



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1509

by Rep. Roger L. Eddy

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-8.05

Amends the State aid formula provisions of the School Code. With respect to the compilation of average daily attendance, provides that any student in grade 12 who graduates prior to completion of the grade 12 school year must be included in a school district's attendance figures for the whole school year, even though not in actual attendance because he or she has already graduated. Effective July 1, 2011.

LRB097 05611 NHT 45673 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 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

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

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the 1998-1999  
12 and subsequent school years. The system of general State  
13 financial aid provided for in this Section is designed to  
14 assure that, through a combination of State financial aid and  
15 required local resources, the financial support provided each  
16 pupil in Average Daily Attendance equals or exceeds a  
17 prescribed per pupil Foundation Level. This formula approach  
18 imputes a level of per pupil Available Local Resources and  
19 provides for the basis to calculate a per pupil level of  
20 general State financial aid that, when added to Available Local  
21 Resources, equals or exceeds the Foundation Level. The amount  
22 of per pupil general State financial aid for school districts,

1 in general, varies in inverse relation to Available Local  
2 Resources. Per pupil amounts are based upon each school  
3 district's Average Daily Attendance as that term is defined in  
4 this Section.

5 (2) In addition to general State financial aid, school  
6 districts with specified levels or concentrations of pupils  
7 from low income households are eligible to receive supplemental  
8 general State financial aid grants as provided pursuant to  
9 subsection (H). The supplemental State aid grants provided for  
10 school districts under subsection (H) shall be appropriated for  
11 distribution to school districts as part of the same line item  
12 in which the general State financial aid of school districts is  
13 appropriated under this Section.

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

17 (a) Any school district which fails for any given  
18 school year to maintain school as required by law, or to  
19 maintain a recognized school is not eligible to file for  
20 such school year any claim upon the Common School Fund. In  
21 case of nonrecognition of one or more attendance centers in  
22 a school district otherwise operating recognized schools,  
23 the claim of the district shall be reduced in the  
24 proportion which the Average Daily Attendance in the  
25 attendance center or centers bear to the Average Daily  
26 Attendance in the school district. A "recognized school"

1 means any public school which meets the standards as  
2 established for recognition by the State Board of  
3 Education. A school district or attendance center not  
4 having recognition status at the end of a school term is  
5 entitled to receive State aid payments due upon a legal  
6 claim which was filed while it was recognized.

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

10 (c) If a school district operates a full year school  
11 under Section 10-19.1, the general State aid to the school  
12 district shall be determined by the State Board of  
13 Education in accordance with this Section as near as may be  
14 applicable.

15 (d) (Blank).

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

20 School districts are not required to exert a minimum  
21 Operating Tax Rate in order to qualify for assistance under  
22 this Section.

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

25 (a) "Average Daily Attendance": A count of pupil  
26 attendance in school, averaged as provided for in

1 subsection (C) and utilized in deriving per pupil financial  
2 support levels.

3 (b) "Available Local Resources": A computation of  
4 local financial support, calculated on the basis of Average  
5 Daily Attendance and derived as provided pursuant to  
6 subsection (D).

7 (c) "Corporate Personal Property Replacement Taxes":  
8 Funds paid to local school districts pursuant to "An Act in  
9 relation to the abolition of ad valorem personal property  
10 tax and the replacement of revenues lost thereby, and  
11 amending and repealing certain Acts and parts of Acts in  
12 connection therewith", certified August 14, 1979, as  
13 amended (Public Act 81-1st S.S.-1).

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

16 (e) "Operating Tax Rate": All school district property  
17 taxes extended for all purposes, except Bond and Interest,  
18 Summer School, Rent, Capital Improvement, and Vocational  
19 Education Building purposes.

20 (B) Foundation Level.

21 (1) The Foundation Level is a figure established by the  
22 State representing the minimum level of per pupil financial  
23 support that should be available to provide for the basic  
24 education of each pupil in Average Daily Attendance. As set  
25 forth in this Section, each school district is assumed to exert

1 a sufficient local taxing effort such that, in combination with  
2 the aggregate of general State financial aid provided the  
3 district, an aggregate of State and local resources are  
4 available to meet the basic education needs of pupils in the  
5 district.

6 (2) For the 1998-1999 school year, the Foundation Level of  
7 support is \$4,225. For the 1999-2000 school year, the  
8 Foundation Level of support is \$4,325. For the 2000-2001 school  
9 year, the Foundation Level of support is \$4,425. For the  
10 2001-2002 school year and 2002-2003 school year, the Foundation  
11 Level of support is \$4,560. For the 2003-2004 school year, the  
12 Foundation Level of support is \$4,810. For the 2004-2005 school  
13 year, the Foundation Level of support is \$4,964. For the  
14 2005-2006 school year, the Foundation Level of support is  
15 \$5,164. For the 2006-2007 school year, the Foundation Level of  
16 support is \$5,334. For the 2007-2008 school year, the  
17 Foundation Level of support is \$5,734. For the 2008-2009 school  
18 year, the Foundation Level of support is \$5,959.

19 (3) For the 2009-2010 school year and each school year  
20 thereafter, the Foundation Level of support is \$6,119 or such  
21 greater amount as may be established by law by the General  
22 Assembly.

23 (C) Average Daily Attendance.

24 (1) For purposes of calculating general State aid pursuant  
25 to subsection (E), an Average Daily Attendance figure shall be

1 utilized. The Average Daily Attendance figure for formula  
2 calculation purposes shall be the monthly average of the actual  
3 number of pupils in attendance of each school district, as  
4 further averaged for the best 3 months of pupil attendance for  
5 each school district. In compiling the figures for the number  
6 of pupils in attendance, school districts and the State Board  
7 of Education shall, for purposes of general State aid funding,  
8 conform attendance figures to the requirements of subsection  
9 (F).

10 (2) The Average Daily Attendance figures utilized in  
11 subsection (E) shall be the requisite attendance data for the  
12 school year immediately preceding the school year for which  
13 general State aid is being calculated or the average of the  
14 attendance data for the 3 preceding school years, whichever is  
15 greater. The Average Daily Attendance figures utilized in  
16 subsection (H) shall be the requisite attendance data for the  
17 school year immediately preceding the school year for which  
18 general State aid is being calculated.

19 (D) Available Local Resources.

20 (1) For purposes of calculating general State aid pursuant  
21 to subsection (E), a representation of Available Local  
22 Resources per pupil, as that term is defined and determined in  
23 this subsection, shall be utilized. Available Local Resources  
24 per pupil shall include a calculated dollar amount representing  
25 local school district revenues from local property taxes and

1 from Corporate Personal Property Replacement Taxes, expressed  
2 on the basis of pupils in Average Daily Attendance. Calculation  
3 of Available Local Resources shall exclude any tax amnesty  
4 funds received as a result of Public Act 93-26.

5 (2) In determining a school district's revenue from local  
6 property taxes, the State Board of Education shall utilize the  
7 equalized assessed valuation of all taxable property of each  
8 school district as of September 30 of the previous year. The  
9 equalized assessed valuation utilized shall be obtained and  
10 determined as provided in subsection (G).

11 (3) For school districts maintaining grades kindergarten  
12 through 12, local property tax revenues per pupil shall be  
13 calculated as the product of the applicable equalized assessed  
14 valuation for the district multiplied by 3.00%, and divided by  
15 the district's Average Daily Attendance figure. For school  
16 districts maintaining grades kindergarten through 8, local  
17 property tax revenues per pupil shall be calculated as the  
18 product of the applicable equalized assessed valuation for the  
19 district multiplied by 2.30%, and divided by the district's  
20 Average Daily Attendance figure. For school districts  
21 maintaining grades 9 through 12, local property tax revenues  
22 per pupil shall be the applicable equalized assessed valuation  
23 of the district multiplied by 1.05%, and divided by the  
24 district's Average Daily Attendance figure.

25 For partial elementary unit districts created pursuant to  
26 Article 11E of this Code, local property tax revenues per pupil



1 shall be calculated as the product of the equalized assessed  
2 valuation for property within the partial elementary unit  
3 district for elementary purposes, as defined in Article 11E of  
4 this Code, multiplied by 2.06% and divided by the district's  
5 Average Daily Attendance figure, plus the product of the  
6 equalized assessed valuation for property within the partial  
7 elementary unit district for high school purposes, as defined  
8 in Article 11E of this Code, multiplied by 0.94% and divided by  
9 the district's Average Daily Attendance figure.

10 (4) The Corporate Personal Property Replacement Taxes paid  
11 to each school district during the calendar year one year  
12 before the calendar year in which a school year begins, divided  
13 by the Average Daily Attendance figure for that district, shall  
14 be added to the local property tax revenues per pupil as  
15 derived by the application of the immediately preceding  
16 paragraph (3). The sum of these per pupil figures for each  
17 school district shall constitute Available Local Resources as  
18 that term is utilized in subsection (E) in the calculation of  
19 general State aid.

20 (E) Computation of General State Aid.

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

24 (2) For any school district for which Available Local  
25 Resources per pupil is less than the product of 0.93 times the

1 Foundation Level, general State aid for that district shall be  
2 calculated as an amount equal to the Foundation Level minus  
3 Available Local Resources, multiplied by the Average Daily  
4 Attendance of the school district.

5 (3) For any school district for which Available Local  
6 Resources per pupil is equal to or greater than the product of  
7 0.93 times the Foundation Level and less than the product of  
8 1.75 times the Foundation Level, the general State aid per  
9 pupil shall be a decimal proportion of the Foundation Level  
10 derived using a linear algorithm. Under this linear algorithm,  
11 the calculated general State aid per pupil shall decline in  
12 direct linear fashion from 0.07 times the Foundation Level for  
13 a school district with Available Local Resources equal to the  
14 product of 0.93 times the Foundation Level, to 0.05 times the  
15 Foundation Level for a school district with Available Local  
16 Resources equal to the product of 1.75 times the Foundation  
17 Level. The allocation of general State aid for school districts  
18 subject to this paragraph 3 shall be the calculated general  
19 State aid per pupil figure multiplied by the Average Daily  
20 Attendance of the school district.

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

26 (5) The amount of general State aid allocated to a school

1 district for the 1999-2000 school year meeting the requirements  
2 set forth in paragraph (4) of subsection (G) shall be increased  
3 by an amount equal to the general State aid that would have  
4 been received by the district for the 1998-1999 school year by  
5 utilizing the Extension Limitation Equalized Assessed  
6 Valuation as calculated in paragraph (4) of subsection (G) less  
7 the general State aid allotted for the 1998-1999 school year.  
8 This amount shall be deemed a one time increase, and shall not  
9 affect any future general State aid allocations.

10 (F) Compilation of Average Daily Attendance.

11 (1) Each school district shall, by July 1 of each year,  
12 submit to the State Board of Education, on forms prescribed by  
13 the State Board of Education, attendance figures for the school  
14 year that began in the preceding calendar year. The attendance  
15 information so transmitted shall identify the average daily  
16 attendance figures for each month of the school year. Any  
17 student in grade 12 who graduates prior to completion of the  
18 grade 12 school year must be included in a school district's  
19 attendance figures for the whole school year, even though not  
20 in actual attendance because he or she has already graduated.

21 Beginning with the general State aid claim form for the  
22 2002-2003 school year, districts shall calculate Average Daily  
23 Attendance as provided in subdivisions (a), (b), and (c) of  
24 this paragraph (1).

25 (a) In districts that do not hold year-round classes,

1 days of attendance in August shall be added to the month of  
2 September and any days of attendance in June shall be added  
3 to the month of May.

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

8 (c) In districts in which some buildings, but not all,  
9 hold year-round classes, for the non-year-round buildings,  
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. The average daily attendance for the  
13 year-round buildings shall be computed as provided in  
14 subdivision (b) of this paragraph (1). To calculate the  
15 Average Daily Attendance for the district, the average  
16 daily attendance for the year-round buildings shall be  
17 multiplied by the days in session for the non-year-round  
18 buildings for each month and added to the monthly  
19 attendance of the non-year-round buildings.

20 Except as otherwise provided in this Section, days of  
21 attendance by pupils shall be counted only for sessions of not  
22 less than 5 clock hours of school work per day under direct  
23 supervision of: (i) teachers, or (ii) non-teaching personnel or  
24 volunteer personnel when engaging in non-teaching duties and  
25 supervising in those instances specified in subsection (a) of  
26 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils

1 of legal school age and in kindergarten and grades 1 through  
2 12.

3 Days of attendance by tuition pupils shall be accredited  
4 only to the districts that pay the tuition to a recognized  
5 school.

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

9 (a) Pupils regularly enrolled in a public school for  
10 only a part of the school day may be counted on the basis  
11 of 1/6 day for every class hour of instruction of 40  
12 minutes or more attended pursuant to such enrollment,  
13 unless a pupil is enrolled in a block-schedule format of 80  
14 minutes or more of instruction, in which case the pupil may  
15 be counted on the basis of the proportion of minutes of  
16 school work completed each day to the minimum number of  
17 minutes that school work is required to be held that day.

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

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

1           (d) A session of 3 or more clock hours may be counted  
2           as a day of attendance (1) when the remainder of the school  
3           day or at least 2 hours in the evening of that day is  
4           utilized for an in-service training program for teachers,  
5           up to a maximum of 5 days per school year, provided a  
6           district conducts an in-service training program for  
7           teachers in accordance with Section 10-22.39 of this Code;  
8           or, in lieu of 4 such days, 2 full days may be used, in  
9           which event each such day may be counted as a day required  
10          for a legal school calendar pursuant to Section 10-19 of  
11          this Code; (1.5) when, of the 5 days allowed under item  
12          (1), a maximum of 4 days are used for parent-teacher  
13          conferences, or, in lieu of 4 such days, 2 full days are  
14          used, in which case each such day may be counted as a  
15          calendar day required under Section 10-19 of this Code,  
16          provided that the full-day, parent-teacher conference  
17          consists of (i) a minimum of 5 clock hours of  
18          parent-teacher conferences, (ii) both a minimum of 2 clock  
19          hours of parent-teacher conferences held in the evening  
20          following a full day of student attendance, as specified in  
21          subsection (F)(1)(c), and a minimum of 3 clock hours of  
22          parent-teacher conferences held on the day immediately  
23          following evening parent-teacher conferences, or (iii)  
24          multiple parent-teacher conferences held in the evenings  
25          following full days of student attendance, as specified in  
26          subsection (F)(1)(c), in which the time used for the

1 parent-teacher conferences is equivalent to a minimum of 5  
2 clock hours; and (2) when days in addition to those  
3 provided in items (1) and (1.5) are scheduled by a school  
4 pursuant to its school improvement plan adopted under  
5 Article 34 or its revised or amended school improvement  
6 plan adopted under Article 2, provided that (i) such  
7 sessions of 3 or more clock hours are scheduled to occur at  
8 regular intervals, (ii) the remainder of the school days in  
9 which such sessions occur are utilized for in-service  
10 training programs or other staff development activities  
11 for teachers, and (iii) a sufficient number of minutes of  
12 school work under the direct supervision of teachers are  
13 added to the school days between such regularly scheduled  
14 sessions to accumulate not less than the number of minutes  
15 by which such sessions of 3 or more clock hours fall short  
16 of 5 clock hours. Any full days used for the purposes of  
17 this paragraph shall not be considered for computing  
18 average daily attendance. Days scheduled for in-service  
19 training programs, staff development activities, or  
20 parent-teacher conferences may be scheduled separately for  
21 different grade levels and different attendance centers of  
22 the district.

23 (e) A session of not less than one clock hour of  
24 teaching hospitalized or homebound pupils on-site or by  
25 telephone to the classroom may be counted as 1/2 day of  
26 attendance, however these pupils must receive 4 or more

1 clock hours of instruction to be counted for a full day of  
2 attendance.

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

8 (g) For children with disabilities who are below the  
9 age of 6 years and who cannot attend 2 or more clock hours  
10 because of their disability or immaturity, a session of not  
11 less than one clock hour may be counted as 1/2 day of  
12 attendance; however for such children whose educational  
13 needs so require a session of 4 or more clock hours may be  
14 counted as a full day of attendance.

15 (h) A recognized kindergarten which provides for only  
16 1/2 day of attendance by each pupil shall not have more  
17 than 1/2 day of attendance counted in any one day. However,  
18 kindergartens may count 2 1/2 days of attendance in any 5  
19 consecutive school days. When a pupil attends such a  
20 kindergarten for 2 half days on any one school day, the  
21 pupil shall have the following day as a day absent from  
22 school, unless the school district obtains permission in  
23 writing from the State Superintendent of Education.  
24 Attendance at kindergartens which provide for a full day of  
25 attendance by each pupil shall be counted the same as  
26 attendance by first grade pupils. Only the first year of



1 attendance in one kindergarten shall be counted, except in  
2 case of children who entered the kindergarten in their  
3 fifth year whose educational development requires a second  
4 year of kindergarten as determined under the rules and  
5 regulations of the State Board of Education.

6 (i) On the days when the Prairie State Achievement  
7 Examination is administered under subsection (c) of  
8 Section 2-3.64 of this Code, the day of attendance for a  
9 pupil whose school day must be shortened to accommodate  
10 required testing procedures may be less than 5 clock hours  
11 and shall be counted towards the 176 days of actual pupil  
12 attendance required under Section 10-19 of this Code,  
13 provided that a sufficient number of minutes of school work  
14 in excess of 5 clock hours are first completed on other  
15 school days to compensate for the loss of school work on  
16 the examination days.

17 (G) Equalized Assessed Valuation Data.

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

1 property tax extension limitations as imposed under the  
2 Property Tax Extension Limitation Law.

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

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

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

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

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

1 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
2 Illinois Municipal Code, no part of the current equalized  
3 assessed valuation of real property located in any such  
4 project area which is attributable to an increase above the  
5 total initial equalized assessed valuation of such  
6 property shall be used as part of the equalized assessed  
7 valuation of the district, until such time as all  
8 redevelopment project costs have been paid, as provided in  
9 Section 11-74.4-8 of the Tax Increment Allocation  
10 Redevelopment Act or in Section 11-74.6-35 of the  
11 Industrial Jobs Recovery Law. For the purpose of the  
12 equalized assessed valuation of the district, the total  
13 initial equalized assessed valuation or the current  
14 equalized assessed valuation, whichever is lower, shall be  
15 used until such time as all redevelopment project costs  
16 have been paid.

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

1 the amount of any abatement of taxes under subsection (a)  
2 of Section 18-165 of the Property Tax Code by the same  
3 percentage rates for district type as specified in this  
4 subparagraph (b).

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

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

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

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

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

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

24 "Preceding Tax Year's Tax Extension": The product of  
25 the equalized assessed valuation utilized by the County  
26 Clerk in the Preceding Tax Year multiplied by the Operating

1 Tax Rate as defined in subsection (A).

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

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

8 If a school district is subject to property tax extension  
9 limitations as imposed under the Property Tax Extension  
10 Limitation Law, the State Board of Education shall calculate  
11 the Extension Limitation Equalized Assessed Valuation of that  
12 district. For the 1999-2000 school year, the Extension  
13 Limitation Equalized Assessed Valuation of a school district as  
14 calculated by the State Board of Education shall be equal to  
15 the product of the district's 1996 Equalized Assessed Valuation  
16 and the district's Extension Limitation Ratio. Except as  
17 otherwise provided in this paragraph for a school district that  
18 has approved or does approve an increase in its limiting rate,  
19 for the 2000-2001 school year and each school year thereafter,  
20 the Extension Limitation Equalized Assessed Valuation of a  
21 school district as calculated by the State Board of Education  
22 shall be equal to the product of the Equalized Assessed  
23 Valuation last used in the calculation of general State aid and  
24 the district's Extension Limitation Ratio. If the Extension  
25 Limitation Equalized Assessed Valuation of a school district as  
26 calculated under this subsection (G)(3) is less than the

1 district's equalized assessed valuation as calculated pursuant  
2 to subsections (G)(1) and (G)(2), then for purposes of  
3 calculating the district's general State aid for the Budget  
4 Year pursuant to subsection (E), that Extension Limitation  
5 Equalized Assessed Valuation shall be utilized to calculate the  
6 district's Available Local Resources under subsection (D). For  
7 the 2009-2010 school year and each school year thereafter, if a  
8 school district has approved or does approve an increase in its  
9 limiting rate, pursuant to Section 18-190 of the Property Tax  
10 Code, affecting the Base Tax Year, the Extension Limitation  
11 Equalized Assessed Valuation of the school district, as  
12 calculated by the State Board of Education, shall be equal to  
13 the product of the Equalized Assessed Valuation last used in  
14 the calculation of general State aid times an amount equal to  
15 one plus the percentage increase, if any, in the Consumer Price  
16 Index for all Urban Consumers for all items published by the  
17 United States Department of Labor for the 12-month calendar  
18 year preceding the Base Tax Year, plus the Equalized Assessed  
19 Valuation of new property, annexed property, and recovered tax  
20 increment value and minus the Equalized Assessed Valuation of  
21 disconnected property. New property and recovered tax  
22 increment value shall have the meanings set forth in the  
23 Property Tax Extension Limitation Law.

24 Partial elementary unit districts created in accordance  
25 with Article 11E of this Code shall not be eligible for the  
26 adjustment in this subsection (G)(3) until the fifth year

1 following the effective date of the reorganization.

2 (3.5) For the 2010-2011 school year and each school year  
3 thereafter, if a school district's boundaries span multiple  
4 counties, then the Department of Revenue shall send to the  
5 State Board of Education, for the purpose of calculating  
6 general State aid, the limiting rate and individual rates by  
7 purpose for the county that contains the majority of the school  
8 district's Equalized Assessed Valuation.

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



1 be utilized to calculate the district's Available Local  
2 Resources.

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

15 (H) Supplemental General State Aid.

16 (1) In addition to the general State aid a school district  
17 is allotted pursuant to subsection (E), qualifying school  
18 districts shall receive a grant, paid in conjunction with a  
19 district's payments of general State aid, for supplemental  
20 general State aid based upon the concentration level of  
21 children from low-income households within the school  
22 district. Supplemental State aid grants provided for school  
23 districts under this subsection 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 (1.5) This paragraph (1.5) applies only to those school  
3 years preceding the 2003-2004 school year. For purposes of this  
4 subsection (H), the term "Low-Income Concentration Level"  
5 shall be the low-income eligible pupil count from the most  
6 recently available federal census divided by the Average Daily  
7 Attendance of the school district. If, however, (i) the  
8 percentage decrease from the 2 most recent federal censuses in  
9 the low-income eligible pupil count of a high school district  
10 with fewer than 400 students exceeds by 75% or more the  
11 percentage change in the total low-income eligible pupil count  
12 of contiguous elementary school districts, whose boundaries  
13 are coterminous with the high school district, or (ii) a high  
14 school district within 2 counties and serving 5 elementary  
15 school districts, whose boundaries are coterminous with the  
16 high school district, has a percentage decrease from the 2 most  
17 recent federal censuses in the low-income eligible pupil count  
18 and there is a percentage increase in the total low-income  
19 eligible pupil count of a majority of the elementary school  
20 districts in excess of 50% from the 2 most recent federal  
21 censuses, then the high school district's low-income eligible  
22 pupil count from the earlier federal census shall be the number  
23 used as the low-income eligible pupil count for the high school  
24 district, for purposes of this subsection (H). The changes made  
25 to this paragraph (1) by Public Act 92-28 shall apply to  
26 supplemental general State aid grants for school years

1 preceding the 2003-2004 school year that are paid in fiscal  
2 year 1999 or thereafter and to any State aid payments made in  
3 fiscal year 1994 through fiscal year 1998 pursuant to  
4 subsection 1(n) of Section 18-8 of this Code (which was  
5 repealed on July 1, 1998), and any high school district that is  
6 affected by Public Act 92-28 is entitled to a recomputation of  
7 its supplemental general State aid grant or State aid paid in  
8 any of those fiscal years. This recomputation shall not be  
9 affected by any other funding.

10 (1.10) This paragraph (1.10) applies to the 2003-2004  
11 school year and each school year thereafter. For purposes of  
12 this subsection (H), the term "Low-Income Concentration Level"  
13 shall, for each fiscal year, be the low-income eligible pupil  
14 count as of July 1 of the immediately preceding fiscal year (as  
15 determined by the Department of Human Services based on the  
16 number of pupils who are eligible for at least one of the  
17 following low income programs: Medicaid, the Children's Health  
18 Insurance Program, TANF, or Food Stamps, excluding pupils who  
19 are eligible for services provided by the Department of  
20 Children and Family Services, averaged over the 2 immediately  
21 preceding fiscal years for fiscal year 2004 and over the 3  
22 immediately preceding fiscal years for each fiscal year  
23 thereafter) divided by the Average Daily Attendance of the  
24 school district.

25 (2) Supplemental general State aid pursuant to this  
26 subsection (H) shall be provided as follows for the 1998-1999,

1 1999-2000, and 2000-2001 school years only:

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

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

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

14 (d) For any school district with a Low Income  
15 Concentration Level of 60% or more, the grant for the  
16 1998-99 school year shall be \$1,900 multiplied by the low  
17 income eligible pupil count.

18 (e) For the 1999-2000 school year, the per pupil amount  
19 specified in subparagraphs (b), (c), and (d) immediately  
20 above shall be increased to \$1,243, \$1,600, and \$2,000,  
21 respectively.

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

26 (2.5) Supplemental general State aid pursuant to this

1 subsection (H) shall be provided as follows for the 2002-2003  
2 school year:

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

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

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

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

19 (e) For any school district with a Low Income  
20 Concentration Level of at least 50% and less than 60%, the  
21 grant for each school year shall be \$1,680 multiplied by  
22 the low income eligible pupil count.

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

1           (2.10) Except as otherwise provided, supplemental general  
2 State aid pursuant to this subsection (H) shall be provided as  
3 follows for the 2003-2004 school year and each school year  
4 thereafter:

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

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

14           For the 2003-2004 school year and each school year  
15 thereafter through the 2008-2009 school year only, the grant  
16 shall be no less than the grant for the 2002-2003 school year.  
17 For the 2009-2010 school year only, the grant shall be no less  
18 than the grant for the 2002-2003 school year multiplied by  
19 0.66. For the 2010-2011 school year only, the grant shall be no  
20 less than the grant for the 2002-2003 school year multiplied by  
21 0.33. Notwithstanding the provisions of this paragraph to the  
22 contrary, if for any school year supplemental general State aid  
23 grants are prorated as provided in paragraph (1) of this  
24 subsection (H), then the grants under this paragraph shall be  
25 prorated.

26           For the 2003-2004 school year only, the grant shall be no

1 greater than the grant received during the 2002-2003 school  
2 year added to the product of 0.25 multiplied by the difference  
3 between the grant amount calculated under subsection (a) or (b)  
4 of this paragraph (2.10), whichever is applicable, and the  
5 grant received during the 2002-2003 school year. For the  
6 2004-2005 school year only, the grant shall be no greater than  
7 the grant received during the 2002-2003 school year added to  
8 the product of 0.50 multiplied by the difference between the  
9 grant amount calculated under subsection (a) or (b) of this  
10 paragraph (2.10), whichever is applicable, and the grant  
11 received during the 2002-2003 school year. For the 2005-2006  
12 school year only, the grant shall be no greater than the grant  
13 received during the 2002-2003 school year added to the product  
14 of 0.75 multiplied by the difference between the grant amount  
15 calculated under subsection (a) or (b) of this paragraph  
16 (2.10), whichever is applicable, and the grant received during  
17 the 2002-2003 school year.

18 (3) School districts with an Average Daily Attendance of  
19 more than 1,000 and less than 50,000 that qualify for  
20 supplemental general State aid pursuant to this subsection  
21 shall submit a plan to the State Board of Education prior to  
22 October 30 of each year for the use of the funds resulting from  
23 this grant of supplemental general State aid for the  
24 improvement of instruction in which priority is given to  
25 meeting the education needs of disadvantaged children. Such  
26 plan shall be submitted in accordance with rules and

1 regulations promulgated by the State Board of Education.

2 (4) School districts with an Average Daily Attendance of  
3 50,000 or more that qualify for supplemental general State aid  
4 pursuant to this subsection shall be required to distribute  
5 from funds available pursuant to this Section, no less than  
6 \$261,000,000 in accordance with the following requirements:

7 (a) The required amounts shall be distributed to the  
8 attendance centers within the district in proportion to the  
9 number of pupils enrolled at each attendance center who are  
10 eligible to receive free or reduced-price lunches or  
11 breakfasts under the federal Child Nutrition Act of 1966  
12 and under the National School Lunch Act during the  
13 immediately preceding school year.

14 (b) The distribution of these portions of supplemental  
15 and general State aid among attendance centers according to  
16 these requirements shall not be compensated for or  
17 contravened by adjustments of the total of other funds  
18 appropriated to any attendance centers, and the Board of  
19 Education shall utilize funding from one or several sources  
20 in order to fully implement this provision annually prior  
21 to the opening of school.

22 (c) Each attendance center shall be provided by the  
23 school district a distribution of noncategorical funds and  
24 other categorical funds to which an attendance center is  
25 entitled under law in order that the general State aid and  
26 supplemental general State aid provided by application of



1           this subsection supplements rather than supplants the  
2           noncategorical funds and other categorical funds provided  
3           by the school district to the attendance centers.

4           (d) Any funds made available under this subsection that  
5           by reason of the provisions of this subsection are not  
6           required to be allocated and provided to attendance centers  
7           may be used and appropriated by the board of the district  
8           for any lawful school purpose.

9           (e) Funds received by an attendance center pursuant to  
10          this subsection shall be used by the attendance center at  
11          the discretion of the principal and local school council  
12          for programs to improve educational opportunities at  
13          qualifying schools through the following programs and  
14          services: early childhood education, reduced class size or  
15          improved adult to student classroom ratio, enrichment  
16          programs, remedial assistance, attendance improvement, and  
17          other educationally beneficial expenditures which  
18          supplement the regular and basic programs as determined by  
19          the State Board of Education. Funds provided shall not be  
20          expended for any political or lobbying purposes as defined  
21          by board rule.

22          (f) Each district subject to the provisions of this  
23          subdivision (H) (4) shall submit an acceptable plan to meet  
24          the educational needs of disadvantaged children, in  
25          compliance with the requirements of this paragraph, to the  
26          State Board of Education prior to July 15 of each year.

1 This plan shall be consistent with the decisions of local  
2 school councils concerning the school expenditure plans  
3 developed in accordance with part 4 of Section 34-2.3. The  
4 State Board shall approve or reject the plan within 60 days  
5 after its submission. If the plan is rejected, the district  
6 shall give written notice of intent to modify the plan  
7 within 15 days of the notification of rejection and then  
8 submit a modified plan within 30 days after the date of the  
9 written notice of intent to modify. Districts may amend  
10 approved plans pursuant to rules promulgated by the State  
11 Board of Education.

12 Upon notification by the State Board of Education that  
13 the district has not submitted a plan prior to July 15 or a  
14 modified plan within the time period specified herein, the  
15 State aid funds affected by that plan or modified plan  
16 shall be withheld by the State Board of Education until a  
17 plan or modified plan is submitted.

18 If the district fails to distribute State aid to  
19 attendance centers in accordance with an approved plan, the  
20 plan for the following year shall allocate funds, in  
21 addition to the funds otherwise required by this  
22 subsection, to those attendance centers which were  
23 underfunded during the previous year in amounts equal to  
24 such underfunding.

25 For purposes of determining compliance with this  
26 subsection in relation to the requirements of attendance

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

19 The State Board of Education shall promulgate rules and  
20 regulations to implement the provisions of this  
21 subsection. No funds shall be released under this  
22 subdivision (H) (4) to any district that has not submitted a  
23 plan that has been approved by the State Board of  
24 Education.

25 (I) (Blank).

1 (J) Supplementary Grants in Aid.

2 (1) Notwithstanding any other provisions of this Section,  
3 the amount of the aggregate general State aid in combination  
4 with supplemental general State aid under this Section for  
5 which each school district is eligible shall be no less than  
6 the amount of the aggregate general State aid entitlement that  
7 was received by the district under Section 18-8 (exclusive of  
8 amounts received under subsections 5(p) and 5(p-5) of that  
9 Section) for the 1997-98 school year, pursuant to the  
10 provisions of that Section as it was then in effect. If a  
11 school district qualifies to receive a supplementary payment  
12 made under this subsection (J), the amount of the aggregate  
13 general State aid in combination with supplemental general  
14 State aid under this Section which that district is eligible to  
15 receive for each school year shall be no less than the amount  
16 of the aggregate general State aid entitlement that was  
17 received by the district under Section 18-8 (exclusive of  
18 amounts received under subsections 5(p) and 5(p-5) of that  
19 Section) for the 1997-1998 school year, pursuant to the  
20 provisions of that Section as it was then in effect.

21 (2) If, as provided in paragraph (1) of this subsection  
22 (J), a school district is to receive aggregate general State  
23 aid in combination with supplemental general State aid under  
24 this Section for the 1998-99 school year and any subsequent  
25 school year that in any such school year is less than the

1 amount of the aggregate general State aid entitlement that the  
2 district received for the 1997-98 school year, the school  
3 district shall also receive, from a separate appropriation made  
4 for purposes of this subsection (J), a supplementary payment  
5 that is equal to the amount of the difference in the aggregate  
6 State aid figures as described in paragraph (1).

7 (3) (Blank).

8 (K) Grants to Laboratory and Alternative Schools.

9 In calculating the amount to be paid to the governing board  
10 of a public university that operates a laboratory school under  
11 this Section or to any alternative school that is operated by a  
12 regional superintendent of schools, the State Board of  
13 Education shall require by rule such reporting requirements as  
14 it deems necessary.

15 As used in this Section, "laboratory school" means a public  
16 school which is created and operated by a public university and  
17 approved by the State Board of Education. The governing board  
18 of a public university which receives funds from the State  
19 Board under this subsection (K) may not increase the number of  
20 students enrolled in its laboratory school from a single  
21 district, if that district is already sending 50 or more  
22 students, except under a mutual agreement between the school  
23 board of a student's district of residence and the university  
24 which operates the laboratory school. A laboratory school may  
25 not have more than 1,000 students, excluding students with

1 disabilities in a special education program.

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

18 Each laboratory and alternative school shall file, on forms  
19 provided by the State Superintendent of Education, an annual  
20 State aid claim which states the Average Daily Attendance of  
21 the school's students by month. The best 3 months' Average  
22 Daily Attendance shall be computed for each school. The general  
23 State aid entitlement shall be computed by multiplying the  
24 applicable Average Daily Attendance by the Foundation Level as  
25 determined under this Section.

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

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

15 (2) (Blank).

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

18 (M) Education Funding Advisory Board.

19 The Education Funding Advisory Board, hereinafter in this  
20 subsection (M) referred to as the "Board", is hereby created.  
21 The Board shall consist of 5 members who are appointed by the  
22 Governor, by and with the advice and consent of the Senate. The  
23 members appointed shall include representatives of education,  
24 business, and the general public. One of the members so  
25 appointed shall be designated by the Governor at the time the

1 appointment is made as the chairperson of the Board. The  
2 initial members of the Board may be appointed any time after  
3 the effective date of this amendatory Act of 1997. The regular  
4 term of each member of the Board shall be for 4 years from the  
5 third Monday of January of the year in which the term of the  
6 member's appointment is to commence, except that of the 5  
7 initial members appointed to serve on the Board, the member who  
8 is appointed as the chairperson shall serve for a term that  
9 commences on the date of his or her appointment and expires on  
10 the third Monday of January, 2002, and the remaining 4 members,  
11 by lots drawn at the first meeting of the Board that is held  
12 after all 5 members are appointed, shall determine 2 of their  
13 number to serve for terms that commence on the date of their  
14 respective appointments and expire on the third Monday of  
15 January, 2001, and 2 of their number to serve for terms that  
16 commence on the date of their respective appointments and  
17 expire on the third Monday of January, 2000. All members  
18 appointed to serve on the Board shall serve until their  
19 respective successors are appointed and confirmed. Vacancies  
20 shall be filled in the same manner as original appointments. If  
21 a vacancy in membership occurs at a time when the Senate is not  
22 in session, the Governor shall make a temporary appointment  
23 until the next meeting of the Senate, when he or she shall  
24 appoint, by and with the advice and consent of the Senate, a  
25 person to fill that membership for the unexpired term. If the  
26 Senate is not in session when the initial appointments are



1 made, those appointments shall be made as in the case of  
2 vacancies.

3 The Education Funding Advisory Board shall be deemed  
4 established, and the initial members appointed by the Governor  
5 to serve as members of the Board shall take office, on the date  
6 that the Governor makes his or her appointment of the fifth  
7 initial member of the Board, whether those initial members are  
8 then serving pursuant to appointment and confirmation or  
9 pursuant to temporary appointments that are made by the  
10 Governor as in the case of vacancies.

11 The State Board of Education shall provide such staff  
12 assistance to the Education Funding Advisory Board as is  
13 reasonably required for the proper performance by the Board of  
14 its responsibilities.

15 For school years after the 2000-2001 school year, the  
16 Education Funding Advisory Board, in consultation with the  
17 State Board of Education, shall make recommendations as  
18 provided in this subsection (M) to the General Assembly for the  
19 foundation level under subdivision (B)(3) of this Section and  
20 for the supplemental general State aid grant level under  
21 subsection (H) of this Section for districts with high  
22 concentrations of children from poverty. The recommended  
23 foundation level shall be determined based on a methodology  
24 which incorporates the basic education expenditures of  
25 low-spending schools exhibiting high academic performance. The  
26 Education Funding Advisory Board shall make such

1 recommendations to the General Assembly on January 1 of odd  
2 numbered years, beginning January 1, 2001.

3 (N) (Blank).

4 (O) References.

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

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

13 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
14 changes to this Section. Under Section 6 of the Statute on  
15 Statutes there is an irreconcilable conflict between Public Act  
16 93-808 and Public Act 93-838. Public Act 93-838, being the last  
17 acted upon, is controlling. The text of Public Act 93-838 is  
18 the law regardless of the text of Public Act 93-808.

19 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;  
20 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.  
21 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.  
22 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,  
23 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff. 11-18-10;

1 revised 11-24-10.)

2 Section 99. Effective date. This Act takes effect July 1,  
3 2011.