



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2494

Introduced 10/29/2009, by Sen. James T. Meeks

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.755 new
105 ILCS 5/10-20.12c new
105 ILCS 5/34-21.8 new

Amends the School Code. Creates the Illinois School Choice Program, which shall be administered by the State Board of Education. Provides that any State-certified, non-public school wishing to enroll eligible students and be reimbursed for vouchers available under specified provisions shall notify the State Board of Education in writing of its intent. Specifies the eligibility for reimbursement of vouchers. Specifies reporting requirements for non-public schools that are participating in the Program. Contains provisions concerning the calculation of vouchers and how they may be used by parents. Contains provisions concerning the verification of the household income of participating parents. Provides that the State Board of Education may adopt rules for administration of the Program. Amends the State Finance Act to create the School Choice Fund as a special fund in the State treasury and provides that permitted fees collected by the State Board of Education shall be deposited into the Fund and shall be used by the State Board of Education to cover the administrative costs of the Program. Effective immediately.

LRB096 15388 MJR 30546 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 State Finance Act is amended by adding
5 Section 5.755 as follows:

6 (30 ILCS 105/5.755 new)

7 Sec. 5.755. The School Choice Fund.

8 Section 10. The School Code is amended by adding Sections
9 10-20.12c and 34-21.8 as follows:

10 (105 ILCS 5/10-20.12c new)

11 Sec. 10-20.12c. Illinois School Choice Program; vouchers.

12 (a) For purposes of this Section:

13 "Eligible pupil means a student enrolled in kindergarten or
14 any of grades one through 12 who is an Illinois resident.

15 "Fund" means the School Choice Fund.

16 "Parent" means the custodian of an eligible pupil.

17 "Participating school" means a State-certified, non-public
18 school that has notified the State Board of Education in
19 writing of its intent to enroll eligible students and be
20 reimbursed for vouchers and that has paid any required fees to
21 the State Board of Education and complied with all statutory

1 and regulatory requirements for the School Choice Program.

2 (b) The Illinois School Choice Program is created and shall
3 be administered by the State Board of Education. Any
4 State-certified, non-public school wishing to enroll eligible
5 students and be reimbursed for vouchers available under this
6 Section shall notify the State Board of Education in writing of
7 its intent. To be eligible for reimbursement for vouchers,
8 participating schools must pay a nonrefundable fee established
9 by the State Board of Education by rule to be deposited into
10 the Fund. The total amount of fees deposited in the Fund shall
11 be in an amount sufficient to cover administrative costs of the
12 program to the State Board of Education. The State Board of
13 Education may require an additional fee from participating
14 schools and public and private grant funds to commission
15 external reviews of the performance of the Illinois School
16 Choice Program.

17 (c) The State Board of Education shall require
18 participating non-public schools to report the cost of tuition
19 and fees at the school, the address of each eligible pupil, and
20 each eligible pupil's household income tier as described in
21 items (1) through (3) of subsection (d) of this Section. The
22 State Board of Education may establish additional reporting and
23 auditing requirements for non-public schools for participation
24 under this Section.

25 (d) Beginning in the 2010-2011 school year, any pupil in
26 grades kindergarten through 12 shall be eligible for an

1 educational voucher on his or her behalf if the pupil is
2 enrolled at a participating school. The annual amount of the
3 voucher shall be equal to the lesser of the total annual cost
4 of tuition and fees at the non-public school or the following:

5 (1) the amount of the foundation level, as provided
6 under Subsection (B) of Section 18-8.05 of this Code, in
7 the case of a pupil who is the member of family that has a
8 total family income that does not exceed 3 times the
9 federal poverty level;

10 (2) one-half the amount of the foundation level, as
11 provided under Subsection (B) of Section 18-8.05 of this
12 Code, in the case of a pupil who is the member of family
13 that has a total family income between 3 and 4 times the
14 federal poverty level; or

15 (3) the amount of the flat grant, as provided under
16 paragraph (4) of subsection (E) of Section 18-8.05 of this
17 Code, in the case of a pupil who is the member of a family
18 that has a total family income exceeding 4 times the
19 federal poverty level.

20 (e) The State Board of Education shall determine by rule
21 the process by which parents will receive vouchers. The
22 vouchers may be redeemed by a parent at any participating
23 school. Vouchers issued pursuant to this Section are redeemable
24 only for a net reduction in tuition owed by the parent for an
25 eligible student to attend a participating school. No portion
26 of voucher funds may be refunded directly to parents in the

1 form of cash or similar payment. If the participating school at
2 which a voucher is redeemed for an eligible pupil is different
3 from the school at which that eligible pupil was registered
4 when the voucher was issued, then the school at which the
5 eligible pupil is currently enrolled must notify the State
6 Board of Education of the eligible pupil's enrollment status,
7 family income, parental contact information, and student
8 identification number in order to receive reimbursement for
9 that voucher.

10 (f) Participating schools shall request documentation from
11 parents of pupils participating under this Section to verify
12 household income for purposes of determining the amount of
13 voucher to which each eligible pupil is entitled. Parents
14 failing to provide documentation shall be disqualified from
15 receiving a voucher for that school year.

16 (g) Participating schools shall certify to the State Board
17 of Education the number of vouchers received for enrolled
18 pupils in each income bracket to be eligible for reimbursement.
19 The State Board of Education shall reimburse the participating
20 school for the total amount of the vouchers received in
21 quarterly installments on or before September 30, December 30,
22 March 30, and June 20 of each year.

23 (h) The School Choice Fund is created as a special fund in
24 the State treasury. Fees collected pursuant to subsection (b)
25 of this Section shall be deposited into the Fund and shall be
26 used by the State Board of Education to cover the

1 administrative costs of the Illinois School Choice Program.

2 (i) The State Board of Education shall adopt rules for
3 implementation of this Section.

4 (105 ILCS 5/34-21.8 new)

5 Sec. 34-21.8. Illinois School Choice Program; vouchers.

6 (a) For purposes of this Section:

7 "Eligible pupil means a student enrolled in kindergarten or
8 any of grades one through 12 who is an Illinois resident.

9 "Fund" means the School Choice Fund.

10 "Parent" means the custodian of an eligible pupil.

11 "Participating school" means a State-certified, non-public
12 school that has notified the State Board of Education in
13 writing of its intent to enroll eligible students and be
14 reimbursed for vouchers and that has paid any required fees to
15 the State Board of Education and complied with all statutory
16 and regulatory requirements for the School Choice Program.

17 (b) The Illinois School Choice Program is created and shall
18 be administered by the State Board of Education. Any
19 State-certified, non-public school wishing to enroll eligible
20 students and be reimbursed for vouchers available under this
21 Section shall notify the State Board of Education in writing of
22 its intent. To be eligible for reimbursement for vouchers,
23 participating schools must pay a nonrefundable fee established
24 by the State Board of Education by rule to be deposited into
25 the Fund. The total amount of fees deposited in the Fund shall

1 be in an amount sufficient to cover administrative costs of the
2 program to the State Board of Education. The State Board of
3 Education may require an additional fee from participating
4 schools and public and private grant funds to commission
5 external reviews of the performance of the Illinois School
6 Choice Program.

7 (c) The State Board of Education shall require
8 participating non-public schools to report the cost of tuition
9 and fees at the school, the address of each eligible pupil, and
10 each eligible pupil's household income tier as described in
11 items (1) through (3) of subsection (d) of this Section. The
12 State Board of Education may establish additional reporting and
13 auditing requirements for non-public schools for participation
14 under this Section.

15 (d) Beginning in the 2010-2011 school year, any pupil in
16 grades kindergarten through 12 shall be eligible for an
17 educational voucher on his or her behalf if the pupil is
18 enrolled at a participating school. The annual amount of the
19 voucher shall be equal to the lesser of the total annual cost
20 of tuition and fees at the non-public school or the following:

21 (1) the amount of the foundation level, as provided
22 under Subsection (B) of Section 18-8.05 of this Code, in
23 the case of a pupil who is the member of family that has a
24 total family income that does not exceed 3 times the
25 federal poverty level;

26 (2) one-half the amount of the foundation level, as

1 provided under Subsection (B) of Section 18-8.05 of this
2 Code, in the case of a pupil who is the member of family
3 that has a total family income between 3 and 4 times the
4 federal poverty level; or

5 (3) the amount of the flat grant, as provided under
6 paragraph (4) of subsection (E) of Section 18-8.05 of this
7 Code, in the case of a pupil who is the member of a family
8 that has a total family income exceeding 4 times the
9 federal poverty level.

10 (e) The State Board of Education shall determine by rule
11 the process by which parents will receive vouchers. The
12 vouchers may be redeemed by a parent at any participating
13 school. Vouchers issued pursuant to this Section are redeemable
14 only for a net reduction in tuition owed by the parent for an
15 eligible student to attend a participating school. No portion
16 of voucher funds may be refunded directly to parents in the
17 form of cash or similar payment. If the participating school at
18 which a voucher is redeemed for an eligible pupil is different
19 from the school at which that eligible pupil was registered
20 when the voucher was issued, then the school at which the
21 eligible pupil is currently enrolled must notify the State
22 Board of Education of the eligible pupil's enrollment status,
23 family income, parental contact information, and student
24 identification number in order to receive reimbursement for
25 that voucher.

26 (f) Participating schools shall request documentation from

1 parents of pupils participating under this Section to verify
2 household income for purposes of determining the amount of
3 voucher to which each eligible pupil is entitled. Parents
4 failing to provide documentation shall be disqualified from
5 receiving a voucher for that school year.

6 (g) Participating schools shall certify to the State Board
7 of Education the number of vouchers received for enrolled
8 pupils in each income bracket to be eligible for reimbursement.
9 The State Board of Education shall reimburse the participating
10 school for the total amount of the vouchers received in
11 quarterly installments on or before September 30, December 30,
12 March 30, and June 20 of each year.

13 (h) The School Choice Fund is created as a special fund in
14 the State treasury. Fees collected pursuant to subsection (b)
15 of this Section shall be deposited into the Fund and shall be
16 used by the State Board of Education to cover the
17 administrative costs of the Illinois School Choice Program.

18 (i) The State Board of Education shall adopt rules for
19 implementation of this Section.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.