



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3223

Introduced 2/24/2011, by Rep. Darlene J. Senger

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-29  
105 ILCS 5/18-8.05

Amends the School Code. Requires that the adopted school board policy concerning a remote educational program include the school term for the program, which may vary from the regular school term of the school district and during which term instructional time may occur on any calendar day. Provides that the school term for a program need not specify the days of pupil attendance, provided that the planned instructional time for students enrolled in the program must not be less than the planned instructional time for other students in the district. Provides that during the period of the calendar year included within the school term of the program (instead of the regular school term of the district), participation in a program may be claimed for general State aid purposes on any calendar day (instead of only on days of pupil attendance or institute days included within the district's calendar). Provides that outside of the school term of the program (instead of the regular school term of the district), the program may be offered as part of a summer school program. Provides that clock hours of instruction (instead of days of attendance) by program students may be claimed by the district and shall be counted as school work for general State aid purposes. Amends the State aid formula provisions with respect to the compilation of average daily attendance. Provides that pupils enrolled in a remote educational program may be counted on the basis of one-fifth for every clock hour of instruction attended in the program, provided that a district may not claim more days of attendance in a single school term for a student enrolled in a program than the days of attendance included in the regular school term of the district. Effective immediately.

LRB097 08887 NHT 49017 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 Sections  
5 10-29 and 18-8.05 as follows:

6 (105 ILCS 5/10-29)

7 Sec. 10-29. Remote educational programs.

8 (a) For purposes of this Section, "remote educational  
9 program" means an educational program delivered to students in  
10 the home or other location outside of a school building that  
11 meets all of the following criteria:

12 (1) A student may participate in the program only after  
13 the school district, pursuant to adopted school board  
14 policy, and a person authorized to enroll the student under  
15 Section 10-20.12b of this Code determine that a remote  
16 educational program will best serve the student's  
17 individual learning needs. The adopted school board policy  
18 shall include, but not be limited to, all of the following:

19 (A) Criteria for determining that a remote  
20 educational program will best serve a student's  
21 individual learning needs. The criteria must include  
22 consideration of, at a minimum, a student's prior  
23 attendance, disciplinary record, and academic history.

1 (B) Any limitations on the number of students or  
2 grade levels that may participate in a remote  
3 educational program.

4 (C) A description of the process that the school  
5 district will use to approve participation in the  
6 remote educational program. The process must include  
7 without limitation a requirement that, for any student  
8 who qualifies to receive services pursuant to the  
9 federal Individuals with Disabilities Education  
10 Improvement Act of 2004, the student's participation  
11 in a remote educational program receive prior approval  
12 from the student's individualized education program  
13 team.

14 (D) A description of the process the school  
15 district will use to develop and approve a written  
16 remote educational plan that meets the requirements of  
17 subdivision (5) of this subsection (a).

18 (E) A description of the system the school district  
19 will establish to calculate the number of clock hours a  
20 student is participating in instruction in accordance  
21 with the remote educational program.

22 (F) A description of the process for renewing a  
23 remote educational program at the expiration of its  
24 term.

25 (F-5) The school term for the remote educational  
26 program, which may vary from the regular school term of

1           the school district established pursuant to Section  
2           10-19 of this Code and during which term instructional  
3           time may occur on any calendar day. The school term for  
4           a remote educational program need not specify the days  
5           of pupil attendance, provided that the planned  
6           instructional time for students enrolled in the remote  
7           educational program must not be less than the planned  
8           instructional time for other students in the district.

9           (G) Such other terms and provisions as the school  
10          district deems necessary to provide for the  
11          establishment and delivery of a remote educational  
12          program.

13          (2) The school district has determined that the remote  
14          educational program's curriculum is aligned to State  
15          learning standards and that the program offers instruction  
16          and educational experiences consistent with those given to  
17          students at the same grade level in the district.

18          (3) The remote educational program is delivered by  
19          instructors that meet the following qualifications:

20                 (A) they are certificated under Article 21 of this  
21          Code;

22                 (B) they meet applicable highly qualified criteria  
23          under the federal No Child Left Behind Act of 2001; and

24                 (C) they have responsibility for all of the  
25          following elements of the program: planning  
26          instruction, diagnosing learning needs, prescribing

1 content delivery through class activities, assessing  
2 learning, reporting outcomes to administrators and  
3 parents and guardians, and evaluating the effects of  
4 instruction.

5 (4) During the period of the calendar year included  
6 within the ~~regular~~ school term of the remote educational  
7 program ~~school district~~, participation in a remote  
8 educational program may be claimed for general State aid  
9 purposes under Section 18-8.05 of this Code on any calendar  
10 day ~~only on days of pupil attendance or institute days~~  
11 ~~included within the school district's calendar established~~  
12 ~~pursuant to Section 10-19 of this Code~~. Outside of the  
13 ~~regular~~ school term of the remote educational program  
14 ~~district~~, the remote educational program may be offered as  
15 part of any summer school program authorized by this Code.

16 (5) Each student participating in a remote educational  
17 program must have a written remote educational plan that  
18 has been approved by the school district and a person  
19 authorized to enroll the student under Section 10-20.12b of  
20 this Code. The school district and a person authorized to  
21 enroll the student under Section 10-20.12b of this Code  
22 must approve any amendment to a remote educational plan.  
23 The remote educational plan must include, but is not  
24 limited to, all of the following:

25 (A) Specific achievement goals for the student  
26 aligned to State learning standards.

1 (B) A description of all assessments that will be  
2 used to measure student progress, which description  
3 shall indicate the assessments that will be  
4 administered at an attendance center within the school  
5 district.

6 (C) A description of the progress reports that will  
7 be provided to the school district and the person or  
8 persons authorized to enroll the student under Section  
9 10-20.12b of this Code.

10 (D) Expectations, processes, and schedules for  
11 interaction between a teacher and student.

12 (E) A description of the specific responsibilities  
13 of the student's family and the school district with  
14 respect to equipment, materials, phone and Internet  
15 service, and any other requirements applicable to the  
16 home or other location outside of a school building  
17 necessary for the delivery of the remote educational  
18 program.

19 (F) If applicable, a description of how the remote  
20 educational program will be delivered in a manner  
21 consistent with the student's individualized education  
22 program required by Section 614(d) of the federal  
23 Individuals with Disabilities Education Improvement  
24 Act of 2004 or plan to ensure compliance with Section  
25 504 of the federal Rehabilitation Act of 1973.

26 (G) A description of the procedures and

1 opportunities for participation in academic and  
2 extra-curricular activities and programs within the  
3 school district.

4 (H) The identification of a parent, guardian, or  
5 other responsible adult who will provide direct  
6 supervision of the program. The plan must include an  
7 acknowledgment by the parent, guardian, or other  
8 responsible adult that he or she may engage only in  
9 non-teaching duties not requiring instructional  
10 judgment or the evaluation of a student. The plan shall  
11 designate the parent, guardian, or other responsible  
12 adult as non-teaching personnel or volunteer personnel  
13 under subsection (a) of Section 10-22.34 of this Code.

14 (I) The identification of a school district  
15 administrator who will oversee the remote educational  
16 program on behalf of the school district and who may be  
17 contacted by the student's parents with respect to any  
18 issues or concerns with the program.

19 (J) The term of the student's participation in the  
20 remote educational program, which may not extend for  
21 longer than 12 months, unless the term is renewed by  
22 the district in accordance with subdivision (7) of this  
23 subsection (a).

24 (K) A description of the specific location or  
25 locations in which the program will be delivered. If  
26 the remote educational program is to be delivered to a

1 student in any location other than the student's home,  
2 the plan must include a written determination by the  
3 school district that the location will provide a  
4 learning environment appropriate for the delivery of  
5 the program. The location or locations in which the  
6 program will be delivered shall be deemed a long  
7 distance teaching reception area under subsection (a)  
8 of Section 10-22.34 of this Code.

9 (L) Certification by the school district that the  
10 plan meets all other requirements of this Section.

11 (6) Students participating in a remote educational  
12 program must be enrolled in a school district attendance  
13 center pursuant to the school district's enrollment policy  
14 or policies. A student participating in a remote  
15 educational program must be tested as part of all  
16 assessments administered by the school district pursuant  
17 to Section 2-3.64 of this Code at the attendance center in  
18 which the student is enrolled and in accordance with the  
19 attendance center's assessment policies and schedule. The  
20 student must be included within all adequate yearly  
21 progress and other accountability determinations for the  
22 school district and attendance center under State and  
23 federal law.

24 (7) The term of a student's participation in a remote  
25 educational program may not extend for longer than 12  
26 months, unless the term is renewed by the school district.



1 The district may only renew a student's participation in a  
2 remote educational program following an evaluation of the  
3 student's progress in the program, a determination that the  
4 student's continuation in the program will best serve the  
5 student's individual learning needs, and an amendment to  
6 the student's written remote educational plan addressing  
7 any changes for the upcoming term of the program.

8 (b) A school district may, by resolution of its school  
9 board, establish a remote educational program.

10 (c) Clock hours of instruction ~~Days of attendance~~ by  
11 students in a remote educational program meeting the  
12 requirements of this Section may be claimed by the school  
13 district and shall be counted as school work for general State  
14 aid purposes in accordance with and subject to the limitations  
15 of Section 18-8.05 of this Code.

16 (d) The impact of remote educational programs on wages,  
17 hours, and terms and conditions of employment of educational  
18 employees within the school district shall be subject to local  
19 collective bargaining agreements.

20 (e) The use of a home or other location outside of a school  
21 building for a remote educational program shall not cause the  
22 home or other location to be deemed a public school facility.

23 (f) A remote educational program may be used, but is not  
24 required, for instruction delivered to a student in the home or  
25 other location outside of a school building that is not claimed  
26 for general State aid purposes under Section 18-8.05 of this

1 Code.

2 (g) School districts that, pursuant to this Section, adopt  
3 a policy for a remote educational program must submit to the  
4 State Board of Education a copy of the policy and any  
5 amendments thereto, as well as data on student participation in  
6 a format specified by the State Board of Education. The State  
7 Board of Education may perform or contract with an outside  
8 entity to perform an evaluation of remote educational programs  
9 in this State.

10 (h) The State Board of Education may adopt any rules  
11 necessary to ensure compliance by remote educational programs  
12 with the requirements of this Section and other applicable  
13 legal requirements.

14 (Source: P.A. 96-684, eff. 8-25-09.)

15 (105 ILCS 5/18-8.05)

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

19 (A) General Provisions.

20 (1) The provisions of this Section apply to the 1998-1999  
21 and subsequent school years. The system of general State  
22 financial aid provided for in this Section is designed to  
23 assure that, through a combination of State financial aid and  
24 required local resources, the financial support provided each

1 pupil in Average Daily Attendance equals or exceeds a  
2 prescribed per pupil Foundation Level. This formula approach  
3 imputes a level of per pupil Available Local Resources and  
4 provides for the basis to calculate a per pupil level of  
5 general State financial aid that, when added to Available Local  
6 Resources, equals or exceeds the Foundation Level. The amount  
7 of per pupil general State financial aid for school districts,  
8 in general, varies in inverse relation to Available Local  
9 Resources. Per pupil amounts are based upon each school  
10 district's Average Daily Attendance as that term is defined in  
11 this Section.

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

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

24 (a) Any school district which fails for any given  
25 school year to maintain school as required by law, or to  
26 maintain a recognized school is not eligible to file for

1 such school year any claim upon the Common School Fund. In  
2 case of nonrecognition of one or more attendance centers in  
3 a school district otherwise operating recognized schools,  
4 the claim of the district shall be reduced in the  
5 proportion which the Average Daily Attendance in the  
6 attendance center or centers bear to the Average Daily  
7 Attendance in the school district. A "recognized school"  
8 means any public school which meets the standards as  
9 established for recognition by the State Board of  
10 Education. A school district or attendance center not  
11 having recognition status at the end of a school term is  
12 entitled to receive State aid payments due upon a legal  
13 claim which was filed while it was recognized.

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

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

22 (d) (Blank).

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

1 School districts are not required to exert a minimum  
2 Operating Tax Rate in order to qualify for assistance under  
3 this Section.

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

6 (a) "Average Daily Attendance": A count of pupil  
7 attendance in school, averaged as provided for in  
8 subsection (C) and utilized in deriving per pupil financial  
9 support levels.

10 (b) "Available Local Resources": A computation of  
11 local financial support, calculated on the basis of Average  
12 Daily Attendance and derived as provided pursuant to  
13 subsection (D).

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

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

23 (e) "Operating Tax Rate": All school district property  
24 taxes extended for all purposes, except Bond and Interest,  
25 Summer School, Rent, Capital Improvement, and Vocational  
26 Education Building purposes.

1 (B) Foundation Level.

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

12 (2) For the 1998-1999 school year, the Foundation Level of  
13 support is \$4,225. For the 1999-2000 school year, the  
14 Foundation Level of support is \$4,325. For the 2000-2001 school  
15 year, the Foundation Level of support is \$4,425. For the  
16 2001-2002 school year and 2002-2003 school year, the Foundation  
17 Level of support is \$4,560. For the 2003-2004 school year, the  
18 Foundation Level of support is \$4,810. For the 2004-2005 school  
19 year, the Foundation Level of support is \$4,964. For the  
20 2005-2006 school year, the Foundation Level of support is  
21 \$5,164. For the 2006-2007 school year, the Foundation Level of  
22 support is \$5,334. For the 2007-2008 school year, the  
23 Foundation Level of support is \$5,734. For the 2008-2009 school  
24 year, the Foundation Level of support is \$5,959.

25 (3) For the 2009-2010 school year and each school year

1 thereafter, the Foundation Level of support is \$6,119 or such  
2 greater amount as may be established by law by the General  
3 Assembly.

4 (C) Average Daily Attendance.

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

16 (2) The Average Daily Attendance figures utilized in  
17 subsection (E) shall be the requisite attendance data for the  
18 school year immediately preceding the school year for which  
19 general State aid is being calculated or the average of the  
20 attendance data for the 3 preceding school years, whichever is  
21 greater. The Average Daily Attendance figures utilized in  
22 subsection (H) shall be the requisite attendance data for the  
23 school year immediately preceding the school year for which  
24 general State aid is being calculated.

1 (D) Available Local Resources.

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

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

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



1 Average Daily Attendance figure. For school districts  
2 maintaining grades 9 through 12, local property tax revenues  
3 per pupil shall be the applicable equalized assessed valuation  
4 of the district multiplied by 1.05%, and divided by the  
5 district's Average Daily Attendance figure.

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

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

1 (E) Computation of General State Aid.

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

5 (2) For any school district for which Available Local  
6 Resources per pupil is less than the product of 0.93 times the  
7 Foundation Level, general State aid for that district shall be  
8 calculated as an amount equal to the Foundation Level minus  
9 Available Local Resources, multiplied by the Average Daily  
10 Attendance of the school district.

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

1 Attendance of the school district.

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

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

17 (F) Compilation of Average Daily Attendance.

18 (1) Each school district shall, by July 1 of each year,  
19 submit to the State Board of Education, on forms prescribed by  
20 the State Board of Education, attendance figures for the school  
21 year that began in the preceding calendar year. The attendance  
22 information so transmitted shall identify the average daily  
23 attendance figures for each month of the school year. Beginning  
24 with the general State aid claim form for the 2002-2003 school  
25 year, districts shall calculate Average Daily Attendance as

1 provided in subdivisions (a), (b), and (c) of this paragraph  
2 (1).

3 (a) In districts that do not hold year-round classes,  
4 days of attendance in August shall be added to the month of  
5 September and any days of attendance in June shall be added  
6 to the month of May.

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

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

23 Except as otherwise provided in this Section, days of  
24 attendance by pupils shall be counted only for sessions of not  
25 less than 5 clock hours of school work per day under direct  
26 supervision of: (i) teachers, or (ii) non-teaching personnel or

1 volunteer personnel when engaging in non-teaching duties and  
2 supervising in those instances specified in subsection (a) of  
3 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
4 of legal school age and in kindergarten and grades 1 through  
5 12.

6 Days of attendance by tuition pupils shall be accredited  
7 only to the districts that pay the tuition to a recognized  
8 school.

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

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

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

25 (c) A session of 4 or more clock hours may be counted  
26 as a day of attendance upon certification by the regional

1 superintendent, and approved by the State Superintendent  
2 of Education to the extent that the district has been  
3 forced to use daily multiple sessions.

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

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

26 (e) A session of not less than one clock hour of

1 teaching hospitalized or homebound pupils on-site or by  
2 telephone to the classroom may be counted as 1/2 day of  
3 attendance, however these pupils must receive 4 or more  
4 clock hours of instruction to be counted for a full day of  
5 attendance.

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

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

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



1 Attendance at kindergartens which provide for a full day of  
2 attendance by each pupil shall be counted the same as  
3 attendance by first grade pupils. Only the first year of  
4 attendance in one kindergarten shall be counted, except in  
5 case of children who entered the kindergarten in their  
6 fifth year whose educational development requires a second  
7 year of kindergarten as determined under the rules and  
8 regulations of the State Board of Education.

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

20 (j) Pupils enrolled in a remote educational program  
21 established under Section 10-29 of this Code may be counted  
22 on the basis of one-fifth for every clock hour of  
23 instruction attended in the remote educational program,  
24 provided that a school district may not claim more days of  
25 attendance in a single school term for a student enrolled  
26 in a remote educational program than the days of attendance

1       included in the regular school term of the district  
2       established pursuant to Section 10-19 of this Code.

3       (G) Equalized Assessed Valuation Data.

4           (1) For purposes of the calculation of Available Local  
5 Resources required pursuant to subsection (D), the State Board  
6 of Education shall secure from the Department of Revenue the  
7 value as equalized or assessed by the Department of Revenue of  
8 all taxable property of every school district, together with  
9 (i) the applicable tax rate used in extending taxes for the  
10 funds of the district as of September 30 of the previous year  
11 and (ii) the limiting rate for all school districts subject to  
12 property tax extension limitations as imposed under the  
13 Property Tax Extension Limitation Law.

14           The Department of Revenue shall add to the equalized  
15 assessed value of all taxable property of each school district  
16 situated entirely or partially within a county that is or was  
17 subject to the provisions of Section 15-176 or 15-177 of the  
18 Property Tax Code (a) an amount equal to the total amount by  
19 which the homestead exemption allowed under Section 15-176 or  
20 15-177 of the Property Tax Code for real property situated in  
21 that school district exceeds the total amount that would have  
22 been allowed in that school district if the maximum reduction  
23 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in  
24 all other counties in tax year 2003 or (ii) \$5,000 in all  
25 counties in tax year 2004 and thereafter and (b) an amount

1 equal to the aggregate amount for the taxable year of all  
2 additional exemptions under Section 15-175 of the Property Tax  
3 Code for owners with a household income of \$30,000 or less. The  
4 county clerk of any county that is or was subject to the  
5 provisions of Section 15-176 or 15-177 of the Property Tax Code  
6 shall annually calculate and certify to the Department of  
7 Revenue for each school district all homestead exemption  
8 amounts under Section 15-176 or 15-177 of the Property Tax Code  
9 and all amounts of additional exemptions under Section 15-175  
10 of the Property Tax Code for owners with a household income of  
11 \$30,000 or less. It is the intent of this paragraph that if the  
12 general homestead exemption for a parcel of property is  
13 determined under Section 15-176 or 15-177 of the Property Tax  
14 Code rather than Section 15-175, then the calculation of  
15 Available Local Resources shall not be affected by the  
16 difference, if any, between the amount of the general homestead  
17 exemption allowed for that parcel of property under Section  
18 15-176 or 15-177 of the Property Tax Code and the amount that  
19 would have been allowed had the general homestead exemption for  
20 that parcel of property been determined under Section 15-175 of  
21 the Property Tax Code. It is further the intent of this  
22 paragraph that if additional exemptions are allowed under  
23 Section 15-175 of the Property Tax Code for owners with a  
24 household income of less than \$30,000, then the calculation of  
25 Available Local Resources shall not be affected by the  
26 difference, if any, because of those additional exemptions.

1           This equalized assessed valuation, as adjusted further by  
2 the requirements of this subsection, shall be utilized in the  
3 calculation of Available Local Resources.

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

6           (a) For the purposes of calculating State aid under  
7 this Section, with respect to any part of a school district  
8 within a redevelopment project area in respect to which a  
9 municipality has adopted tax increment allocation  
10 financing pursuant to the Tax Increment Allocation  
11 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11  
12 of the Illinois Municipal Code or the Industrial Jobs  
13 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
14 Illinois Municipal Code, no part of the current equalized  
15 assessed valuation of real property located in any such  
16 project area which is attributable to an increase above the  
17 total initial equalized assessed valuation of such  
18 property shall be used as part of the equalized assessed  
19 valuation of the district, until such time as all  
20 redevelopment project costs have been paid, as provided in  
21 Section 11-74.4-8 of the Tax Increment Allocation  
22 Redevelopment Act or in Section 11-74.6-35 of the  
23 Industrial Jobs Recovery Law. For the purpose of the  
24 equalized assessed valuation of the district, the total  
25 initial equalized assessed valuation or the current  
26 equalized assessed valuation, whichever is lower, shall be

1           used until such time as all redevelopment project costs  
2           have been paid.

3           (b) The real property equalized assessed valuation for  
4           a school district shall be adjusted by subtracting from the  
5           real property value as equalized or assessed by the  
6           Department of Revenue for the district an amount computed  
7           by dividing the amount of any abatement of taxes under  
8           Section 18-170 of the Property Tax Code by 3.00% for a  
9           district maintaining grades kindergarten through 12, by  
10          2.30% for a district maintaining grades kindergarten  
11          through 8, or by 1.05% for a district maintaining grades 9  
12          through 12 and adjusted by an amount computed by dividing  
13          the amount of any abatement of taxes under subsection (a)  
14          of Section 18-165 of the Property Tax Code by the same  
15          percentage rates for district type as specified in this  
16          subparagraph (b).

17          (3) For the 1999-2000 school year and each school year  
18          thereafter, if a school district meets all of the criteria of  
19          this subsection (G) (3), the school district's Available Local  
20          Resources shall be calculated under subsection (D) using the  
21          district's Extension Limitation Equalized Assessed Valuation  
22          as calculated under this subsection (G) (3).

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

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

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

3           "Preceding Tax Year": The property tax levy year  
4 immediately preceding the Base Tax Year.

5           "Base Tax Year's Tax Extension": The product of the  
6 equalized assessed valuation utilized by the County Clerk  
7 in the Base Tax Year multiplied by the limiting rate as  
8 calculated by the County Clerk and defined in the Property  
9 Tax Extension Limitation Law.

10           "Preceding Tax Year's Tax Extension": The product of  
11 the equalized assessed valuation utilized by the County  
12 Clerk in the Preceding Tax Year multiplied by the Operating  
13 Tax Rate as defined in subsection (A).

14           "Extension Limitation Ratio": A numerical ratio,  
15 certified by the County Clerk, in which the numerator is  
16 the Base Tax Year's Tax Extension and the denominator is  
17 the Preceding Tax Year's Tax Extension.

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

20           If a school district is subject to property tax extension  
21 limitations as imposed under the Property Tax Extension  
22 Limitation Law, the State Board of Education shall calculate  
23 the Extension Limitation Equalized Assessed Valuation of that  
24 district. For the 1999-2000 school year, the Extension  
25 Limitation Equalized Assessed Valuation of a school district as  
26 calculated by the State Board of Education shall be equal to

1 the product of the district's 1996 Equalized Assessed Valuation  
2 and the district's Extension Limitation Ratio. Except as  
3 otherwise provided in this paragraph for a school district that  
4 has approved or does approve an increase in its limiting rate,  
5 for the 2000-2001 school year and each school year thereafter,  
6 the Extension Limitation Equalized Assessed Valuation of a  
7 school district as calculated by the State Board of Education  
8 shall be equal to the product of the Equalized Assessed  
9 Valuation last used in the calculation of general State aid and  
10 the district's Extension Limitation Ratio. If the Extension  
11 Limitation Equalized Assessed Valuation of a school district as  
12 calculated under this subsection (G)(3) is less than the  
13 district's equalized assessed valuation as calculated pursuant  
14 to subsections (G)(1) and (G)(2), then for purposes of  
15 calculating the district's general State aid for the Budget  
16 Year pursuant to subsection (E), that Extension Limitation  
17 Equalized Assessed Valuation shall be utilized to calculate the  
18 district's Available Local Resources under subsection (D). For  
19 the 2009-2010 school year and each school year thereafter, if a  
20 school district has approved or does approve an increase in its  
21 limiting rate, pursuant to Section 18-190 of the Property Tax  
22 Code, affecting the Base Tax Year, the Extension Limitation  
23 Equalized Assessed Valuation of the school district, as  
24 calculated by the State Board of Education, shall be equal to  
25 the product of the Equalized Assessed Valuation last used in  
26 the calculation of general State aid times an amount equal to

1 one plus the percentage increase, if any, in the Consumer Price  
2 Index for all Urban Consumers for all items published by the  
3 United States Department of Labor for the 12-month calendar  
4 year preceding the Base Tax Year, plus the Equalized Assessed  
5 Valuation of new property, annexed property, and recovered tax  
6 increment value and minus the Equalized Assessed Valuation of  
7 disconnected property. New property and recovered tax  
8 increment value shall have the meanings set forth in the  
9 Property Tax Extension Limitation Law.

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

14 (3.5) For the 2010-2011 school year and each school year  
15 thereafter, if a school district's boundaries span multiple  
16 counties, then the Department of Revenue shall send to the  
17 State Board of Education, for the purpose of calculating  
18 general State aid, the limiting rate and individual rates by  
19 purpose for the county that contains the majority of the school  
20 district's Equalized Assessed Valuation.

21 (4) For the purposes of calculating general State aid for  
22 the 1999-2000 school year only, if a school district  
23 experienced a triennial reassessment on the equalized assessed  
24 valuation used in calculating its general State financial aid  
25 apportionment for the 1998-1999 school year, the State Board of  
26 Education shall calculate the Extension Limitation Equalized



1 Assessed Valuation that would have been used to calculate the  
2 district's 1998-1999 general State aid. This amount shall equal  
3 the product of the equalized assessed valuation used to  
4 calculate general State aid for the 1997-1998 school year and  
5 the district's Extension Limitation Ratio. If the Extension  
6 Limitation Equalized Assessed Valuation of the school district  
7 as calculated under this paragraph (4) is less than the  
8 district's equalized assessed valuation utilized in  
9 calculating the district's 1998-1999 general State aid  
10 allocation, then for purposes of calculating the district's  
11 general State aid pursuant to paragraph (5) of subsection (E),  
12 that Extension Limitation Equalized Assessed Valuation shall  
13 be utilized to calculate the district's Available Local  
14 Resources.

15 (5) For school districts having a majority of their  
16 equalized assessed valuation in any county except Cook, DuPage,  
17 Kane, Lake, McHenry, or Will, if the amount of general State  
18 aid allocated to the school district for the 1999-2000 school  
19 year under the provisions of subsection (E), (H), and (J) of  
20 this Section is less than the amount of general State aid  
21 allocated to the district for the 1998-1999 school year under  
22 these subsections, then the general State aid of the district  
23 for the 1999-2000 school year only shall be increased by the  
24 difference between these amounts. The total payments made under  
25 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
26 be prorated if they exceed \$14,000,000.

1 (H) Supplemental General State Aid.

2 (1) In addition to the general State aid a school district  
3 is allotted pursuant to subsection (E), qualifying school  
4 districts shall receive a grant, paid in conjunction with a  
5 district's payments of general State aid, for supplemental  
6 general State aid based upon the concentration level of  
7 children from low-income households within the school  
8 district. Supplemental State aid grants provided for school  
9 districts under this subsection shall be appropriated for  
10 distribution to school districts as part of the same line item  
11 in which the general State financial aid of school districts is  
12 appropriated under this Section.

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

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

22 (1.10) This paragraph (1.10) applies to the 2003-2004  
23 school year and each school year thereafter. For purposes of  
24 this subsection (H), the term "Low-Income Concentration Level"  
25 shall, for each fiscal year, be the low-income eligible pupil  
26 count as of July 1 of the immediately preceding fiscal year (as

1 determined by the Department of Human Services based on the  
2 number of pupils who are eligible for at least one of the  
3 following low income programs: Medicaid, the Children's Health  
4 Insurance Program, TANF, or Food Stamps, excluding pupils who  
5 are eligible for services provided by the Department of  
6 Children and Family Services, averaged over the 2 immediately  
7 preceding fiscal years for fiscal year 2004 and over the 3  
8 immediately preceding fiscal years for each fiscal year  
9 thereafter) divided by the Average Daily Attendance of the  
10 school district.

11 (2) Supplemental general State aid pursuant to this  
12 subsection (H) shall be provided as follows for the 1998-1999,  
13 1999-2000, and 2000-2001 school years only:

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

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

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

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

1 Concentration Level of 60% or more, the grant for the  
2 1998-99 school year shall be \$1,900 multiplied by the low  
3 income eligible pupil count.

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

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

12 (2.5) Supplemental general State aid pursuant to this  
13 subsection (H) shall be provided as follows for the 2002-2003  
14 school year:

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

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

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

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

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

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

13           (2.10) Except as otherwise provided, supplemental general  
14 State aid pursuant to this subsection (H) shall be provided as  
15 follows for the 2003-2004 school year and each school year  
16 thereafter:

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

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

26 For the 2003-2004 school year and each school year

1 thereafter through the 2008-2009 school year only, the grant  
2 shall be no less than the grant for the 2002-2003 school year.  
3 For the 2009-2010 school year only, the grant shall be no less  
4 than the grant for the 2002-2003 school year multiplied by  
5 0.66. For the 2010-2011 school year only, the grant shall be no  
6 less than the grant for the 2002-2003 school year multiplied by  
7 0.33. Notwithstanding the provisions of this paragraph to the  
8 contrary, if for any school year supplemental general State aid  
9 grants are prorated as provided in paragraph (1) of this  
10 subsection (H), then the grants under this paragraph shall be  
11 prorated.

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

1 calculated under subsection (a) or (b) of this paragraph  
2 (2.10), whichever is applicable, and the grant received during  
3 the 2002-2003 school year.

4 (3) School districts with an Average Daily Attendance of  
5 more than 1,000 and less than 50,000 that qualify for  
6 supplemental general State aid pursuant to this subsection  
7 shall submit a plan to the State Board of Education prior to  
8 October 30 of each year for the use of the funds resulting from  
9 this grant of supplemental general State aid for the  
10 improvement of instruction in which priority is given to  
11 meeting the education needs of disadvantaged children. Such  
12 plan shall be submitted in accordance with rules and  
13 regulations promulgated by the State Board of Education.

14 (4) School districts with an Average Daily Attendance of  
15 50,000 or more that qualify for supplemental general State aid  
16 pursuant to this subsection shall be required to distribute  
17 from funds available pursuant to this Section, no less than  
18 \$261,000,000 in accordance with the following requirements:

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

26 (b) The distribution of these portions of supplemental



1 and general State aid among attendance centers according to  
2 these requirements shall not be compensated for or  
3 contravened by adjustments of the total of other funds  
4 appropriated to any attendance centers, and the Board of  
5 Education shall utilize funding from one or several sources  
6 in order to fully implement this provision annually prior  
7 to the opening of school.

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

16 (d) Any funds made available under this subsection that  
17 by reason of the provisions of this subsection are not  
18 required to be allocated and provided to attendance centers  
19 may be used and appropriated by the board of the district  
20 for any lawful school purpose.

21 (e) Funds received by an attendance center pursuant to  
22 this subsection shall be used by the attendance center at  
23 the discretion of the principal and local school council  
24 for programs to improve educational opportunities at  
25 qualifying schools through the following programs and  
26 services: early childhood education, reduced class size or

1 improved adult to student classroom ratio, enrichment  
2 programs, remedial assistance, attendance improvement, and  
3 other educationally beneficial expenditures which  
4 supplement the regular and basic programs as determined by  
5 the State Board of Education. Funds provided shall not be  
6 expended for any political or lobbying purposes as defined  
7 by board rule.

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

24 Upon notification by the State Board of Education that  
25 the district has not submitted a plan prior to July 15 or a  
26 modified plan within the time period specified herein, the

1 State aid funds affected by that plan or modified plan  
2 shall be withheld by the State Board of Education until a  
3 plan or modified plan is submitted.

4 If the district fails to distribute State aid to  
5 attendance centers in accordance with an approved plan, the  
6 plan for the following year shall allocate funds, in  
7 addition to the funds otherwise required by this  
8 subsection, to those attendance centers which were  
9 underfunded during the previous year in amounts equal to  
10 such underfunding.

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

1 following year. Failure to provide the expenditure report  
2 or the notification of remedial or corrective action in a  
3 timely manner shall result in a withholding of the affected  
4 funds.

5 The State Board of Education shall promulgate rules and  
6 regulations to implement the provisions of this  
7 subsection. No funds shall be released under this  
8 subdivision (H) (4) to any district that has not submitted a  
9 plan that has been approved by the State Board of  
10 Education.

11 (I) (Blank).

12 (J) Supplementary Grants in Aid.

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

1 State aid under this Section which that district is eligible to  
2 receive for each school year shall be no less than the amount  
3 of the aggregate general State aid entitlement that was  
4 received by the district under Section 18-8 (exclusive of  
5 amounts received under subsections 5(p) and 5(p-5) of that  
6 Section) for the 1997-1998 school year, pursuant to the  
7 provisions of that Section as it was then in effect.

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

19 (3) (Blank).

20 (K) Grants to Laboratory and Alternative Schools.

21 In calculating the amount to be paid to the governing board  
22 of a public university that operates a laboratory school under  
23 this Section or to any alternative school that is operated by a  
24 regional superintendent of schools, the State Board of  
25 Education shall require by rule such reporting requirements as

1 it deems necessary.

2 As used in this Section, "laboratory school" means a public  
3 school which is created and operated by a public university and  
4 approved by the State Board of Education. The governing board  
5 of a public university which receives funds from the State  
6 Board under this subsection (K) may not increase the number of  
7 students enrolled in its laboratory school from a single  
8 district, if that district is already sending 50 or more  
9 students, except under a mutual agreement between the school  
10 board of a student's district of residence and the university  
11 which operates the laboratory school. A laboratory school may  
12 not have more than 1,000 students, excluding students with  
13 disabilities in a special education program.

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

1 more than one educational service region may be operated under  
2 such terms as the regional superintendents of schools of those  
3 educational service regions may agree.

4 Each laboratory and alternative school shall file, on forms  
5 provided by the State Superintendent of Education, an annual  
6 State aid claim which states the Average Daily Attendance of  
7 the school's students by month. The best 3 months' Average  
8 Daily Attendance shall be computed for each school. The general  
9 State aid entitlement shall be computed by multiplying the  
10 applicable Average Daily Attendance by the Foundation Level as  
11 determined under this Section.

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

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

1 (2) (Blank).

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

4 (M) Education Funding Advisory Board.

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



1 January, 2001, and 2 of their number to serve for terms that  
2 commence on the date of their respective appointments and  
3 expire on the third Monday of January, 2000. All members  
4 appointed to serve on the Board shall serve until their  
5 respective successors are appointed and confirmed. Vacancies  
6 shall be filled in the same manner as original appointments. If  
7 a vacancy in membership occurs at a time when the Senate is not  
8 in session, the Governor shall make a temporary appointment  
9 until the next meeting of the Senate, when he or she shall  
10 appoint, by and with the advice and consent of the Senate, a  
11 person to fill that membership for the unexpired term. If the  
12 Senate is not in session when the initial appointments are  
13 made, those appointments shall be made as in the case of  
14 vacancies.

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

23 The State Board of Education shall provide such staff  
24 assistance to the Education Funding Advisory Board as is  
25 reasonably required for the proper performance by the Board of  
26 its responsibilities.

1           For school years after the 2000-2001 school year, the  
2 Education Funding Advisory Board, in consultation with the  
3 State Board of Education, shall make recommendations as  
4 provided in this subsection (M) to the General Assembly for the  
5 foundation level under subdivision (B)(3) of this Section and  
6 for the supplemental general State aid grant level under  
7 subsection (H) of this Section for districts with high  
8 concentrations of children from poverty. The recommended  
9 foundation level shall be determined based on a methodology  
10 which incorporates the basic education expenditures of  
11 low-spending schools exhibiting high academic performance. The  
12 Education Funding Advisory Board shall make such  
13 recommendations to the General Assembly on January 1 of odd  
14 numbered years, beginning January 1, 2001.

15       (N) (Blank).

16       (O) References.

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

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

1 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
2 changes to this Section. Under Section 6 of the Statute on  
3 Statutes there is an irreconcilable conflict between Public Act  
4 93-808 and Public Act 93-838. Public Act 93-838, being the last  
5 acted upon, is controlling. The text of Public Act 93-838 is  
6 the law regardless of the text of Public Act 93-808.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;  
8 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.  
9 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.  
10 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,  
11 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff. 11-18-10;  
12 revised 11-24-10.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.