



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0821

Introduced 2/7/2007, by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-13.01

from Ch. 122, par. 14-13.01

Amends the Children with Disabilities Article of the School Code. Increases the reimbursement amount to school districts for certificated employees who work with or on behalf of students with disabilities full time (instead of teachers, professional workers, directors, school psychologists, and readers) and non-certified employees by a specified amount each school year through the 2011-2012 school year. For each school year thereafter, provides that the reimbursement amount shall equal the amount from the previous school year increased by a percentage increase equal to the percentage increase, if any, in the Consumer Price Index for All Urban Consumers for all items. Effective immediately.

LRB095 08991 NHT 29182 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 14-13.01 as follows:

6 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

7 Sec. 14-13.01. Reimbursement payable by State; Amounts.
8 Reimbursement for furnishing special educational facilities in
9 a recognized school to the type of children defined in Section
10 14-1.02 shall be paid to the school districts in accordance
11 with Section 14-12.01 for each school year ending June 30 by
12 the State Comptroller out of any money in the treasury
13 appropriated for such purposes on the presentation of vouchers
14 by the State Board of Education.

15 The reimbursement shall be limited to funds expended for
16 construction and maintenance of special education facilities
17 designed and utilized to house instructional programs,
18 diagnostic services, other special education services for
19 children with disabilities and reimbursement as provided in
20 Section 14-13.01. There shall be no reimbursement for
21 construction and maintenance of any administrative facility
22 separated from special education facilities designed and
23 utilized to house instructional programs, diagnostic services

1 and other special education services for children with
2 disabilities.

3 (a) (Blank). ~~For children who have not been identified as~~
4 ~~eligible for special education and for eligible children with~~
5 ~~physical disabilities, including all eligible children whose~~
6 ~~placement has been determined under Section 14-8.02 in hospital~~
7 ~~or home instruction, 1/2 of the teacher's salary but not more~~
8 ~~than \$1,000 annually per child or \$8,000 per teacher for the~~
9 ~~1985-1986 school year and thereafter, whichever is less.~~
10 ~~Children to be included in any reimbursement under this~~
11 ~~paragraph must regularly receive a minimum of one hour of~~
12 ~~instruction each school day, or in lieu thereof of a minimum of~~
13 ~~5 hours of instruction in each school week in order to qualify~~
14 ~~for full reimbursement under this Section. If the attending~~
15 ~~physician for such a child has certified that the child should~~
16 ~~not receive as many as 5 hours of instruction in a school week,~~
17 ~~however, reimbursement under this paragraph on account of that~~
18 ~~child shall be computed proportionate to the actual hours of~~
19 ~~instruction per week for that child divided by 5.~~

20 (b) For children described in Section 14-1.02, 4/5 of the
21 cost of transportation for each such child, whom the State
22 Superintendent of Education determined in advance requires
23 special transportation service in order to take advantage of
24 special educational facilities. Transportation costs shall be
25 determined in the same fashion as provided in Section 29-5. For
26 purposes of this subsection (b), the dates for processing

1 claims specified in Section 29-5 shall apply.

2 (c) (Blank). ~~For each professional worker excluding those~~
3 ~~included in subparagraphs (a), (d), (e), and (f) of this~~
4 ~~Section, the annual sum of \$8,000 for the 1985-1986 school year~~
5 ~~and thereafter.~~

6 (d) (Blank). ~~For one full time qualified director of the~~
7 ~~special education program of each school district which~~
8 ~~maintains a fully approved program of special education the~~
9 ~~annual sum of \$8,000 for the 1985-1986 school year and~~
10 ~~thereafter. Districts participating in a joint agreement~~
11 ~~special education program shall not receive such reimbursement~~
12 ~~if reimbursement is made for a director of the joint agreement~~
13 ~~program.~~

14 (e) (Blank). ~~For each school psychologist as defined in~~
15 ~~Section 14-1.09 the annual sum of \$8,000 for the 1985-1986~~
16 ~~school year and thereafter.~~

17 (f) (Blank). ~~For each qualified teacher working in a fully~~
18 ~~approved program for children of preschool age who are deaf or~~
19 ~~hard of hearing the annual sum of \$8,000 for the 1985-1986~~
20 ~~school year and thereafter.~~

21 (g) (Blank). ~~For readers, working with blind or partially~~
22 ~~seeing children 1/2 of their salary but not more than \$400~~
23 ~~annually per child. Readers may be employed to assist such~~
24 ~~children and shall not be required to be certified but prior to~~
25 ~~employment shall meet standards set up by the State Board of~~
26 ~~Education.~~

1 (g-5) For each certificated employee who works with or on
2 behalf of students with disabilities full time, \$8,000 for each
3 school year through the 2005-2006 school year, \$9,000 for the
4 2006-2007 school year, \$10,000 for the 2007-2008 school year,
5 \$11,000 for the 2008-2009 school year, \$12,000 for the
6 2009-2010 school year, \$13,000 for the 2010-2011 school year,
7 \$14,000 for the 2011-2012 school year, and for each school year
8 thereafter, the amount from the previous school year increased
9 by a percentage increase equal to the percentage increase, if
10 any, in the Consumer Price Index for All Urban Consumers for
11 all items published by the United States Department of Labor
12 for the 12 months ending on the previous December 31.

13 (h) For ~~necessary~~ non-certified employees working in any
14 class or program for children defined in this Article, 1/2 of
15 the salary paid or \$2,800 annually per employee through the
16 2005-2006 school year, \$3,300 per employee for the 2006-2007
17 school year, \$3,800 per employee for the 2007-2008 school year,
18 \$4,300 per employee for the 2008-2009 school year, \$4,800 for
19 the 2009-2010 school year, \$5,300 for the 2010-2011 school
20 year, \$5,800 for the 2011-2012 school year, and for each school
21 year thereafter, the amount from the previous school year
22 increased by a percentage increase equal to the percentage
23 increase, if any, in the Consumer Price Index for All Urban
24 Consumers for all items published by the United States
25 Department of Labor for the 12 months ending on the previous
26 December 31, whichever is less.

1 The State Board of Education shall set standards and
2 prescribe rules for determining the allocation of
3 reimbursement under this section on less than a full time basis
4 and for less than a school year.

5 When any school district eligible for reimbursement under
6 this Section operates a school or program approved by the State
7 Superintendent of Education for a number of days in excess of
8 the adopted school calendar but not to exceed 235 school days,
9 such reimbursement shall be increased by 1/185 of the amount or
10 rate paid hereunder for each day such school is operated in
11 excess of 185 days per calendar year.

12 Notwithstanding any other provision of law, any school
13 district receiving a payment under this Section or under
14 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
15 all or a portion of the funds that it receives in a particular
16 fiscal year or from general State aid pursuant to Section
17 18-8.05 of this Code as funds received in connection with any
18 funding program for which it is entitled to receive funds from
19 the State in that fiscal year (including, without limitation,
20 any funding program referenced in this Section), regardless of
21 the source or timing of the receipt. The district may not
22 classify more funds as funds received in connection with the
23 funding program than the district is entitled to receive in
24 that fiscal year for that program. Any classification by a
25 district must be made by a resolution of its board of
26 education. The resolution must identify the amount of any

1 payments or general State aid to be classified under this
2 paragraph and must specify the funding program to which the
3 funds are to be treated as received in connection therewith.
4 This resolution is controlling as to the classification of
5 funds referenced therein. A certified copy of the resolution
6 must be sent to the State Superintendent of Education. The
7 resolution shall still take effect even though a copy of the
8 resolution has not been sent to the State Superintendent of
9 Education in a timely manner. No classification under this
10 paragraph by a district shall affect the total amount or timing
11 of money the district is entitled to receive under this Code.
12 No classification under this paragraph by a district shall in
13 any way relieve the district from or affect any requirements
14 that otherwise would apply with respect to that funding
15 program, including any accounting of funds by source, reporting
16 expenditures by original source and purpose, reporting
17 requirements, or requirements of providing services.

18 (Source: P.A. 92-568, eff. 6-26-02; 93-1022, eff. 8-24-04.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.