



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0955

Introduced 2/10/2009, by Rep. Dan Reitz

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.12a

from Ch. 122, par. 10-20.12a

Amends the School Code. Provides that a pupil who becomes non-resident during a grading period or school term, as determined by school board policy (instead of just a school term), shall not be charged tuition for the remainder of the grading period or school term in which he or she became a non-resident pupil, except that a pupil who began the school year as a resident pupil but becomes non-resident during that school year shall not be charged tuition for the remainder of the school year if he or she is graduating from high school that school year. Effective July 1, 2009.

LRB096 07512 NHT 17605 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 10-20.12a as follows:

6 (105 ILCS 5/10-20.12a) (from Ch. 122, par. 10-20.12a)
7 Sec. 10-20.12a. Tuition for non-resident pupils.

8 (a) To charge non-resident pupils who attend the schools of
9 the district tuition in an amount not exceeding 110% of the per
10 capita cost of maintaining the schools of the district for the
11 preceding school year.

12 Such per capita cost shall be computed by dividing the
13 total cost of conducting and maintaining the schools of the
14 district by the average daily attendance, including tuition
15 pupils. Depreciation on the buildings and equipment of the
16 schools of the district, and the amount of annual depreciation
17 on such buildings and equipment shall be dependent upon the
18 useful life of such property.

19 The tuition charged shall in no case exceed 110% of the per
20 capita cost of conducting and maintaining the schools of the
21 district attended, as determined with reference to the most
22 recent audit prepared under Section 3-7 which is available at
23 the commencement of the current school year. Non-resident

1 pupils attending the schools of the district for less than the
2 school term shall have their tuition apportioned; 7 however,
3 pupils who become non-resident during a grading period or
4 school term, as determined by school board policy, shall not be
5 charged tuition for the remainder of the grading period or
6 school term in which they became non-resident pupils, except
7 that a pupil who began the school year as a resident pupil but
8 becomes non-resident during that school year shall not be
9 charged tuition for the remainder of the school year if he or
10 she is graduating from high school that school year.

11 (b) Unless otherwise agreed to by the parties involved and
12 where the educational services are not otherwise provided for,
13 educational services for an Illinois student under the age of
14 21 (and not eligible for services pursuant to Article 14 of
15 this Code) in any residential program shall be provided by the
16 district in which the facility is located and financed as
17 follows. The cost of educational services shall be paid by the
18 district in which the student resides in an amount equal to the
19 cost of providing educational services in the residential
20 facility. Payments shall be made by the district of the
21 student's residence and shall be made to the district wherein
22 the facility is located no less than once per month unless
23 otherwise agreed to by the parties.

24 The funding provision of this subsection (b) applies to all
25 Illinois students under the age of 21 (and not eligible for
26 services pursuant to Article 14 of this Code) receiving

1 educational services in residential facilities, irrespective
2 of whether the student was placed therein pursuant to this Code
3 or the Juvenile Court Act of 1987 or by an Illinois public
4 agency or a court. The changes to this subsection (b) made by
5 this amendatory Act of the 95th General Assembly apply to all
6 placements in effect on July 1, 2007 and all placements
7 thereafter. For purposes of this subsection (b), a student's
8 district of residence shall be determined in accordance with
9 subsection (a) of Section 10-20.12b of this Code. The placement
10 of a student in a residential facility shall not affect the
11 residency of the student. When a dispute arises over the
12 determination of the district of residence under this
13 subsection (b), any person or entity, including without
14 limitation a school district or residential facility, may make
15 a written request for a residency decision to the State
16 Superintendent of Education, who, upon review of materials
17 submitted and any other items or information he or she may
18 request for submission, shall issue his or her decision in
19 writing. The decision of the State Superintendent of Education
20 is final.

21 (Source: P.A. 95-844, eff. 8-15-08; 95-938, eff. 8-29-08.)

22 Section 99. Effective date. This Act takes effect July 1,
23 2009.