



Sen. Kimberly A. Lightford

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1 AMENDMENT TO HOUSE BILL 4374

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4374 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 2-3.131 and 18-8.05 and by adding Section 34-18.37 as follows:

6 (105 ILCS 5/2-3.131)

7 Sec. 2-3.131. Transitional assistance payments.

8 (a) If the amount that the State Board of Education will  
9 pay to a school district from fiscal year 2004 appropriations,  
10 as estimated by the State Board of Education on April 1, 2004,  
11 is less than the amount that the State Board of Education paid  
12 to the school district from fiscal year 2003 appropriations,  
13 then, subject to appropriation, the State Board of Education  
14 shall make a fiscal year 2004 transitional assistance payment  
15 to the school district in an amount equal to the difference  
16 between the estimated amount to be paid from fiscal year 2004

1 appropriations and the amount paid from fiscal year 2003  
2 appropriations.

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

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

23 (d) If the amount that the State Board of Education will  
24 pay to a school district from fiscal year 2007 appropriations,  
25 as estimated by the State Board of Education on April 1, 2007,  
26 is less than the amount that the State Board of Education paid

1 to the school district from fiscal year 2006 appropriations,  
2 then the State Board of Education, subject to appropriation,  
3 shall make a fiscal year 2007 transitional assistance payment  
4 to the school district in an amount equal to the difference  
5 between the estimated amount to be paid from fiscal year 2007  
6 appropriations and the amount paid from fiscal year 2006  
7 appropriations.

8 (e) Subject to appropriation, beginning on July 1, 2007,  
9 the State Board of Education shall adjust prior year  
10 information for the transitional assistance calculations under  
11 this Section in the event of the creation or reorganization of  
12 any school district pursuant to Article 11E of this Code, the  
13 dissolution of an entire district and the annexation of all of  
14 its territory to one or more other districts pursuant to  
15 Article 7 of this Code, or a boundary change whereby the  
16 enrollment of the annexing district increases by 90% or more as  
17 a result of annexing territory detached from another district  
18 pursuant to Article 7 of this Code.

19 (f) If the amount that the State Board of Education will  
20 pay to a school district from fiscal year 2008 appropriations,  
21 as estimated by the State Board of Education on April 1, 2008,  
22 is less than the amount that the State Board of Education paid  
23 to the school district from fiscal year 2007 appropriations,  
24 then the State Board of Education, subject to appropriation,  
25 shall make a fiscal year 2008 transitional assistance payment  
26 to the school district in an amount equal to the difference

1 between the estimated amount to be paid from fiscal year 2008  
2 appropriations and the amount paid from fiscal year 2007  
3 appropriations.

4 (g) If the amount that the State Board of Education will  
5 pay to a school district from fiscal year 2009 appropriations,  
6 as estimated by the State Board of Education on April 1, 2009,  
7 is less than the amount that the State Board of Education paid  
8 to the school district from fiscal year 2008 appropriations,  
9 then the State Board of Education, subject to appropriation,  
10 shall make a fiscal year 2009 transitional assistance payment  
11 to the school district in an amount equal to the difference  
12 between the estimated amount to be paid from fiscal year 2009  
13 appropriations and the amount paid from fiscal year 2008  
14 appropriations.

15 (Source: P.A. 94-69, eff. 7-1-05; 94-835, eff. 6-6-06; 95-331,  
16 eff. 8-21-07; 95-707, eff. 1-11-08.)

17 (105 ILCS 5/18-8.05)

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

21 (A) General Provisions.

22 (1) The provisions of this Section apply to the 1998-1999  
23 and subsequent school years. The system of general State  
24 financial aid provided for in this Section is designed to

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

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

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

26 (a) Any school district which fails for any given

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

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

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

24 (d) (Blank).

25 (4) Except as provided in subsections (H) and (L), the  
26 board of any district receiving any of the grants provided for

1 in this Section may apply those funds to any fund so received  
2 for which that board is authorized to make expenditures by law.

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

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

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

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

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

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

25 (e) "Operating Tax Rate": All school district property  
26 taxes extended for all purposes, except Bond and Interest,

1 Summer School, Rent, Capital Improvement, and Vocational  
2 Education Building purposes.

3 (B) Foundation Level.

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

14 (2) For the 1998-1999 school year, the Foundation Level of  
15 support is \$4,225. For the 1999-2000 school year, the  
16 Foundation Level of support is \$4,325. For the 2000-2001 school  
17 year, the Foundation Level of support is \$4,425. For the  
18 2001-2002 school year and 2002-2003 school year, the Foundation  
19 Level of support is \$4,560. For the 2003-2004 school year, the  
20 Foundation Level of support is \$4,810. For the 2004-2005 school  
21 year, the Foundation Level of support is \$4,964. For the  
22 2005-2006 school year, the Foundation Level of support is  
23 \$5,164. For the 2006-2007 school year, the Foundation Level of  
24 support is \$5,334. For the 2007-2008 school year, the  
25 Foundation Level of support is \$5,734.



1           (3) For the 2008-2009 ~~2007-2008~~ school year and each school  
2 year thereafter, the Foundation Level of support is \$5,959  
3 ~~\$5,734~~ or such greater amount as may be established by law by  
4 the General Assembly.

5           (C) Average Daily Attendance.

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

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

1 (D) Available Local Resources.

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

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

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

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

7 For partial elementary unit districts created pursuant to  
8 Article 11E of this Code, local property tax revenues per pupil  
9 shall be calculated as the product of the equalized assessed  
10 valuation for property within the elementary and high school  
11 classification of the partial elementary unit district  
12 multiplied by 2.06% and divided by the Average Daily Attendance  
13 figure for grades kindergarten through 8, plus the product of  
14 the equalized assessed valuation for property within the high  
15 school only classification of the partial elementary unit  
16 district multiplied by 0.94% and divided by the Average Daily  
17 Attendance figure for grades 9 through 12.

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

1 aid.

2 (E) Computation of General State Aid.

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

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

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

1 State aid per pupil figure multiplied by the Average Daily  
2 Attendance of the school district.

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

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

18 (F) Compilation of Average Daily Attendance.

19 (1) Each school district shall, by July 1 of each year,  
20 submit to the State Board of Education, on forms prescribed by  
21 the State Board of Education, attendance figures for the school  
22 year that began in the preceding calendar year. The attendance  
23 information so transmitted shall identify the average daily  
24 attendance figures for each month of the school year. Beginning  
25 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

1 supervision of: (i) teachers, or (ii) non-teaching personnel or  
2 volunteer personnel when engaging in non-teaching duties and  
3 supervising in those instances specified in subsection (a) of  
4 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
5 of legal school age and in kindergarten and grades 1 through  
6 12.

7 Days of attendance by tuition pupils shall be accredited  
8 only to the districts that pay the tuition to a recognized  
9 school.

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

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

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

26 (c) A session of 4 or more clock hours may be counted

1 as a day of attendance upon certification by the regional  
2 superintendent, and approved by the State Superintendent  
3 of Education to the extent that the district has been  
4 forced to use daily multiple sessions.

5 (d) A session of 3 or more clock hours may be counted  
6 as a day of attendance (1) when the remainder of the school  
7 day or at least 2 hours in the evening of that day is  
8 utilized for an in-service training program for teachers,  
9 up to a maximum of 5 days per school year of which a  
10 maximum of 4 days of such 5 days may be used for  
11 parent-teacher conferences, provided a district conducts  
12 an in-service training program for teachers which has been  
13 approved by the State Superintendent of Education; or, in  
14 lieu of 4 such days, 2 full days may be used, in which  
15 event each such day may be counted as a day of attendance;  
16 and (2) when days in addition to those provided in item (1)  
17 are scheduled by a school pursuant to its school  
18 improvement plan adopted under Article 34 or its revised or  
19 amended school improvement plan adopted under Article 2,  
20 provided that (i) such sessions of 3 or more clock hours  
21 are scheduled to occur at regular intervals, (ii) the  
22 remainder of the school days in which such sessions occur  
23 are utilized for in-service training programs or other  
24 staff development activities for teachers, and (iii) a  
25 sufficient number of minutes of school work under the  
26 direct supervision of teachers are added to the school days



1 between such regularly scheduled sessions to accumulate  
2 not less than the number of minutes by which such sessions  
3 of 3 or more clock hours fall short of 5 clock hours. Any  
4 full days used for the purposes of this paragraph shall not  
5 be considered for computing average daily attendance. Days  
6 scheduled for in-service training programs, staff  
7 development activities, or parent-teacher conferences may  
8 be scheduled separately for different grade levels and  
9 different attendance centers of the district.

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

16 (f) A session of at least 4 clock hours may be counted  
17 as a day of attendance for first grade pupils, and pupils  
18 in full day kindergartens, and a session of 2 or more hours  
19 may be counted as 1/2 day of attendance by pupils in  
20 kindergartens which provide only 1/2 day of attendance.

21 (g) For children with disabilities who are below the  
22 age of 6 years and who cannot attend 2 or more clock hours  
23 because of their disability or immaturity, a session of not  
24 less than one clock hour may be counted as 1/2 day of  
25 attendance; however for such children whose educational  
26 needs so require a session of 4 or more clock hours may be

1 counted as a full day of attendance.

2 (h) A recognized kindergarten which provides for only  
3 1/2 day of attendance by each pupil shall not have more  
4 than 1/2 day of attendance counted in any one day. However,  
5 kindergartens may count 2 1/2 days of attendance in any 5  
6 consecutive school days. When a pupil attends such a  
7 kindergarten for 2 half days on any one school day, the  
8 pupil shall have the following day as a day absent from  
9 school, unless the school district obtains permission in  
10 writing from the State Superintendent of Education.  
11 Attendance at kindergartens which provide for a full day of  
12 attendance by each pupil shall be counted the same as  
13 attendance by first grade pupils. Only the first year of  
14 attendance in one kindergarten shall be counted, except in  
15 case of children who entered the kindergarten in their  
16 fifth year whose educational development requires a second  
17 year of kindergarten as determined under the rules and  
18 regulations of the State Board of Education.

19 (i) On the days when the Prairie State Achievement  
20 Examination is administered under subsection (c) of  
21 Section 2-3.64 of this Code, the day of attendance for a  
22 pupil whose school day must be shortened to accommodate  
23 required testing procedures may be less than 5 clock hours  
24 and shall be counted towards the 176 days of actual pupil  
25 attendance required under Section 10-19 of this Code,  
26 provided that a sufficient number of minutes of school work

1           in excess of 5 clock hours are first completed on other  
2           school days to compensate for the loss of school work on  
3           the examination days.

4           (G) Equalized Assessed Valuation Data.

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

15          The Department of Revenue shall add to the equalized  
16          assessed value of all taxable property of each school district  
17          situated entirely or partially within a county that is or was  
18          subject to the provisions of Section 15-176 or 15-177 of the  
19          Property Tax Code (a) an amount equal to the total amount by  
20          which the homestead exemption allowed under Section 15-176 or  
21          15-177 of the Property Tax Code for real property situated in  
22          that school district exceeds the total amount that would have  
23          been allowed in that school district if the maximum reduction  
24          under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in  
25          all other counties in tax year 2003 or (ii) \$5,000 in all

1 counties in tax year 2004 and thereafter and (b) an amount  
2 equal to the aggregate amount for the taxable year of all  
3 additional exemptions under Section 15-175 of the Property Tax  
4 Code for owners with a household income of \$30,000 or less. The  
5 county clerk of any county that is or was subject to the  
6 provisions of Section 15-176 or 15-177 of the Property Tax Code  
7 shall annually calculate and certify to the Department of  
8 Revenue for each school district all homestead exemption  
9 amounts under Section 15-176 or 15-177 of the Property Tax Code  
10 and all amounts of additional exemptions under Section 15-175  
11 of the Property Tax Code for owners with a household income of  
12 \$30,000 or less. It is the intent of this paragraph that if the  
13 general homestead exemption for a parcel of property is  
14 determined under Section 15-176 or 15-177 of the Property Tax  
15 Code rather than Section 15-175, then the calculation of  
16 Available Local Resources shall not be affected by the  
17 difference, if any, between the amount of the general homestead  
18 exemption allowed for that parcel of property under Section  
19 15-176 or 15-177 of the Property Tax Code and the amount that  
20 would have been allowed had the general homestead exemption for  
21 that parcel of property been determined under Section 15-175 of  
22 the Property Tax Code. It is further the intent of this  
23 paragraph that if additional exemptions are allowed under  
24 Section 15-175 of the Property Tax Code for owners with a  
25 household income of less than \$30,000, then the calculation of  
26 Available Local Resources shall not be affected by the

1 difference, if any, because of those additional exemptions.

2 This equalized assessed valuation, as adjusted further by  
3 the requirements of this subsection, shall be utilized in the  
4 calculation of Available Local Resources.

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

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

1 equalized assessed valuation, whichever is lower, shall be  
2 used until such time as all redevelopment project costs  
3 have been paid.

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

18 (3) For the 1999-2000 school year and each school year  
19 thereafter, if a school district meets all of the criteria of  
20 this subsection (G) (3), the school district's Available Local  
21 Resources shall be calculated under subsection (D) using the  
22 district's Extension Limitation Equalized Assessed Valuation  
23 as calculated under this subsection (G) (3).

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

26 "Budget Year": The school year for which general State

1 aid is calculated and awarded under subsection (E).

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

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

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

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

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

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

21 If a school district is subject to property tax extension  
22 limitations as imposed under the Property Tax Extension  
23 Limitation Law, the State Board of Education shall calculate  
24 the Extension Limitation Equalized Assessed Valuation of that  
25 district. For the 1999-2000 school year, the Extension  
26 Limitation Equalized Assessed Valuation of a school district as

1 calculated by the State Board of Education shall be equal to  
2 the product of the district's 1996 Equalized Assessed Valuation  
3 and the district's Extension Limitation Ratio. For the  
4 2000-2001 school year and each school year thereafter, the  
5 Extension Limitation Equalized Assessed Valuation of a school  
6 district as calculated by the State Board of Education shall be  
7 equal to the product of the Equalized Assessed Valuation last  
8 used in the calculation of general State aid and the district's  
9 Extension Limitation Ratio. If the Extension Limitation  
10 Equalized Assessed Valuation of a school district as calculated  
11 under this subsection (G)(3) is less than the district's  
12 equalized assessed valuation as calculated pursuant to  
13 subsections (G)(1) and (G)(2), then for purposes of calculating  
14 the district's general State aid for the Budget Year pursuant  
15 to subsection (E), that Extension Limitation Equalized  
16 Assessed Valuation shall be utilized to calculate the  
17 district's Available Local Resources under subsection (D).

18 Partial elementary unit districts created in accordance  
19 with Article 11E of this Code shall not be eligible for the  
20 adjustment in this subsection (G)(3) until the fifth year  
21 following the effective date of the reorganization.

22 (4) For the purposes of calculating general State aid for  
23 the 1999-2000 school year only, if a school district  
24 experienced a triennial reassessment on the equalized assessed  
25 valuation used in calculating its general State financial aid  
26 apportionment for the 1998-1999 school year, the State Board of



1 Education shall calculate the Extension Limitation Equalized  
2 Assessed Valuation that would have been used to calculate the  
3 district's 1998-1999 general State aid. This amount shall equal  
4 the product of the equalized assessed valuation used to  
5 calculate general State aid for the 1997-1998 school year and  
6 the district's Extension Limitation Ratio. If the Extension  
7 Limitation Equalized Assessed Valuation of the school district  
8 as calculated under this paragraph (4) is less than the  
9 district's equalized assessed valuation utilized in  
10 calculating the district's 1998-1999 general State aid  
11 allocation, then for purposes of calculating the district's  
12 general State aid pursuant to paragraph (5) of subsection (E),  
13 that Extension Limitation Equalized Assessed Valuation shall  
14 be utilized to calculate the district's Available Local  
15 Resources.

16 (5) For school districts having a majority of their  
17 equalized assessed valuation in any county except Cook, DuPage,  
18 Kane, Lake, McHenry, or Will, if the amount of general State  
19 aid allocated to the school district for the 1999-2000 school  
20 year under the provisions of subsection (E), (H), and (J) of  
21 this Section is less than the amount of general State aid  
22 allocated to the district for the 1998-1999 school year under  
23 these subsections, then the general State aid of the district  
24 for the 1999-2000 school year only shall be increased by the  
25 difference between these amounts. The total payments made under  
26 this paragraph (5) shall not exceed \$14,000,000. Claims shall

1 be prorated if they exceed \$14,000,000.

2 (H) Supplemental General State Aid.

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

23 (1.5) This paragraph (1.5) applies only to those school  
24 years preceding the 2003-2004 school year. For purposes of this  
25 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

1 repealed on July 1, 1998), and any high school district that is  
2 affected by Public Act 92-28 is entitled to a recomputation of  
3 its supplemental general State aid grant or State aid paid in  
4 any of those fiscal years. This recomputation shall not be  
5 affected by any other funding.

6 (1.10) This paragraph (1.10) applies to the 2003-2004  
7 school year and each school year thereafter. For purposes of  
8 this subsection (H), the term "Low-Income Concentration Level"  
9 shall, for each fiscal year, be the low-income eligible pupil  
10 count as of July 1 of the immediately preceding fiscal year (as  
11 determined by the Department of Human Services based on the  
12 number of pupils who are eligible for at least one of the  
13 following low income programs: Medicaid, KidCare, TANF, or Food  
14 Stamps, excluding pupils who are eligible for services provided  
15 by the Department of Children and Family Services, averaged  
16 over the 2 immediately preceding fiscal years for fiscal year  
17 2004 and over the 3 immediately preceding fiscal years for each  
18 fiscal year thereafter) divided by the Average Daily Attendance  
19 of the school district.

20 (2) Supplemental general State aid pursuant to this  
21 subsection (H) shall be provided as follows for the 1998-1999,  
22 1999-2000, and 2000-2001 school years only:

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

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

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

9           (d) For any school district with a Low Income  
10 Concentration Level of 60% or more, the grant for the  
11 1998-99 school year shall be \$1,900 multiplied by the low  
12 income eligible pupil count.

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

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

21           (2.5) Supplemental general State aid pursuant to this  
22 subsection (H) shall be provided as follows for the 2002-2003  
23 school year:

24           (a) For any school district with a Low Income  
25 Concentration Level of less than 10%, the grant for each  
26 school year shall be \$355 multiplied by the low income

1 eligible pupil count.

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

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

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

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

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

22 (2.10) Except as otherwise provided, supplemental general  
23 State aid pursuant to this subsection (H) shall be provided as  
24 follows for the 2003-2004 school year and each school year  
25 thereafter:

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

1 Concentration Level of 15% or less, the grant for each  
2 school year shall be \$355 multiplied by the low income  
3 eligible pupil count.

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

9 For the 2003-2004 school year and each school year  
10 thereafter through the 2008-2009 ~~2007-2008~~ school year only,  
11 the grant shall be no less than the grant for the 2002-2003  
12 school year. For the 2009-2010 ~~2008-2009~~ school year only, the  
13 grant shall be no less than the grant for the 2002-2003 school  
14 year multiplied by 0.66. For the 2010-2011 ~~2009-2010~~ school  
15 year only, the grant shall be no less than the grant for the  
16 2002-2003 school year multiplied by 0.33. Notwithstanding the  
17 provisions of this paragraph to the contrary, if for any school  
18 year supplemental general State aid grants are prorated as  
19 provided in paragraph (1) of this subsection (H), then the  
20 grants under this paragraph shall be prorated.

21 For the 2003-2004 school year only, the grant shall be no  
22 greater than the grant received during the 2002-2003 school  
23 year added to the product of 0.25 multiplied by the difference  
24 between the grant amount calculated under subsection (a) or (b)  
25 of this paragraph (2.10), whichever is applicable, and the  
26 grant received during the 2002-2003 school year. For the

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

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

23 (4) School districts with an Average Daily Attendance of  
24 50,000 or more that qualify for supplemental general State aid  
25 pursuant to this subsection shall be required to distribute  
26 from funds available pursuant to this Section, no less than



1 \$261,000,000 in accordance with the following requirements:

2 (a) The required amounts shall be distributed to the  
3 attendance centers within the district in proportion to the  
4 number of pupils enrolled at each attendance center who are  
5 eligible to receive free or reduced-price lunches or  
6 breakfasts under the federal Child Nutrition Act of 1966  
7 and under the National School Lunch Act during the  
8 immediately preceding school year.

9 (b) The distribution of these portions of supplemental  
10 and general State aid among attendance centers according to  
11 these requirements shall not be compensated for or  
12 contravened by adjustments of the total of other funds  
13 appropriated to any attendance centers, and the Board of  
14 Education shall utilize funding from one or several sources  
15 in order to fully implement this provision annually prior  
16 to the opening of school.

17 (c) Each attendance center shall be provided by the  
18 school district a distribution of noncategorical funds and  
19 other categorical funds to which an attendance center is  
20 entitled under law in order that the general State aid and  
21 supplemental general State aid provided by application of  
22 this subsection supplements rather than supplants the  
23 noncategorical funds and other categorical funds provided  
24 by the school district to the attendance centers.

25 (d) Any funds made available under this subsection that  
26 by reason of the provisions of this subsection are not

1 required to be allocated and provided to attendance centers  
2 may be used and appropriated by the board of the district  
3 for any lawful school purpose.

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

17 (f) Each district subject to the provisions of this  
18 subdivision (H) (4) shall submit an acceptable plan to meet  
19 the educational needs of disadvantaged children, in  
20 compliance with the requirements of this paragraph, to the  
21 State Board of Education prior to July 15 of each year.  
22 This plan shall be consistent with the decisions of local  
23 school councils concerning the school expenditure plans  
24 developed in accordance with part 4 of Section 34-2.3. The  
25 State Board shall approve or reject the plan within 60 days  
26 after its submission. If the plan is rejected, the district

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

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

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

20 For purposes of determining compliance with this  
21 subsection in relation to the requirements of attendance  
22 center funding, each district subject to the provisions of  
23 this subsection shall submit as a separate document by  
24 December 1 of each year a report of expenditure data for  
25 the prior year in addition to any modification of its  
26 current plan. If it is determined that there has been a

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

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

20 (I) (Blank).

21 (J) Supplementary Grants in Aid.

22 (1) Notwithstanding any other provisions of this Section,  
23 the amount of the aggregate general State aid in combination  
24 with supplemental general State aid under this Section for

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

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

1 State aid figures as described in paragraph (1).

2 (3) (Blank).

3 (K) Grants to Laboratory and Alternative Schools.

4 In calculating the amount to be paid to the governing board  
5 of a public university that operates a laboratory school under  
6 this Section or to any alternative school that is operated by a  
7 regional superintendent of schools, the State Board of  
8 Education shall require by rule such reporting requirements as  
9 it deems necessary.

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

22 As used in this Section, "alternative school" means a  
23 public school which is created and operated by a Regional  
24 Superintendent of Schools and approved by the State Board of  
25 Education. Such alternative schools may offer courses of

1 instruction for which credit is given in regular school  
2 programs, courses to prepare students for the high school  
3 equivalency testing program or vocational and occupational  
4 training. A regional superintendent of schools may contract  
5 with a school district or a public community college district  
6 to operate an alternative school. An alternative school serving  
7 more than one educational service region may be established by  
8 the regional superintendents of schools of the affected  
9 educational service regions. An alternative school serving  
10 more than one educational service region may be operated under  
11 such terms as the regional superintendents of schools of those  
12 educational service regions may agree.

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

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

22 (1) For a school district operating under the financial  
23 supervision of an Authority created under Article 34A, the  
24 general State aid otherwise payable to that district under this  
25 Section, but not the supplemental general State aid, shall be

1 reduced by an amount equal to the budget for the operations of  
2 the Authority as certified by the Authority to the State Board  
3 of Education, and an amount equal to such reduction shall be  
4 paid to the Authority created for such district for its  
5 operating expenses in the manner provided in Section 18-11. The  
6 remainder of general State school aid for any such district  
7 shall be paid in accordance with Article 34A when that Article  
8 provides for a disposition other than that provided by this  
9 Article.

10 (2) (Blank).

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

13 (M) Education Funding Advisory Board.

14 The Education Funding Advisory Board, hereinafter in this  
15 subsection (M) referred to as the "Board", is hereby created.  
16 The Board shall consist of 5 members who are appointed by the  
17 Governor, by and with the advice and consent of the Senate. The  
18 members appointed shall include representatives of education,  
19 business, and the general public. One of the members so  
20 appointed shall be designated by the Governor at the time the  
21 appointment is made as the chairperson of the Board. The  
22 initial members of the Board may be appointed any time after  
23 the effective date of this amendatory Act of 1997. The regular  
24 term of each member of the Board shall be for 4 years from the  
25 third Monday of January of the year in which the term of the



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

24 The Education Funding Advisory Board shall be deemed  
25 established, and the initial members appointed by the Governor  
26 to serve as members of the Board shall take office, on the date

1 that the Governor makes his or her appointment of the fifth  
2 initial member of the Board, whether those initial members are  
3 then serving pursuant to appointment and confirmation or  
4 pursuant to temporary appointments that are made by the  
5 Governor as in the case of vacancies.

6 The State Board of Education shall provide such staff  
7 assistance to the Education Funding Advisory Board as is  
8 reasonably required for the proper performance by the Board of  
9 its responsibilities.

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

24 (N) (Blank).

1 (O) References.

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

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

10 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
11 changes to this Section. Under Section 6 of the Statute on  
12 Statutes there is an irreconcilable conflict between Public Act  
13 93-808 and Public Act 93-838. Public Act 93-838, being the last  
14 acted upon, is controlling. The text of Public Act 93-838 is  
15 the law regardless of the text of Public Act 93-808.

16 (Source: P.A. 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; 94-835,  
17 eff. 6-6-06; 94-1019, eff. 7-10-06; 94-1105, eff. 6-1-07;  
18 95-331, eff. 8-21-07; 95-644, eff. 10-12-07; 95-707, eff.  
19 1-11-08; revised 1-14-08.)

20 (105 ILCS 5/34-18.37 new)

21 Sec. 34-18.37. Recess required. The board shall require  
22 that schools provide daily recess for all students in  
23 kindergarten through grade 8. The board shall exempt a school  
24 from the daily recess requirement if the principal of the

1 school requests an exemption for good reason.

2       Section 99. Effective date. This Act takes effect July 1,  
3 2008, except that the provisions adding Section 34-18.37 of the  
4 School Code take effect on the uniform effective date provided  
5 by law.".