

HB4772



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4772

by Rep. Elizabeth Coulson

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 by a specified amount the special education reimbursement to school districts for teachers, professional workers, directors, school psychologists, and non-certified employees for each school year from the 2007-2008 school year through the 2010-2011 school year. Effective immediately.

LRB095 15690 NHT 41697 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) For children who have not been identified as eligible
4 for special education and for eligible children with physical
5 disabilities, including all eligible children whose placement
6 has been determined under Section 14-8.02 in hospital or home
7 instruction, 1/2 of the teacher's salary but not more than
8 \$1,000 annually per child or \$8,000 per teacher for the
9 1985-1986 school year through the 2005-2006 school year, ~~and~~
10 \$1,000 per child or \$9,000 per teacher for the 2006-2007 school
11 year, \$1,000 per child or \$10,000 per teacher for the 2007-2008
12 school year, \$1,000 per child or \$11,000 per teacher for the
13 2008-2009 school year, \$1,000 per child or \$12,000 per teacher
14 for the 2009-2010 school year, and \$1,000 per child or \$13,000
15 per teacher for the 2010-2011 school year and for each school
16 year thereafter, whichever is less. Children to be included in
17 any reimbursement under this paragraph must regularly receive a
18 minimum of one hour of instruction each school day, or in lieu
19 thereof of a minimum of 5 hours of instruction in each school
20 week in order to qualify for full reimbursement under this
21 Section. If the attending physician for such a child has
22 certified that the child should not receive as many as 5 hours
23 of instruction in a school week, however, reimbursement under
24 this paragraph on account of that child shall be computed
25 proportionate to the actual hours of instruction per week for
26 that child divided by 5.

1 (b) For children described in Section 14-1.02, 4/5 of the
2 cost of transportation for each such child, whom the State
3 Superintendent of Education determined in advance requires
4 special transportation service in order to take advantage of
5 special educational facilities. Transportation costs shall be
6 determined in the same fashion as provided in Section 29-5. For
7 purposes of this subsection (b), the dates for processing
8 claims specified in Section 29-5 shall apply.

9 (c) For each professional worker excluding those included
10 in subparagraphs (a), (d), (e), and (f) of this Section, the
11 annual sum of \$8,000 for the 1985-1986 school year through the
12 2005-2006 school year, ~~and~~ \$9,000 for the 2006-2007 school
13 year, \$10,000 for the 2007-2008 school year, \$11,000 for the
14 2008-2009 school year, \$12,000 for the 2009-2010 school year,
15 and \$13,000 for the 2010-2011 school year and for each school
16 year thereafter.

17 (d) For one full time qualified director of the special
18 education program of each school district which maintains a
19 fully approved program of special education the annual sum of
20 \$8,000 for the 1985-1986 school year through the 2005-2006
21 school year, ~~and~~ \$9,000 for the 2006-2007 school year, \$10,000
22 for the 2007-2008 school year, \$11,000 for the 2008-2009 school
23 year, \$12,000 for the 2009-2010 school year, and \$13,000 for
24 the 2010-2011 school year and for each school year thereafter.
25 Districts participating in a joint agreement special education
26 program shall not receive such reimbursement if reimbursement

1 is made for a director of the joint agreement program.

2 (e) For each school psychologist as defined in Section
3 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
4 through the 2005-2006 school year, ~~and~~ \$9,000 for the 2006-2007
5 school year, \$10,000 for the 2007-2008 school year, \$11,000 for
6 the 2008-2009 school year, \$12,000 for the 2009-2010 school
7 year, and \$13,000 for the 2010-2011 school year and for each
8 school year thereafter.

9 (f) For each qualified teacher working in a fully approved
10 program for children of preschool age who are deaf or
11 hard-of-hearing the annual sum of \$8,000 for the 1985-1986
12 school year through the 2005-2006 school year, ~~and~~ \$9,000 for
13 the 2006-2007 school year, \$10,000 for the 2007-2008 school
14 year, \$11,000 for the 2008-2009 school year, \$12,000 for the
15 2009-2010 school year, and \$13,000 for the 2010-2011 school
16 year and for each school year thereafter.

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

22 (h) For necessary non-certified employees working in any
23 class or program for children defined in this Article, 1/2 of
24 the salary paid or \$2,800 annually per employee through the
25 2005-2006 school year, ~~and~~ \$3,500 per employee for the
26 2006-2007 school year, \$4,200 per employee for the 2007-2008

1 school year, \$4,900 per employee for the 2008-2009 school year,
2 \$5,600 per employee for the 2009-2010 school year, and \$6,300
3 per employee for the 2010-2011 school year and for each school
4 year thereafter, whichever is less.

5 The State Board of Education shall set standards and
6 prescribe rules for determining the allocation of
7 reimbursement under this section on less than a full time basis
8 and for less than a school year.

9 When any school district eligible for reimbursement under
10 this Section operates a school or program approved by the State
11 Superintendent of Education for a number of days in excess of
12 the adopted school calendar but not to exceed 235 school days,
13 such reimbursement shall be increased by 1/180 of the amount or
14 rate paid hereunder for each day such school is operated in
15 excess of 180 days per calendar year.

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

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

22 (Source: P.A. 95-415, eff. 8-24-07; 95-707, eff. 1-11-08.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.