

HB4773



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4773

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 the special education reimbursement amount to school districts for teachers, professional workers, directors, and school psychologists (from \$9,000 to \$11,000) and non-certified employees (from \$3,500 to \$4,900) for the 2007-2008 school year and thereafter. Effective July 1, 2008.

LRB095 17679 NHT 43753 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, and \$1,000 per child or \$11,000 per teacher for the
12 2007-2008 school year and for each school year thereafter,
13 whichever is less. Children to be included in any reimbursement
14 under this paragraph must regularly receive a minimum of one
15 hour of instruction each school day, or in lieu thereof of a
16 minimum of 5 hours of instruction in each school week in order
17 to qualify for full reimbursement under this Section. If the
18 attending physician for such a child has certified that the
19 child should not receive as many as 5 hours of instruction in a
20 school week, however, reimbursement under this paragraph on
21 account of that child shall be computed proportionate to the
22 actual hours of instruction per week for that child divided by
23 5.

24 (b) For children described in Section 14-1.02, 4/5 of the
25 cost of transportation for each such child, whom the State
26 Superintendent of Education determined in advance requires

1 special transportation service in order to take advantage of
2 special educational facilities. Transportation costs shall be
3 determined in the same fashion as provided in Section 29-5. For
4 purposes of this subsection (b), the dates for processing
5 claims specified in Section 29-5 shall apply.

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

12 (d) For one full time qualified director of the special
13 education program of each school district which maintains a
14 fully approved program of special education the annual sum of
15 \$8,000 for the 1985-1986 school year through the 2005-2006
16 school year, ~~and~~ \$9,000 for the 2006-2007 school year, and
17 \$11,000 for the 2007-2008 school year and for each school year
18 thereafter. Districts participating in a joint agreement
19 special education program shall not receive such reimbursement
20 if reimbursement is made for a director of the joint agreement
21 program.

22 (e) For each school psychologist as defined in Section
23 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
24 through the 2005-2006 school year, ~~and~~ \$9,000 for the 2006-2007
25 school year, and \$11,000 for the 2007-2008 school year and for
26 each school year thereafter.

1 (f) For each qualified teacher working in a fully approved
2 program for children of preschool age who are deaf or
3 hard-of-hearing the annual sum of \$8,000 for the 1985-1986
4 school year through the 2005-2006 school year, ~~and~~ \$9,000 for
5 the 2006-2007 school year, and \$11,000 for the 2007-2008 school
6 year and for each school year thereafter.

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

12 (h) For necessary non-certified employees working in any
13 class or program for children defined in this Article, 1/2 of
14 the salary paid or \$2,800 annually per employee through the
15 2005-2006 school year, ~~and~~ \$3,500 per employee for the
16 2006-2007 school year, and \$4,900 per employee for the
17 2007-2008 school year and for each school year thereafter,
18 whichever is less.

19 The State Board of Education shall set standards and
20 prescribe rules for determining the allocation of
21 reimbursement under this section on less than a full time basis
22 and for less than a school year.

23 When any school district eligible for reimbursement under
24 this Section operates a school or program approved by the State
25 Superintendent of Education for a number of days in excess of
26 the adopted school calendar but not to exceed 235 school days,

1 such reimbursement shall be increased by 1/180 of the amount or
2 rate paid hereunder for each day such school is operated in
3 excess of 180 days per calendar year.

4 Notwithstanding any other provision of law, any school
5 district receiving a payment under this Section or under
6 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
7 all or a portion of the funds that it receives in a particular
8 fiscal year or from general State aid pursuant to Section
9 18-8.05 of this Code as funds received in connection with any
10 funding program for which it is entitled to receive funds from
11 the State in that fiscal year (including, without limitation,
12 any funding program referenced in this Section), regardless of
13 the source or timing of the receipt. The district may not
14 classify more funds as funds received in connection with the
15 funding program than the district is entitled to receive in
16 that fiscal year for that program. Any classification by a
17 district must be made by a resolution of its board of
18 education. The resolution must identify the amount of any
19 payments or general State aid to be classified under this
20 paragraph and must specify the funding program to which the
21 funds are to be treated as received in connection therewith.
22 This resolution is controlling as to the classification of
23 funds referenced therein. A certified copy of the resolution
24 must be sent to the State Superintendent of Education. The
25 resolution shall still take effect even though a copy of the
26 resolution has not been sent to the State Superintendent of

1 Education in a timely manner. No classification under this
2 paragraph by a district shall affect the total amount or timing
3 of money the district is entitled to receive under this Code.
4 No classification under this paragraph by a district shall in
5 any way relieve the district from or affect any requirements
6 that otherwise would apply with respect to that funding
7 program, including any accounting of funds by source, reporting
8 expenditures by original source and purpose, reporting
9 requirements, or requirements of providing services.

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

11 Section 99. Effective date. This Act takes effect July 1,
12 2008.