section 1-4 of the Adult Education Act, from July 1, 2000 until~~  
10 ~~July 1, 2001, the State Board of Education shall coordinate~~  
11 ~~administration of the powers and duties listed in this~~  
12 ~~subdivision (o) with the State Board.~~

13 (p) On and after July 1, 2001, to supervise the  
14 administration of adult education and adult literacy programs,  
15 to establish the standards for such courses of instruction and  
16 supervise the administration thereof, to contract with other  
17 State and local agencies and eligible providers, such as local  
18 educational agencies, community-based organizations of  
19 demonstrated effectiveness, volunteer literacy organizations  
20 of demonstrated effectiveness, institutions of higher  
21 education, public and private nonprofit agencies, libraries,  
22 and public housing authorities, for the purpose of promoting  
23 and establishing classes for instruction under these programs,  
24 to contract with other State and local agencies to accept and  
25 expend appropriations for educational purposes to reimburse  
26 local eligible providers for the cost of these programs, and to  
27 establish an advisory council consisting of all categories of  
28 eligible providers; agency partners, such as the State Board of  
29 Education, the Department of Human Services, the Department of  
30 Employment Security, and the Secretary of State literacy  
31 program; and other stakeholders to identify, deliberate, and  
32 make recommendations to the State Board on adult education  
33 policy and priorities. ~~In order to effect an orderly transition~~  
34 ~~as provided under Section 10-22.19a of the School Code and~~  
35 ~~Section 1-4 of the Adult Education Act, from July 1, 2000 until~~  
36 ~~July 1, 2001, the State Board of Education shall coordinate~~

1 ~~administration of the powers and duties listed in this~~  
2 ~~subdivision (p) with the State Board.~~ The State Board shall  
3 support statewide geographic distribution; diversity of  
4 eligible providers; and the adequacy, stability, and  
5 predictability of funding so as not to disrupt or diminish, but  
6 rather to enhance, adult education by this change of  
7 administration.

8 (Source: P.A. 91-830, eff. 7-1-00.)

9 (20 ILCS 3105/9.04 rep.)

10 Section 80. The Capital Development Board Act is amended by  
11 repealing Section 9.04.

12 (105 ILCS 5/1A-6 rep.)

13 (105 ILCS 5/1B-21 rep.)

14 (105 ILCS 5/2-3.16 rep.)

15 (105 ILCS 5/2-3.35 rep.)

16 (105 ILCS 5/2-3.37 rep.)

17 (105 ILCS 5/2-3.38 rep.)

18 (105 ILCS 5/2-3.40 rep.)

19 (105 ILCS 5/2-3.43 rep.)

20 (105 ILCS 5/2-3.52 rep.)

21 (105 ILCS 5/2-3.54 rep.)

22 (105 ILCS 5/2-3.55 rep.)

23 (105 ILCS 5/2-3.55A rep.)

24 (105 ILCS 5/2-3.67 rep.)

25 (105 ILCS 5/2-3.68 rep.)

26 (105 ILCS 5/2-3.72 rep.)

27 (105 ILCS 5/2-3.82 rep.)

28 (105 ILCS 5/2-3.85 rep.)

29 (105 ILCS 5/2-3.88 rep.)

30 (105 ILCS 5/2-3.90 rep.)

31 (105 ILCS 5/2-3.91 rep.)

32 (105 ILCS 5/2-3.100 rep.)

33 (105 ILCS 5/2-3.101 rep.)

34 (105 ILCS 5/2-3.106 rep.)

- 1 (105 ILCS 5/2-3.110 rep.)
- 2 (105 ILCS 5/2-3.113 rep.)
- 3 (105 ILCS 5/2-3.114 rep.)
- 4 (105 ILCS 5/7-03 rep.)
- 5 (105 ILCS 5/Art. 7C rep.)
- 6 (105 ILCS 5/10-20.2b rep.)
- 7 (105 ILCS 5/10-20.9 rep.)
- 8 (105 ILCS 5/10-20.16 rep.)
- 9 (105 ILCS 5/10-20.25 rep.)
- 10 (105 ILCS 5/10-22.16 rep.)
- 11 (105 ILCS 5/10-22.17 rep.)
- 12 (105 ILCS 5/10-22.19a rep.)
- 13 (105 ILCS 5/10-22.38a rep.)
- 14 (105 ILCS 5/10-23.9 rep.)
- 15 (105 ILCS 5/13-1 rep.)
- 16 (105 ILCS 5/13-2 rep.)
- 17 (105 ILCS 5/13-3 rep.)
- 18 (105 ILCS 5/13-4 rep.)
- 19 (105 ILCS 5/13-5 rep.)
- 20 (105 ILCS 5/13-6 rep.)
- 21 (105 ILCS 5/13-7 rep.)
- 22 (105 ILCS 5/13-8 rep.)
- 23 (105 ILCS 5/13-9 rep.)
- 24 (105 ILCS 5/13-10 rep.)
- 25 (105 ILCS 5/13-11 rep.)
- 26 (105 ILCS 5/13-36 rep.)
- 27 (105 ILCS 5/14-3.02 rep.)
- 28 (105 ILCS 5/14-3.03 rep.)
- 29 (105 ILCS 5/14-12.02 rep.)
- 30 (105 ILCS 5/14C-2.1 rep.)
- 31 (105 ILCS 5/17-2.2b rep.)
- 32 (105 ILCS 5/17-2.6 rep.)
- 33 (105 ILCS 5/17-2.11b rep.)
- 34 (105 ILCS 5/17-3.1 rep.)
- 35 (105 ILCS 5/17-3.3 rep.)
- 36 (105 ILCS 5/17-8.01 rep.)



1 (105 ILCS 5/17-9.01 rep.)  
2 (105 ILCS 5/17-13 rep.)  
3 (105 ILCS 5/18-8.7 rep.)  
4 (105 ILCS 5/18-10 rep.)  
5 (105 ILCS 5/22-4 rep.)  
6 (105 ILCS 5/22-9 rep.)  
7 (105 ILCS 5/22-26 rep.)  
8 (105 ILCS 5/24-19 rep.)  
9 (105 ILCS 5/24-20 rep.)  
10 (105 ILCS 5/24-22 rep.)  
11 (105 ILCS 5/27-16 rep.)  
12 (105 ILCS 5/28-3 rep.)  
13 (105 ILCS 5/29-17 rep.)  
14 (105 ILCS 5/29-18 rep.)  
15 (105 ILCS 5/30-6 rep.)  
16 (105 ILCS 5/30-14.1 rep.)  
17 (105 ILCS 5/32-4.10a rep.)  
18 (105 ILCS 5/34-21.5 rep.)  
19 (105 ILCS 5/34-22.8 rep.)  
20 (105 ILCS 5/34-42.1 rep.)  
21 (105 ILCS 5/34-42.2 rep.)  
22 (105 ILCS 5/34-54 rep.)  
23 (105 ILCS 5/34-72 rep.)  
24 (105 ILCS 5/34-87 rep.)  
25 (105 ILCS 5/Art. 34B rep.)  
26 (105 ILCS 5/Art. 35 rep.)

27 Section 85. The School Code is amended by repealing  
28 Sections 1A-6, 1B-21, 2-3.16, 2-3.35, 2-3.37, 2-3.38, 2-3.40,  
29 2-3.43, 2-3.52, 2-3.54, 2-3.55, 2-3.55A, 2-3.67, 2-3.68,  
30 2-3.72, 2-3.82, 2-3.85, 2-3.88, 2-3.90, 2-3.91, 2-3.100,  
31 2-3.101, 2-3.106, 2-3.110, 2-3.113, 2-3.114, 7-03, 10-20.2b,  
32 10-20.9, 10-20.16, 10-20.25, 10-22.16, 10-22.17, 10-22.19a,  
33 10-22.38a, 10-23.9, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7,  
34 13-8, 13-9, 13-10, 13-11, 13-36, 14-3.02, 14-3.03, 14-12.02,  
35 14C-2.1, 17-2.2b, 17-2.6, 17-2.11b, 17-3.1, 17-3.3, 17-8.01,  
36 17-9.01, 17-13, 18-8.7, 18-10, 22-4, 22-9, 22-26, 24-19, 24-20,

1 24-22, 27-16, 28-3, 29-17, 29-18, 30-6, 30-14.1, 32-4.10a,  
2 34-21.5, 34-22.8, 34-42.1, 34-42.2, 34-54, 34-72, and 34-87 and  
3 Articles 7C, 34B, and 35.

4 (105 ILCS 205/Act rep.)

5 Section 90. The School District Educational Effectiveness  
6 and Fiscal Efficiency Act is repealed.

7 Section 95. Saving clause. Any repeal made by this Act  
8 shall not affect or impair any of the following: suits pending  
9 or rights existing at the time this Act takes effect; any grant  
10 or conveyance made or right acquired or cause of action now  
11 existing under any Section, Article, or Act repealed by this  
12 Act; the validity of any bonds or other obligations issued or  
13 sold and constituting valid obligations of the issuing  
14 authority at the time this Act takes effect; the validity of  
15 any contract; the validity of any tax levied under any law in  
16 effect prior to the effective date of this Act; or any offense  
17 committed, act done, penalty, punishment, or forfeiture  
18 incurred or any claim, right, power, or remedy accrued under  
19 any law in effect prior to the effective date of this Act. The  
20 repeal of any curative or validating Act under this Act shall  
21 not affect the corporate existence or powers of any school  
22 district lawfully validated thereby.