



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4324

Introduced 2/27/2009, by Rep. Patrick J Verschoore

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-19.4 new

105 ILCS 5/14-13.01

105 ILCS 5/18-8.05

from Ch. 122, par. 14-13.01

Amends the School Code. Provides that a school board may, by resolution, adopt an alternative school calendar for a 4-day school week, which must be approved by the State Board of Education. Provides that school boards adopting an alternative calendar must adopt the calendar for all buildings in the entire district. Requires the school board to annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 150 days to ensure 141 days of actual pupil attendance. Sets forth related provisions concerning the calendar, experimental educational programs, special education reimbursement, and the compilation of average daily attendance under the State aid formula.

LRB096 10127 NHT 20293 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 adding Section
5 10-19.4 and by changing Sections 14-13.01 and 18-8.05 as
6 follows:

7 (105 ILCS 5/10-19.4 new)

8 Sec. 10-19.4. Alternative school calendar for 4-day school
9 week.

10 (a) A school board may, by resolution, adopt an alternative
11 school calendar for a 4-day school week in accordance with this
12 Section, which must be approved by the State Board of
13 Education. School boards adopting an alternative calendar must
14 adopt the calendar for all buildings in the entire district.
15 The school board shall annually prepare a calendar for the
16 school term, specifying the opening and closing dates and
17 providing a minimum term of at least 150 days to ensure 141
18 days of actual pupil attendance, as computed in paragraph (3)
19 of subsection (F) of Section 18-8.05 of this Code. Any days
20 allowed by law for teachers' institutes but not used as such or
21 used as parental institutes as provided in Section 10-22.18d of
22 this Code shall increase the minimum term by the school days
23 not so used. In case of such necessary extension, school

1 employees must be paid for such additional time on the basis of
2 their regular contracts. A school board may specify a closing
3 date earlier than that set on the annual calendar when the
4 schools of the district have provided the minimum number of
5 computable days under this Section. Nothing in this Section
6 prevents the board from employing superintendents of schools,
7 principals, and other nonteaching personnel for a period of 12
8 months or, in the case of superintendents, for a period in
9 accordance with Section 10-23.8 of this Code or prevents the
10 school board from employing other personnel before or after the
11 regular school term with payment of salary proportionate to
12 that received for comparable work during the school term.

13 (b) A school board may make such changes in its calendar
14 for the school term as may be required by any changes in the
15 legal school holidays prescribed in Section 24-2 of this Code.
16 A school board may make changes in its calendar for the school
17 term as may be necessary to reflect the utilization of
18 teachers' institute days as parental institute days as provided
19 in Section 10-22.18d of this Code.

20 (c) The calendar for the school term and any changes must
21 be submitted to and approved by the regional superintendent of
22 schools before the calendar or changes may take effect.

23 (d) With the prior approval of the State Board of Education
24 and subject to review by the State Board of Education every 3
25 years, a school board may, by resolution and in agreement with
26 any affected exclusive collective bargaining agents, establish

1 experimental educational programs, including without
2 limitation programs for self-directed learning or programs
3 outside of formal class periods, which programs when so
4 approved shall be considered to comply with the requirements of
5 this Section with respect to the numbers of days of actual
6 pupil attendance and with the other requirements of this Code
7 with respect to courses of instruction.

8 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

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

17 The reimbursement shall be limited to funds expended for
18 construction and maintenance of special education facilities
19 designed and utilized to house instructional programs,
20 diagnostic services, other special education services for
21 children with disabilities and reimbursement as provided in
22 Section 14-13.01. There shall be no reimbursement for
23 construction and maintenance of any administrative facility
24 separated from special education facilities designed and
25 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 for each school year thereafter, whichever is less.
12 Children to be included in any reimbursement under this
13 paragraph must regularly receive a minimum of one hour of
14 instruction each school day, or in lieu thereof of a minimum of
15 5 hours of instruction in each school week in order to qualify
16 for full reimbursement under this Section. If the attending
17 physician for such a child has certified that the child should
18 not receive as many as 5 hours of instruction in a school week,
19 however, reimbursement under this paragraph on account of that
20 child shall be computed proportionate to the actual hours of
21 instruction per week for that child divided by 5.

22 Children who are enrolled in schools that have an approved
23 4-day school week must regularly receive a minimum of 75
24 minutes of instruction each school day or, in lieu thereof, a
25 minimum of 375 minutes in each school week in order to qualify
26 for full reimbursement under this Section. If the attending

1 physician for such child has certified that the child should
2 not receive as many as 375 minutes of instruction in a school
3 week, however, reimbursement under this paragraph on account of
4 that child shall be computed proportionally to the actual
5 number of minutes of instruction per week for that child
6 divided by 375.

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

15 (c) For each professional worker excluding those included
16 in subparagraphs (a), (d), (e), and (f) of this Section, the
17 annual sum of \$8,000 for the 1985-1986 school year through the
18 2005-2006 school year and \$9,000 for the 2006-2007 school year
19 and for each school year thereafter.

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

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

3 (e) For each school psychologist as defined in Section
4 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
5 through the 2005-2006 school year and \$9,000 for the 2006-2007
6 school year and for each school year thereafter.

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

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

17 (h) For necessary non-certified employees working in any
18 class or program for children defined in this Article, 1/2 of
19 the salary paid or \$2,800 annually per employee through the
20 2005-2006 school year and \$3,500 per employee for the 2006-2007
21 school year and for each school year thereafter, whichever is
22 less.

23 The State Board of Education shall set standards and
24 prescribe rules for determining the allocation of
25 reimbursement under this section on less than a full time basis
26 and for less than a school year.

1 When any school district eligible for reimbursement under
2 this Section operates a school or program approved by the State
3 Superintendent of Education for a number of days in excess of
4 the adopted school calendar but not to exceed 235 school days,
5 such reimbursement shall be increased by 1/180 of the amount or
6 rate paid hereunder for each day such school is operated in
7 excess of 180 days per calendar year.

8 When a school district eligible for reimbursement under
9 this Section operates a school or program approved by the State
10 Superintendent of Education for a number of days in excess of
11 an approved 4-day school week but not to exceed 205 school
12 days, such reimbursement shall be increased by 1/150 of the
13 amount or rate paid hereunder for each day such school is
14 operated in excess of 150 days per calendar year.

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

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

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

22 (105 ILCS 5/18-8.05)

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

1 (A) General Provisions.

2 (1) The provisions of this Section apply to the 1998-1999
3 and subsequent school years. The system of general State
4 financial aid provided for in this Section is designed to
5 assure that, through a combination of State financial aid and
6 required local resources, the financial support provided each
7 pupil in Average Daily Attendance equals or exceeds a
8 prescribed per pupil Foundation Level. This formula approach
9 imputes a level of per pupil Available Local Resources and
10 provides for the basis to calculate a per pupil level of
11 general State financial aid that, when added to Available Local
12 Resources, equals or exceeds the Foundation Level. The amount
13 of per pupil general State financial aid for school districts,
14 in general, varies in inverse relation to Available Local
15 Resources. Per pupil amounts are based upon each school
16 district's Average Daily Attendance as that term is defined in
17 this Section.

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

1 appropriated under this Section.

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

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

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

24 (c) If a school district operates a full year school
25 under Section 10-19.1, the general State aid to the school
26 district shall be determined by the State Board of

1 Education in accordance with this Section as near as may be
2 applicable.

3 (d) (Blank).

4 (4) Except as provided in subsections (H) and (L), the
5 board of any district receiving any of the grants provided for
6 in this Section may apply those funds to any fund so received
7 for which that board is authorized to make expenditures by law.

8 School districts are not required to exert a minimum
9 Operating Tax Rate in order to qualify for assistance under
10 this Section.

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

13 (a) "Average Daily Attendance": A count of pupil
14 attendance in school, averaged as provided for in
15 subsection (C) and utilized in deriving per pupil financial
16 support levels.

17 (b) "Available Local Resources": A computation of
18 local financial support, calculated on the basis of Average
19 Daily Attendance and derived as provided pursuant to
20 subsection (D).

21 (c) "Corporate Personal Property Replacement Taxes":
22 Funds paid to local school districts pursuant to "An Act in
23 relation to the abolition of ad valorem personal property
24 tax and the replacement of revenues lost thereby, and
25 amending and repealing certain Acts and parts of Acts in
26 connection therewith", certified August 14, 1979, as

1 amended (Public Act 81-1st S.S.-1).

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

4 (e) "Operating Tax Rate": All school district property
5 taxes extended for all purposes, except Bond and Interest,
6 Summer School, Rent, Capital Improvement, and Vocational
7 Education Building purposes.

8 (B) Foundation Level.

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

19 (2) For the 1998-1999 school year, the Foundation Level of
20 support is \$4,225. For the 1999-2000 school year, the
21 Foundation Level of support is \$4,325. For the 2000-2001 school
22 year, the Foundation Level of support is \$4,425. For the
23 2001-2002 school year and 2002-2003 school year, the Foundation
24 Level of support is \$4,560. For the 2003-2004 school year, the
25 Foundation Level of support is \$4,810. For the 2004-2005 school

1 year, the Foundation Level of support is \$4,964. For the
2 2005-2006 school year, the Foundation Level of support is
3 \$5,164. For the 2006-2007 school year, the Foundation Level of
4 support is \$5,334. For the 2007-2008 school year, the
5 Foundation Level of support is \$5,734.

6 (3) For the 2008-2009 school year and each school year
7 thereafter, the Foundation Level of support is \$5,959 or such
8 greater amount as may be established by law by the General
9 Assembly.

10 (C) Average Daily Attendance.

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

22 (2) The Average Daily Attendance figures utilized in
23 subsection (E) 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 or the average of the

1 attendance data for the 3 preceding school years, whichever is
2 greater. The Average Daily Attendance figures utilized in
3 subsection (H) shall be the requisite attendance data for the
4 school year immediately preceding the school year for which
5 general State aid is being calculated.

6 (D) Available Local Resources.

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

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

23 (3) For school districts maintaining grades kindergarten
24 through 12, local property tax revenues per pupil shall be
25 calculated as the product of the applicable equalized assessed

1 valuation for the district multiplied by 3.00%, and divided by
2 the district's Average Daily Attendance figure. For school
3 districts maintaining grades kindergarten through 8, local
4 property tax revenues per pupil shall be calculated as the
5 product of the applicable equalized assessed valuation for the
6 district multiplied by 2.30%, and divided by the district's
7 Average Daily Attendance figure. For school districts
8 maintaining grades 9 through 12, local property tax revenues
9 per pupil shall be the applicable equalized assessed valuation
10 of the district multiplied by 1.05%, and divided by the
11 district's Average Daily Attendance figure.

12 For partial elementary unit districts created pursuant to
13 Article 11E of this Code, local property tax revenues per pupil
14 shall be calculated as the product of the equalized assessed
15 valuation for property within the partial elementary unit
16 district for elementary purposes, as defined in Article 11E of
17 this Code, multiplied by 2.06% and divided by the district's
18 Average Daily Attendance figure, plus the product of the
19 equalized assessed valuation for property within the partial
20 elementary unit district for high school purposes, as defined
21 in Article 11E of this Code, multiplied by 0.94% and divided by
22 the district's Average Daily Attendance figure.

23 (4) The Corporate Personal Property Replacement Taxes paid
24 to each school district during the calendar year 2 years before
25 the calendar year in which a school year begins, divided by the
26 Average Daily Attendance figure for that district, shall be

1 added to the local property tax revenues per pupil as derived
2 by the application of the immediately preceding paragraph (3).
3 The sum of these per pupil figures for each school district
4 shall constitute Available Local Resources as that term is
5 utilized in subsection (E) in the calculation of general State
6 aid.

7 (E) Computation of General State Aid.

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

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

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

1 product of 0.93 times the Foundation Level, to 0.05 times the
2 Foundation Level for a school district with Available Local
3 Resources equal to the product of 1.75 times the Foundation
4 Level. The allocation of general State aid for school districts
5 subject to this paragraph 3 shall be the calculated general
6 State aid per pupil figure multiplied by the Average Daily
7 Attendance of the school district.

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

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

23 (F) Compilation of Average Daily Attendance.

24 (1) Each school district shall, by July 1 of each year,
25 submit to the State Board of Education, on forms prescribed by

1 the State Board of Education, attendance figures for the school
2 year that began in the preceding calendar year. The attendance
3 information so transmitted shall identify the average daily
4 attendance figures for each month of the school year. Beginning
5 with the general State aid claim form for the 2002-2003 school
6 year, districts shall calculate Average Daily Attendance as
7 provided in subdivisions (a), (b), and (c) of this paragraph
8 (1).

9 (a) In districts that do not hold year-round classes,
10 days of attendance in August shall be added to the month of
11 September and any days of attendance in June shall be added
12 to the month of May.

13 (b) In districts in which all buildings hold year-round
14 classes, days of attendance in July and August shall be
15 added to the month of September and any days of attendance
16 in June shall be added to the month of May.

17 (c) In districts in which some buildings, but not all,
18 hold year-round classes, for the non-year-round buildings,
19 days of attendance in August shall be added to the month of
20 September and any days of attendance in June shall be added
21 to the month of May. The average daily attendance for the
22 year-round buildings shall be computed as provided in
23 subdivision (b) of this paragraph (1). To calculate the
24 Average Daily Attendance for the district, the average
25 daily attendance for the year-round buildings shall be
26 multiplied by the days in session for the non-year-round

1 buildings for each month and added to the monthly
2 attendance of the non-year-round buildings.

3 Except as otherwise provided in this Section, days of
4 attendance by pupils shall be counted only for sessions of not
5 less than 5 clock hours of school work per day under direct
6 supervision of: (i) teachers, or (ii) non-teaching personnel or
7 volunteer personnel when engaging in non-teaching duties and
8 supervising in those instances specified in subsection (a) of
9 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
10 of legal school age and in kindergarten and grades 1 through
11 12.

12 Days of attendance by tuition pupils shall be accredited
13 only to the districts that pay the tuition to a recognized
14 school.

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

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

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

5 (c) A session of 4 or more clock hours may be counted
6 as a day of attendance upon certification by the regional
7 superintendent, and approved by the State Superintendent
8 of Education to the extent that the district has been
9 forced to use daily multiple sessions.

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

1 remainder of the school days in which such sessions occur
2 are utilized for in-service training programs or other
3 staff development activities for teachers, and (iii) a
4 sufficient number of minutes of school work under the
5 direct supervision of teachers are added to the school days
6 between such regularly scheduled sessions to accumulate
7 not less than the number of minutes by which such sessions
8 of 3 or more clock hours fall short of 5 clock hours. Any
9 full days used for the purposes of this paragraph shall not
10 be considered for computing average daily attendance. Days
11 scheduled for in-service training programs, staff
12 development activities, or parent-teacher conferences may
13 be scheduled separately for different grade levels and
14 different attendance centers of the district.

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

21 (f) A session of at least 4 clock hours may be counted
22 as a day of attendance for first grade pupils, and pupils
23 in full day kindergartens, and a session of 2 or more hours
24 may be counted as 1/2 day of attendance by pupils in
25 kindergartens which provide only 1/2 day of attendance.

26 (g) For children with disabilities who are below the

1 age of 6 years and who cannot attend 2 or more clock hours
2 because of their disability or immaturity, a session of not
3 less than one clock hour may be counted as 1/2 day of
4 attendance; however for such children whose educational
5 needs so require a session of 4 or more clock hours may be
6 counted as a full day of attendance.

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

24 (i) On the days when the Prairie State Achievement
25 Examination is administered under subsection (c) of
26 Section 2-3.64 of this Code, the day of attendance for a

1 pupil whose school day must be shortened to accommodate
2 required testing procedures may be less than 5 clock hours
3 and shall be counted towards the 176 days of actual pupil
4 attendance required under Section 10-19 of this Code,
5 provided that a sufficient number of minutes of school work
6 in excess of 5 clock hours are first completed on other
7 school days to compensate for the loss of school work on
8 the examination days.

9 (3) For school districts adopting an alternative school
10 calendar for a 4-day school week in accordance with Section
11 10-19.4 of this Code, if applicable, days of attendance by
12 pupils shall be counted only for sessions of not less than 375
13 minutes of school work per day under direct supervision of (i)
14 teachers or (ii) non-teaching personnel or volunteer personnel
15 when engaging in non-teaching duties and supervising in those
16 instances specified in subsection (a) of Section 10-22.34 of
17 this Code or paragraph 10 of Section 34-18 of this Code, with
18 pupils of legal school age and in kindergarten and grades 1
19 through 12. Days of attendance by tuition pupils shall be
20 accredited only to the districts that pay the tuition to a
21 recognized school. Days of attendance by pupils of less than
22 375 minutes of school are subject to the following in the
23 compilation of Average Daily Attendance:

24 (a) Pupils regularly enrolled in a public school for
25 only a part of the school day may be counted on the basis
26 of 1/6 day for every class hour of instruction of 50

1 minutes or more attended pursuant to such enrollment,
2 unless a pupil is enrolled in a block-schedule format of
3 100 minutes or more of instruction, in which case the pupil
4 may be counted on the basis of the proportion of minutes of
5 school work completed each day to the minimum number of
6 minutes that school work is required to be held that day.

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

11 (c) A session of 300 minutes may be counted as a day of
12 attendance upon certification by the regional
13 superintendent of schools and approval by the State
14 Superintendent of Education to the extent that the district
15 has been forced to use daily multiple sessions.

16 (d) A session of 225 minutes may be counted as a day of
17 attendance (1) when the remainder of the school day or at
18 least 150 minutes in the evening of that day is utilized
19 for an in-service training program for teachers, up to a
20 maximum of 5 days per school year, of which a maximum of 4
21 days of the 5 days may be used for parent-teacher
22 conferences, provided that the district conducts an
23 in-service training program for teachers that has been
24 approved by the State Superintendent of Education, or, in
25 lieu of 4 such days, 2 full days may be used, in which
26 event each such day may be counted as a day of attendance;

1 and (2) when days in addition to those provided in item (1)
2 of this subdivision (d) are scheduled by a school pursuant
3 to its school improvement plan adopted under Article 34 of
4 this Code or its revised or amended school improvement plan
5 adopted under Article 2 of this Code, provided that (i)
6 such sessions of 225 minutes are scheduled to occur at
7 regular intervals, (ii) the remainder of the school days in
8 which such sessions occur are utilized for in-service
9 training programs or other staff development activities
10 for teachers, and (iii) a sufficient number of minutes of
11 school work under the direct supervision of teachers are
12 added to the school days between the regularly scheduled
13 sessions to accumulate not less than the number of minutes
14 by which such sessions of 225 minutes fall short of 375
15 minutes. Any full days used for the purposes of this
16 subdivision (d) shall not be considered in computing
17 Average Daily Attendance. Days scheduled for in-service
18 training programs, staff development activities, or
19 parent-teacher conferences may be scheduled separately for
20 different grade levels and different attendance centers of
21 the district.

22 (e) A session of not less than 75 minutes of teaching
23 hospitalized or homebound pupils on-site or by telephone to
24 the classroom may be counted as one-half day of attendance;
25 however, these pupils must receive 300 minutes or more of
26 instruction to be counted for a full day of attendance.

1 (f) A session of at least 300 minutes may be counted as
2 a day of attendance for first grade pupils and pupils in
3 full-day kindergartens, and a session of 150 minutes or
4 more may be counted as one-half day of attendance by pupils
5 in kindergartens that provide only one-half day of
6 attendance.

7 (g) For children with disabilities who are below the
8 age of 6 years and who cannot attend 150 minutes or more
9 because of their disability or immaturity, a session of not
10 less than 75 minutes may be counted as one-half day of
11 attendance; however, such children whose educational needs
12 so require a session of 300 minutes or more may be counted
13 as a full day of attendance.

14 (h) A recognized kindergarten that provides for only
15 one-half day of attendance by each pupil shall not have
16 more than one-half day of attendance counted in any one
17 day. However, kindergartens may count 2 days of attendance
18 in any 4 consecutive school days. When a pupil attends such
19 a kindergarten for 2 half days on any one school day, the
20 pupil shall have the following day as a day absent from
21 school, unless the school district obtains permission in
22 writing from the State Superintendent of Education.
23 Attendance at kindergartens that provide for a full day of
24 attendance by each pupil shall be counted the same as
25 attendance by first grade pupils. Only the first year of
26 attendance in one kindergarten shall be counted, except in

1 the case of children who entered kindergarten in their
2 fifth year whose educational development requires a second
3 year of kindergarten as determined under rules of the State
4 Board of Education.

5 (i) On the days when the Prairie State Achievement
6 Examination is administered under subsection (c) of
7 Section 2-3.64 of this Code, the day of attendance for a
8 pupil whose school day must be shortened to accommodate
9 required testing procedures may be less than 375 minutes
10 and shall be counted towards the 141 days of actual pupil
11 attendance required under this Section, provided that a
12 sufficient number of minutes of school work in excess of
13 375 minutes are first completed on other school days to
14 compensate for the loss of school work on the examination
15 days.

16 (G) Equalized Assessed Valuation Data.

17 (1) For purposes of the calculation of Available Local
18 Resources required pursuant to subsection (D), the State Board
19 of Education shall secure from the Department of Revenue the
20 value as equalized or assessed by the Department of Revenue of
21 all taxable property of every school district, together with
22 (i) the applicable tax rate used in extending taxes for the
23 funds of the district as of September 30 of the previous year
24 and (ii) the limiting rate for all school districts subject to
25 property tax extension limitations as imposed under the

1 Property Tax Extension Limitation Law.

2 The Department of Revenue shall add to the equalized
3 assessed value of all taxable property of each school district
4 situated entirely or partially within a county that is or was
5 subject to the provisions of Section 15-176 or 15-177 of the
6 Property Tax Code (a) an amount equal to the total amount by
7 which the homestead exemption allowed under Section 15-176 or
8 15-177 of the Property Tax Code for real property situated in
9 that school district exceeds the total amount that would have
10 been allowed in that school district if the maximum reduction
11 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
12 all other counties in tax year 2003 or (ii) \$5,000 in all
13 counties in tax year 2004 and thereafter and (b) an amount
14 equal to the aggregate amount for the taxable year of all
15 additional exemptions under Section 15-175 of the Property Tax
16 Code for owners with a household income of \$30,000 or less. The
17 county clerk of any county that is or was subject to the
18 provisions of Section 15-176 or 15-177 of the Property Tax Code
19 shall annually calculate and certify to the Department of
20 Revenue for each school district all homestead exemption
21 amounts under Section 15-176 or 15-177 of the Property Tax Code
22 and all amounts of additional exemptions under Section 15-175
23 of the Property Tax Code for owners with a household income of
24 \$30,000 or less. It is the intent of this paragraph that if the
25 general homestead exemption for a parcel of property is
26 determined under Section 15-176 or 15-177 of the Property Tax

1 Code rather than Section 15-175, then the calculation of
2 Available Local Resources shall not be affected by the
3 difference, if any, between the amount of the general homestead
4 exemption allowed for that parcel of property under Section
5 15-176 or 15-177 of the Property Tax Code and the amount that
6 would have been allowed had the general homestead exemption for
7 that parcel of property been determined under Section 15-175 of
8 the Property Tax Code. It is further the intent of this
9 paragraph that if additional exemptions are allowed under
10 Section 15-175 of the Property Tax Code for owners with a
11 household income of less than \$30,000, then the calculation of
12 Available Local Resources shall not be affected by the
13 difference, if any, because of those additional exemptions.

14 This equalized assessed valuation, as adjusted further by
15 the requirements of this subsection, shall be utilized in the
16 calculation of Available Local Resources.

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

19 (a) For the purposes of calculating State aid under
20 this Section, with respect to any part of a school district
21 within a redevelopment project area in respect to which a
22 municipality has adopted tax increment allocation
23 financing pursuant to the Tax Increment Allocation
24 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
25 of the Illinois Municipal Code or the Industrial Jobs
26 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the

1 Illinois Municipal Code, no part of the current equalized
2 assessed valuation of real property located in any such
3 project area which is attributable to an increase above the
4 total initial equalized assessed valuation of such
5 property shall be used as part of the equalized assessed
6 valuation of the district, until such time as all
7 redevelopment project costs have been paid, as provided in
8 Section 11-74.4-8 of the Tax Increment Allocation
9 Redevelopment Act or in Section 11-74.6-35 of the
10 Industrial Jobs Recovery Law. For the purpose of the
11 equalized assessed valuation of the district, the total
12 initial equalized assessed valuation or the current
13 equalized assessed valuation, whichever is lower, shall be
14 used until such time as all redevelopment project costs
15 have been paid.

16 (b) The real property equalized assessed valuation for
17 a school district shall be adjusted by subtracting from the
18 real property value as equalized or assessed by the
19 Department of Revenue for the district an amount computed
20 by dividing the amount of any abatement of taxes under
21 Section 18-170 of the Property Tax Code by 3.00% for a
22 district maintaining grades kindergarten through 12, by
23 2.30% for a district maintaining grades kindergarten
24 through 8, or by 1.05% for a district maintaining grades 9
25 through 12 and adjusted by an amount computed by dividing
26 the amount of any abatement of taxes under subsection (a)

1 of Section 18-165 of the Property Tax Code by the same
2 percentage rates for district type as specified in this
3 subparagraph (b).

4 (3) For the 1999-2000 school year and each school year
5 thereafter, if a school district meets all of the criteria of
6 this subsection (G) (3), the school district's Available Local
7 Resources shall be calculated under subsection (D) using the
8 district's Extension Limitation Equalized Assessed Valuation
9 as calculated under this subsection (G) (3).

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

12 "Budget Year": The school year for which general State
13 aid is calculated and awarded under subsection (E).

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

16 "Preceding Tax Year": The property tax levy year
17 immediately preceding the Base Tax Year.

18 "Base Tax Year's Tax Extension": The product of the
19 equalized assessed valuation utilized by the County Clerk
20 in the Base Tax Year multiplied by the limiting rate as
21 calculated by the County Clerk and defined in the Property
22 Tax Extension Limitation Law.

23 "Preceding Tax Year's Tax Extension": The product of
24 the equalized assessed valuation utilized by the County
25 Clerk in the Preceding Tax Year multiplied by the Operating
26 Tax Rate as defined in subsection (A).

1 "Extension Limitation Ratio": A numerical ratio,
2 certified by the County Clerk, in which the numerator is
3 the Base Tax Year's Tax Extension and the denominator is
4 the Preceding Tax Year's Tax Extension.

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

7 If a school district is subject to property tax extension
8 limitations as imposed under the Property Tax Extension
9 Limitation Law, the State Board of Education shall calculate
10 the Extension Limitation Equalized Assessed Valuation of that
11 district. For the 1999-2000 school year, the Extension
12 Limitation Equalized Assessed Valuation of a school district as
13 calculated by the State Board of Education shall be equal to
14 the product of the district's 1996 Equalized Assessed Valuation
15 and the district's Extension Limitation Ratio. For the
16 2000-2001 school year and each school year thereafter, the
17 Extension Limitation Equalized Assessed Valuation of a school
18 district as calculated by the State Board of Education shall be
19 equal to the product of the Equalized Assessed Valuation last
20 used in the calculation of general State aid and the district's
21 Extension Limitation Ratio. If the Extension Limitation
22 Equalized Assessed Valuation of a school district as calculated
23 under this subsection (G) (3) is less than the district's
24 equalized assessed valuation as calculated pursuant to
25 subsections (G) (1) and (G) (2), then for purposes of calculating
26 the district's general State aid for the Budget Year pursuant

1 to subsection (E), that Extension Limitation Equalized
2 Assessed Valuation shall be utilized to calculate the
3 district's Available Local Resources under subsection (D).

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

8 (4) For the purposes of calculating general State aid for
9 the 1999-2000 school year only, if a school district
10 experienced a triennial reassessment on the equalized assessed
11 valuation used in calculating its general State financial aid
12 apportionment for the 1998-1999 school year, the State Board of
13 Education shall calculate the Extension Limitation Equalized
14 Assessed Valuation that would have been used to calculate the
15 district's 1998-1999 general State aid. This amount shall equal
16 the product of the equalized assessed valuation used to
17 calculate general State aid for the 1997-1998 school year and
18 the district's Extension Limitation Ratio. If the Extension
19 Limitation Equalized Assessed Valuation of the school district
20 as calculated under this paragraph (4) is less than the
21 district's equalized assessed valuation utilized in
22 calculating the district's 1998-1999 general State aid
23 allocation, then for purposes of calculating the district's
24 general State aid pursuant to paragraph (5) of subsection (E),
25 that Extension Limitation Equalized Assessed Valuation shall
26 be utilized to calculate the district's Available Local

1 Resources.

2 (5) For school districts having a majority of their
3 equalized assessed valuation in any county except Cook, DuPage,
4 Kane, Lake, McHenry, or Will, if the amount of general State
5 aid allocated to the school district for the 1999-2000 school
6 year under the provisions of subsection (E), (H), and (J) of
7 this Section is less than the amount of general State aid
8 allocated to the district for the 1998-1999 school year under
9 these subsections, then the general State aid of the district
10 for the 1999-2000 school year only shall be increased by the
11 difference between these amounts. The total payments made under
12 this paragraph (5) shall not exceed \$14,000,000. Claims shall
13 be prorated if they exceed \$14,000,000.

14 (H) Supplemental General State Aid.

15 (1) In addition to the general State aid a school district
16 is allotted pursuant to subsection (E), qualifying school
17 districts shall receive a grant, paid in conjunction with a
18 district's payments of general State aid, for supplemental
19 general State aid based upon the concentration level of
20 children from low-income households within the school
21 district. Supplemental State aid grants provided for school
22 districts under this subsection shall be appropriated for
23 distribution to school districts as part of the same line item
24 in which the general State financial aid of school districts is
25 appropriated under this Section. If the appropriation in any

1 fiscal year for general State aid and supplemental general
2 State aid is insufficient to pay the amounts required under the
3 general State aid and supplemental general State aid
4 calculations, then the State Board of Education shall ensure
5 that each school district receives the full amount due for
6 general State aid and the remainder of the appropriation shall
7 be used for supplemental general State aid, which the State
8 Board of Education shall calculate and pay to eligible
9 districts on a prorated basis.

10 (1.5) This paragraph (1.5) applies only to those school
11 years preceding the 2003-2004 school year. For purposes of this
12 subsection (H), the term "Low-Income Concentration Level"
13 shall be the low-income eligible pupil count from the most
14 recently available federal census divided by the Average Daily
15 Attendance of the school district. If, however, (i) the
16 percentage decrease from the 2 most recent federal censuses in
17 the low-income eligible pupil count of a high school district
18 with fewer than 400 students exceeds by 75% or more the
19 percentage change in the total low-income eligible pupil count
20 of contiguous elementary school districts, whose boundaries
21 are coterminous with the high school district, or (ii) a high
22 school district within 2 counties and serving 5 elementary
23 school districts, whose boundaries are coterminous with the
24 high school district, has a percentage decrease from the 2 most
25 recent federal censuses in the low-income eligible pupil count
26 and there is a percentage increase in the total low-income

1 eligible pupil count of a majority of the elementary school
2 districts in excess of 50% from the 2 most recent federal
3 censuses, then the high school district's low-income eligible
4 pupil count from the earlier federal census shall be the number
5 used as the low-income eligible pupil count for the high school
6 district, for purposes of this subsection (H). The changes made
7 to this paragraph (1) by Public Act 92-28 shall apply to
8 supplemental general State aid grants for school years
9 preceding the 2003-2004 school year that are paid in fiscal
10 year 1999 or thereafter and to any State aid payments made in
11 fiscal year 1994 through fiscal year 1998 pursuant to
12 subsection 1(n) of Section 18-8 of this Code (which was
13 repealed on July 1, 1998), and any high school district that is
14 affected by Public Act 92-28 is entitled to a recomputation of
15 its supplemental general State aid grant or State aid paid in
16 any of those fiscal years. This recomputation shall not be
17 affected by any other funding.

18 (1.10) This paragraph (1.10) applies to the 2003-2004
19 school year and each school year thereafter. For purposes of
20 this subsection (H), the term "Low-Income Concentration Level"
21 shall, for each fiscal year, be the low-income eligible pupil
22 count as of July 1 of the immediately preceding fiscal year (as
23 determined by the Department of Human Services based on the
24 number of pupils who are eligible for at least one of the
25 following low income programs: Medicaid, KidCare, TANF, or Food
26 Stamps, excluding pupils who are eligible for services provided

1 by the Department of Children and Family Services, averaged
2 over the 2 immediately preceding fiscal years for fiscal year
3 2004 and over the 3 immediately preceding fiscal years for each
4 fiscal year thereafter) divided by the Average Daily Attendance
5 of the school district.

6 (2) Supplemental general State aid pursuant to this
7 subsection (H) shall be provided as follows for the 1998-1999,
8 1999-2000, and 2000-2001 school years only:

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

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

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

21 (d) For any school district with a Low Income
22 Concentration Level of 60% or more, the grant for the
23 1998-99 school year shall be \$1,900 multiplied by the low
24 income eligible pupil count.

25 (e) For the 1999-2000 school year, the per pupil amount
26 specified in subparagraphs (b), (c), and (d) immediately

1 above shall be increased to \$1,243, \$1,600, and \$2,000,
2 respectively.

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

7 (2.5) Supplemental general State aid pursuant to this
8 subsection (H) shall be provided as follows for the 2002-2003
9 school year:

10 (a) For any school district with a Low Income
11 Concentration Level of less than 10%, the grant for each
12 school year shall be \$355 multiplied by the low income
13 eligible pupil count.

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

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

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

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

1 Concentration Level of at least 50% and less than 60%, the
2 grant for each school year shall be \$1,680 multiplied by
3 the low income eligible pupil count.

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

8 (2.10) Except as otherwise provided, supplemental general
9 State aid pursuant to this subsection (H) shall be provided as
10 follows for the 2003-2004 school year and each school year
11 thereafter:

12 (a) For any school district with a Low Income
13 Concentration Level of 15% or less, the grant for each
14 school year shall be \$355 multiplied by the low income
15 eligible pupil count.

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

21 For the 2003-2004 school year and each school year
22 thereafter through the 2008-2009 school year only, the grant
23 shall be no less than the grant for the 2002-2003 school year.
24 For the 2009-2010 school year only, the grant shall be no less
25 than the grant for the 2002-2003 school year multiplied by
26 0.66. For the 2010-2011 school year only, the grant shall be no

1 less than the grant for the 2002-2003 school year multiplied by
2 0.33. Notwithstanding the provisions of this paragraph to the
3 contrary, if for any school year supplemental general State aid
4 grants are prorated as provided in paragraph (1) of this
5 subsection (H), then the grants under this paragraph shall be
6 prorated.

7 For the 2003-2004 school year only, the grant shall be no
8 greater than the grant received during the 2002-2003 school
9 year added to the product of 0.25 multiplied by the difference
10 between the grant amount calculated under subsection (a) or (b)
11 of this paragraph (2.10), whichever is applicable, and the
12 grant received during the 2002-2003 school year. For the
13 2004-2005 school year only, the grant shall be no greater than
14 the grant received during the 2002-2003 school year added to
15 the product of 0.50 multiplied by the difference between the
16 grant amount calculated under subsection (a) or (b) of this
17 paragraph (2.10), whichever is applicable, and the grant
18 received during the 2002-2003 school year. For the 2005-2006
19 school year only, the grant shall be no greater than the grant
20 received during the 2002-2003 school year added to the product
21 of 0.75 multiplied by the difference between the grant amount
22 calculated under subsection (a) or (b) of this paragraph
23 (2.10), whichever is applicable, and the grant received during
24 the 2002-2003 school year.

25 (3) School districts with an Average Daily Attendance of
26 more than 1,000 and less than 50,000 that qualify for

1 supplemental general State aid pursuant to this subsection
2 shall submit a plan to the State Board of Education prior to
3 October 30 of each year for the use of the funds resulting from
4 this grant of supplemental general State aid for the
5 improvement of instruction in which priority is given to
6 meeting the education needs of disadvantaged children. Such
7 plan shall be submitted in accordance with rules and
8 regulations promulgated by the State Board of Education.

9 (4) School districts with an Average Daily Attendance of
10 50,000 or more that qualify for supplemental general State aid
11 pursuant to this subsection shall be required to distribute
12 from funds available pursuant to this Section, no less than
13 \$261,000,000 in accordance with the following requirements:

14 (a) The required amounts shall be distributed to the
15 attendance centers within the district in proportion to the
16 number of pupils enrolled at each attendance center who are
17 eligible to receive free or reduced-price lunches or
18 breakfasts under the federal Child Nutrition Act of 1966
19 and under the National School Lunch Act during the
20 immediately preceding school year.

21 (b) The distribution of these portions of supplemental
22 and general State aid among attendance centers according to
23 these requirements shall not be compensated for or
24 contravened by adjustments of the total of other funds
25 appropriated to any attendance centers, and the Board of
26 Education shall utilize funding from one or several sources

1 in order to fully implement this provision annually prior
2 to the opening of school.

3 (c) Each attendance center shall be provided by the
4 school district a distribution of noncategorical funds and
5 other categorical funds to which an attendance center is
6 entitled under law in order that the general State aid and
7 supplemental general State aid provided by application of
8 this subsection supplements rather than supplants the
9 noncategorical funds and other categorical funds provided
10 by the school district to the attendance centers.

11 (d) Any funds made available under this subsection that
12 by reason of the provisions of this subsection are not
13 required to be allocated and provided to attendance centers
14 may be used and appropriated by the board of the district
15 for any lawful school purpose.

16 (e) Funds received by an attendance center pursuant to
17 this subsection shall be used by the attendance center at
18 the discretion of the principal and local school council
19 for programs to improve educational opportunities at
20 qualifying schools through the following programs and
21 services: early childhood education, reduced class size or
22 improved adult to student classroom ratio, enrichment
23 programs, remedial assistance, attendance improvement, and
24 other educationally beneficial expenditures which
25 supplement the regular and basic programs as determined by
26 the State Board of Education. Funds provided shall not be

1 expended for any political or lobbying purposes as defined
2 by board rule.

3 (f) Each district subject to the provisions of this
4 subdivision (H)(4) shall submit an acceptable plan to meet
5 the educational needs of disadvantaged children, in
6 compliance with the requirements of this paragraph, to the
7 State Board of Education prior to July 15 of each year.
8 This plan shall be consistent with the decisions of local
9 school councils concerning the school expenditure plans
10 developed in accordance with part 4 of Section 34-2.3. The
11 State Board shall approve or reject the plan within 60 days
12 after its submission. If the plan is rejected, the district
13 shall give written notice of intent to modify the plan
14 within 15 days of the notification of rejection and then
15 submit a modified plan within 30 days after the date of the
16 written notice of intent to modify. Districts may amend
17 approved plans pursuant to rules promulgated by the State
18 Board of Education.

19 Upon notification by the State Board of Education that
20 the district has not submitted a plan prior to July 15 or a
21 modified plan within the time period specified herein, the
22 State aid funds affected by that plan or modified plan
23 shall be withheld by the State Board of Education until a
24 plan or modified plan is submitted.

25 If the district fails to distribute State aid to
26 attendance centers in accordance with an approved plan, the

1 plan for the following year shall allocate funds, in
2 addition to the funds otherwise required by this
3 subsection, to those attendance centers which were
4 underfunded during the previous year in amounts equal to
5 such underfunding.

6 For purposes of determining compliance with this
7 subsection in relation to the requirements of attendance
8 center funding, each district subject to the provisions of
9 this subsection shall submit as a separate document by
10 December 1 of each year a report of expenditure data for
11 the prior year in addition to any modification of its
12 current plan. If it is determined that there has been a
13 failure to comply with the expenditure provisions of this
14 subsection regarding contravention or supplanting, the
15 State Superintendent of Education shall, within 60 days of
16 receipt of the report, notify the district and any affected
17 local school council. The district shall within 45 days of
18 receipt of that notification inform the State
19 Superintendent of Education of the remedial or corrective
20 action to be taken, whether by amendment of the current
21 plan, if feasible, or by adjustment in the plan for the
22 following year. Failure to provide the expenditure report
23 or the notification of remedial or corrective action in a
24 timely manner shall result in a withholding of the affected
25 funds.

26 The State Board of Education shall promulgate rules and

1 regulations to implement the provisions of this
2 subsection. No funds shall be released under this
3 subdivision (H) (4) to any district that has not submitted a
4 plan that has been approved by the State Board of
5 Education.

6 (I) (Blank).

7 (J) Supplementary Grants in Aid.

8 (1) Notwithstanding any other provisions of this Section,
9 the amount of the aggregate general State aid in combination
10 with supplemental general State aid under this Section for
11 which each school district is eligible shall be no less than
12 the amount of the aggregate general State aid entitlement that
13 was 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 1997-98 school year, pursuant to the
16 provisions of that Section as it was then in effect. If a
17 school district qualifies to receive a supplementary payment
18 made under this subsection (J), the amount of the aggregate
19 general State aid in combination with supplemental general
20 State aid under this Section which that district is eligible to
21 receive for each school year shall be no less than the amount
22 of the aggregate general State aid entitlement that was
23 received by the district under Section 18-8 (exclusive of
24 amounts received under subsections 5(p) and 5(p-5) of that

1 Section) for the 1997-1998 school year, pursuant to the
2 provisions of that Section as it was then in effect.

3 (2) If, as provided in paragraph (1) of this subsection
4 (J), a school district is to receive aggregate general State
5 aid in combination with supplemental general State aid under
6 this Section for the 1998-99 school year and any subsequent
7 school year that in any such school year is less than the
8 amount of the aggregate general State aid entitlement that the
9 district received for the 1997-98 school year, the school
10 district shall also receive, from a separate appropriation made
11 for purposes of this subsection (J), a supplementary payment
12 that is equal to the amount of the difference in the aggregate
13 State aid figures as described in paragraph (1).

14 (3) (Blank).

15 (K) Grants to Laboratory and Alternative Schools.

16 In calculating the amount to be paid to the governing board
17 of a public university that operates a laboratory school under
18 this Section or to any alternative school that is operated by a
19 regional superintendent of schools, the State Board of
20 Education shall require by rule such reporting requirements as
21 it deems necessary.

22 As used in this Section, "laboratory school" means a public
23 school which is created and operated by a public university and
24 approved by the State Board of Education. The governing board
25 of a public university which receives funds from the State

1 Board under this subsection (K) may not increase the number of
2 students enrolled in its laboratory school from a single
3 district, if that district is already sending 50 or more
4 students, except under a mutual agreement between the school
5 board of a student's district of residence and the university
6 which operates the laboratory school. A laboratory school may
7 not have more than 1,000 students, excluding students with
8 disabilities in a special education program.

9 As used in this Section, "alternative school" means a
10 public school which is created and operated by a Regional
11 Superintendent of Schools and approved by the State Board of
12 Education. Such alternative schools may offer courses of
13 instruction for which credit is given in regular school
14 programs, courses to prepare students for the high school
15 equivalency testing program or vocational and occupational
16 training. A regional superintendent of schools may contract
17 with a school district or a public community college district
18 to operate an alternative school. An alternative school serving
19 more than one educational service region may be established by
20 the regional superintendents of schools of the affected
21 educational service regions. An alternative school serving
22 more than one educational service region may be operated under
23 such terms as the regional superintendents of schools of those
24 educational service regions may agree.

25 Each laboratory and alternative school shall file, on forms
26 provided by the State Superintendent of Education, an annual

1 State aid claim which states the Average Daily Attendance of
2 the school's students by month. The best 3 months' Average
3 Daily Attendance shall be computed for each school. The general
4 State aid entitlement shall be computed by multiplying the
5 applicable Average Daily Attendance by the Foundation Level as
6 determined under this Section.

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

8 (1) For a school district operating under the financial
9 supervision of an Authority created under Article 34A, the
10 general State aid otherwise payable to that district under this
11 Section, but not the supplemental general State aid, shall be
12 reduced by an amount equal to the budget for the operations of
13 the Authority as certified by the Authority to the State Board
14 of Education, and an amount equal to such reduction shall be
15 paid to the Authority created for such district for its
16 operating expenses in the manner provided in Section 18-11. The
17 remainder of general State school aid for any such district
18 shall be paid in accordance with Article 34A when that Article
19 provides for a disposition other than that provided by this
20 Article.

21 (2) (Blank).

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

24 (M) Education Funding Advisory Board.

1 The Education Funding Advisory Board, hereinafter in this
2 subsection (M) referred to as the "Board", is hereby created.
3 The Board shall consist of 5 members who are appointed by the
4 Governor, by and with the advice and consent of the Senate. The
5 members appointed shall include representatives of education,
6 business, and the general public. One of the members so
7 appointed shall be designated by the Governor at the time the
8 appointment is made as the chairperson of the Board. The
9 initial members of the Board may be appointed any time after
10 the effective date of this amendatory Act of 1997. The regular
11 term of each member of the Board shall be for 4 years from the
12 third Monday of January of the year in which the term of the
13 member's appointment is to commence, except that of the 5
14 initial members appointed to serve on the Board, the member who
15 is appointed as the chairperson shall serve for a term that
16 commences on the date of his or her appointment and expires on
17 the third Monday of January, 2002, and the remaining 4 members,
18 by lots drawn at the first meeting of the Board that is held
19 after all 5 members are appointed, shall determine 2 of their
20 number to serve for terms that commence on the date of their
21 respective appointments and expire on the third Monday of
22 January, 2001, and 2 of their number to serve for terms that
23 commence on the date of their respective appointments and
24 expire on the third Monday of January, 2000. All members
25 appointed to serve on the Board shall serve until their
26 respective successors are appointed and confirmed. Vacancies

1 shall be filled in the same manner as original appointments. If
2 a vacancy in membership occurs at a time when the Senate is not
3 in session, the Governor shall make a temporary appointment
4 until the next meeting of the Senate, when he or she shall
5 appoint, by and with the advice and consent of the Senate, a
6 person to fill that membership for the unexpired term. If the
7 Senate is not in session when the initial appointments are
8 made, those appointments shall be made as in the case of
9 vacancies.

10 The Education Funding Advisory Board shall be deemed
11 established, and the initial members appointed by the Governor
12 to serve as members of the Board shall take office, on the date
13 that the Governor makes his or her appointment of the fifth
14 initial member of the Board, whether those initial members are
15 then serving pursuant to appointment and confirmation or
16 pursuant to temporary appointments that are made by the
17 Governor as in the case of vacancies.

18 The State Board of Education shall provide such staff
19 assistance to the Education Funding Advisory Board as is
20 reasonably required for the proper performance by the Board of
21 its responsibilities.

22 For school years after the 2000-2001 school year, the
23 Education Funding Advisory Board, in consultation with the
24 State Board of Education, shall make recommendations as
25 provided in this subsection (M) to the General Assembly for the
26 foundation level under subdivision (B)(3) of this Section and

1 for the supplemental general State aid grant level under
2 subsection (H) of this Section for districts with high
3 concentrations of children from poverty. The recommended
4 foundation level shall be determined based on a methodology
5 which incorporates the basic education expenditures of
6 low-spending schools exhibiting high academic performance. The
7 Education Funding Advisory Board shall make such
8 recommendations to the General Assembly on January 1 of odd
9 numbered years, beginning January 1, 2001.

10 (N) (Blank).

11 (O) References.

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

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

20 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
21 changes to this Section. Under Section 6 of the Statute on
22 Statutes there is an irreconcilable conflict between Public Act
23 93-808 and Public Act 93-838. Public Act 93-838, being the last

1 acted upon, is controlling. The text of Public Act 93-838 is
2 the law regardless of the text of Public Act 93-808.

3 (Source: P.A. 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; 94-835,
4 eff. 6-6-06; 94-1019, eff. 7-10-06; 94-1105, eff. 6-1-07;
5 95-331, eff. 8-21-07; 95-644, eff. 10-12-07; 95-707, eff.
6 1-11-08; 95-744, eff. 7-18-08; 95-903, eff. 8-25-08; revised
7 9-5-08.)