

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 (G) Such other terms and provisions as the school
26 district deems necessary to provide for the

1 establishment and delivery of a remote educational
2 program.

3 (2) The school district has determined that the remote
4 educational program's curriculum is aligned to State
5 learning standards and that the program offers instruction
6 and educational experiences consistent with those given to
7 students at the same grade level in the district.

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

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

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

14 (C) they have responsibility for all of the
15 following elements of the program: planning
16 instruction, diagnosing learning needs, prescribing
17 content delivery through class activities, assessing
18 learning, reporting outcomes to administrators and
19 parents and guardians, and evaluating the effects of
20 instruction.

21 (4) During the period of time from and including the
22 opening date to the closing date of the ~~calendar year~~
23 ~~included within the~~ regular school term of the school
24 district established pursuant to Section 10-19 of this
25 Code, participation in a remote educational program may be
26 claimed for general State aid purposes under Section

1 18-8.05 of this Code on any calendar day, notwithstanding
2 whether the day is a day of pupil attendance or institute
3 day on the school district's calendar or any other
4 provision of law restricting instruction on that day only
5 ~~on days of pupil attendance or institute days included~~
6 ~~within the school district's calendar established pursuant~~
7 ~~to Section 10-19 of this Code.~~ If the district holds
8 year-round classes in some buildings, the district shall
9 classify each student's participation in a remote
10 educational program as either on a year-round or a
11 non-year-round schedule for purposes of claiming general
12 State aid. Outside of the regular school term of the
13 district, the remote educational program may be offered as
14 part of any summer school program authorized by this Code.

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

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

26 (B) A description of all assessments that will be

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

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

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

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

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

25 (G) A description of the procedures and
26 opportunities for participation in academic and

1 extra-curricular activities and programs within the
2 school district.

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

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

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

23 (K) A description of the specific location or
24 locations in which the program will be delivered. If
25 the remote educational program is to be delivered to a
26 student in any location other than the student's home,

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (105 ILCS 5/18-8.05)

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

18 (A) General Provisions.

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

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

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

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

23 (a) Any school district which fails for any given
24 school year to maintain school as required by law, or to
25 maintain a recognized school is not eligible to file for
26 such school year any claim upon the Common School Fund. In

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

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

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

21 (d) (Blank).

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

26 School districts are not required to exert a minimum

1 Operating Tax Rate in order to qualify for assistance under
2 this Section.

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

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

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

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

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

22 (e) "Operating Tax Rate": All school district property
23 taxes extended for all purposes, except Bond and Interest,
24 Summer School, Rent, Capital Improvement, and Vocational
25 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
26 thereafter, the Foundation Level of support is \$6,119 or such

1 greater amount as may be established by law by the General
2 Assembly.

3 (C) Average Daily Attendance.

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

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

24 (D) Available Local Resources.

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

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

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

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

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

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

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

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

16 (F) Compilation of Average Daily Attendance.

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

1 (1).

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

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

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

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

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

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

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

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

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

24 (c) A session of 4 or more clock hours may be counted
25 as a day of attendance upon certification by the regional
26 superintendent, and approved by the State Superintendent

1 of Education to the extent that the district has been
2 forced to use daily multiple sessions.

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

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

25 (e) A session of not less than one clock hour of
26 teaching hospitalized or homebound pupils on-site or by

1 telephone to the classroom may be counted as 1/2 day of
2 attendance, however these pupils must receive 4 or more
3 clock hours of instruction to be counted for a full day of
4 attendance.

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

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

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

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

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

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

1 (i) for students enrolled in a building holding year-round
2 classes if the student is classified as participating in
3 the remote educational program on a year-round schedule or
4 (ii) for students enrolled in a building not holding
5 year-round classes if the student is not classified as
6 participating in the remote educational program on a
7 year-round schedule.

8 (G) Equalized Assessed Valuation Data.

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

19 The Department of Revenue shall add to the equalized
20 assessed value of all taxable property of each school district
21 situated entirely or partially within a county that is or was
22 subject to the provisions of Section 15-176 or 15-177 of the
23 Property Tax Code (a) an amount equal to the total amount by
24 which the homestead exemption allowed under Section 15-176 or
25 15-177 of the Property Tax Code for real property situated in

1 that school district exceeds the total amount that would have
2 been allowed in that school district if the maximum reduction
3 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
4 all other counties in tax year 2003 or (ii) \$5,000 in all
5 counties in tax year 2004 and thereafter and (b) an amount
6 equal to the aggregate amount for the taxable year of all
7 additional exemptions under Section 15-175 of the Property Tax
8 Code for owners with a household income of \$30,000 or less. The
9 county clerk of any county that is or was subject to the
10 provisions of Section 15-176 or 15-177 of the Property Tax Code
11 shall annually calculate and certify to the Department of
12 Revenue for each school district all homestead exemption
13 amounts under Section 15-176 or 15-177 of the Property Tax Code
14 and all amounts of additional exemptions under Section 15-175
15 of the Property Tax Code for owners with a household income of
16 \$30,000 or less. It is the intent of this paragraph that if the
17 general homestead exemption for a parcel of property is
18 determined under Section 15-176 or 15-177 of the Property Tax
19 Code rather than Section 15-175, then the calculation of
20 Available Local Resources shall not be affected by the
21 difference, if any, between the amount of the general homestead
22 exemption allowed for that parcel of property under Section
23 15-176 or 15-177 of the Property Tax Code and the amount that
24 would have been allowed had the general homestead exemption for
25 that parcel of property been determined under Section 15-175 of
26 the Property Tax Code. It is further the intent of this

1 paragraph that if additional exemptions are allowed under
2 Section 15-175 of the Property Tax Code for owners with a
3 household income of less than \$30,000, then the calculation of
4 Available Local Resources shall not be affected by the
5 difference, if any, because of those additional exemptions.

6 This equalized assessed valuation, as adjusted further by
7 the requirements of this subsection, shall be utilized in the
8 calculation of Available Local Resources.

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

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

1 Redevelopment Act or in Section 11-74.6-35 of the
2 Industrial Jobs Recovery Law. For the purpose of the
3 equalized assessed valuation of the district, the total
4 initial equalized assessed valuation or the current
5 equalized assessed valuation, whichever is lower, shall be
6 used until such time as all redevelopment project costs
7 have been paid.

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

22 (3) For the 1999-2000 school year and each school year
23 thereafter, if a school district meets all of the criteria of
24 this subsection (G) (3), the school district's Available Local
25 Resources shall be calculated under subsection (D) using the
26 district's Extension Limitation Equalized Assessed Valuation

1 as calculated under this subsection (G) (3).

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

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

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

8 "Preceding Tax Year": The property tax levy year
9 immediately preceding the Base Tax Year.

10 "Base Tax Year's Tax Extension": The product of the
11 equalized assessed valuation utilized by the County Clerk
12 in the Base Tax Year multiplied by the limiting rate as
13 calculated by the County Clerk and defined in the Property
14 Tax Extension Limitation Law.

15 "Preceding Tax Year's Tax Extension": The product of
16 the equalized assessed valuation utilized by the County
17 Clerk in the Preceding Tax Year multiplied by the Operating
18 Tax Rate as defined in subsection (A).

19 "Extension Limitation Ratio": A numerical ratio,
20 certified by the County Clerk, in which the numerator is
21 the Base Tax Year's Tax Extension and the denominator is
22 the Preceding Tax Year's Tax Extension.

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

25 If a school district is subject to property tax extension
26 limitations as imposed under the Property Tax Extension

1 Limitation Law, the State Board of Education shall calculate
2 the Extension Limitation Equalized Assessed Valuation of that
3 district. For the 1999-2000 school year, the Extension
4 Limitation Equalized Assessed Valuation of a school district as
5 calculated by the State Board of Education shall be equal to
6 the product of the district's 1996 Equalized Assessed Valuation
7 and the district's Extension Limitation Ratio. Except as
8 otherwise provided in this paragraph for a school district that
9 has approved or does approve an increase in its limiting rate,
10 for the 2000-2001 school year and each school year thereafter,
11 the Extension Limitation Equalized Assessed Valuation of a
12 school district as calculated by the State Board of Education
13 shall be equal to the product of the Equalized Assessed
14 Valuation last used in the calculation of general State aid and
15 the district's Extension Limitation Ratio. If the Extension
16 Limitation Equalized Assessed Valuation of a school district as
17 calculated under this subsection (G)(3) is less than the
18 district's equalized assessed valuation as calculated pursuant
19 to subsections (G)(1) and (G)(2), then for purposes of
20 calculating the district's general State aid for the Budget
21 Year pursuant to subsection (E), that Extension Limitation
22 Equalized Assessed Valuation shall be utilized to calculate the
23 district's Available Local Resources under subsection (D). For
24 the 2009-2010 school year and each school year thereafter, if a
25 school district has approved or does approve an increase in its
26 limiting rate, pursuant to Section 18-190 of the Property Tax

1 Code, affecting the Base Tax Year, the Extension Limitation
2 Equalized Assessed Valuation of the school district, as
3 calculated by the State Board of Education, shall be equal to
4 the product of the Equalized Assessed Valuation last used in
5 the calculation of general State aid times an amount equal to
6 one plus the percentage increase, if any, in the Consumer Price
7 Index for all Urban Consumers for all items published by the
8 United States Department of Labor for the 12-month calendar
9 year preceding the Base Tax Year, plus the Equalized Assessed
10 Valuation of new property, annexed property, and recovered tax
11 increment value and minus the Equalized Assessed Valuation of
12 disconnected property. New property and recovered tax
13 increment value shall have the meanings set forth in the
14 Property Tax Extension Limitation Law.

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

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

26 (4) For the purposes of calculating general State aid for

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

20 (5) For school districts having a majority of their
21 equalized assessed valuation in any county except Cook, DuPage,
22 Kane, Lake, McHenry, or Will, if the amount of general State
23 aid allocated to the school district for the 1999-2000 school
24 year under the provisions of subsection (E), (H), and (J) of
25 this Section is less than the amount of general State aid
26 allocated to the district for the 1998-1999 school year under

1 these subsections, then the general State aid of the district
2 for the 1999-2000 school year only shall be increased by the
3 difference between these amounts. The total payments made under
4 this paragraph (5) shall not exceed \$14,000,000. Claims shall
5 be prorated if they exceed \$14,000,000.

6 (H) Supplemental General State Aid.

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

18 (1.5) This paragraph (1.5) applies only to those school
19 years preceding the 2003-2004 school year. For purposes of this
20 subsection (H), the term "Low-Income Concentration Level"
21 shall be the low-income eligible pupil count from the most
22 recently available federal census divided by the Average Daily
23 Attendance of the school district. If, however, (i) the
24 percentage decrease from the 2 most recent federal censuses in
25 the low-income eligible pupil count of a high school district

1 with fewer than 400 students exceeds by 75% or more the
2 percentage change in the total low-income eligible pupil count
3 of contiguous elementary school districts, whose boundaries
4 are coterminous with the high school district, or (ii) a high
5 school district within 2 counties and serving 5 elementary
6 school districts, whose boundaries are coterminous with the
7 high school district, has a percentage decrease from the 2 most
8 recent federal censuses in the low-income eligible pupil count
9 and there is a percentage increase in the total low-income
10 eligible pupil count of a majority of the elementary school
11 districts in excess of 50% from the 2 most recent federal
12 censuses, then the high school district's low-income eligible
13 pupil count from the earlier federal census shall be the number
14 used as the low-income eligible pupil count for the high school
15 district, for purposes of this subsection (H). The changes made
16 to this paragraph (1) by Public Act 92-28 shall apply to
17 supplemental general State aid grants for school years
18 preceding the 2003-2004 school year that are paid in fiscal
19 year 1999 or thereafter and to any State aid payments made in
20 fiscal year 1994 through fiscal year 1998 pursuant to
21 subsection 1(n) of Section 18-8 of this Code (which was
22 repealed on July 1, 1998), and any high school district that is
23 affected by Public Act 92-28 is entitled to a recomputation of
24 its supplemental general State aid grant or State aid paid in
25 any of those fiscal years. This recomputation shall not be
26 affected by any other funding.

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

16 (2) Supplemental general State aid pursuant to this
17 subsection (H) shall be provided as follows for the 1998-1999,
18 1999-2000, and 2000-2001 school years only:

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

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

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

5 (d) For any school district with a Low Income
6 Concentration Level of 60% or more, the grant for the
7 1998-99 school year shall be \$1,900 multiplied by the low
8 income eligible pupil count.

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

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

17 (2.5) Supplemental general State aid pursuant to this
18 subsection (H) shall be provided as follows for the 2002-2003
19 school year:

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

24 (b) For any school district with a Low Income
25 Concentration Level of at least 10% and less than 20%, the
26 grant for each school year shall be \$675 multiplied by the

1 low income eligible pupil count.

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

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

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

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

18 (2.10) Except as otherwise provided, supplemental general
19 State aid pursuant to this subsection (H) shall be provided as
20 follows for the 2003-2004 school year and each school year
21 thereafter:

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

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

1 Concentration Level greater than 15%, the grant for each
2 school year shall be \$294.25 added to the product of \$2,700
3 and the square of the Low Income Concentration Level, all
4 multiplied by the low income eligible pupil count.

5 For the 2003-2004 school year and each school year
6 thereafter through the 2008-2009 school year only, the grant
7 shall be no less than the grant for the 2002-2003 school year.
8 For the 2009-2010 school year only, the grant shall be no less
9 than the grant for the 2002-2003 school year multiplied by
10 0.66. For the 2010-2011 school year only, the grant shall be no
11 less than the grant for the 2002-2003 school year multiplied by
12 0.33. Notwithstanding the provisions of this paragraph to the
13 contrary, if for any school year supplemental general State aid
14 grants are prorated as provided in paragraph (1) of this
15 subsection (H), then the grants under this paragraph shall be
16 prorated.

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

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

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

19 (4) School districts with an Average Daily Attendance of
20 50,000 or more that qualify for supplemental general State aid
21 pursuant to this subsection shall be required to distribute
22 from funds available pursuant to this Section, no less than
23 \$261,000,000 in accordance with the following requirements:

24 (a) The required amounts shall be distributed to the
25 attendance centers within the district in proportion to the
26 number of pupils enrolled at each attendance center who are

1 eligible to receive free or reduced-price lunches or
2 breakfasts under the federal Child Nutrition Act of 1966
3 and under the National School Lunch Act during the
4 immediately preceding school year.

5 (b) The distribution of these portions of supplemental
6 and general State aid among attendance centers according to
7 these requirements shall not be compensated for or
8 contravened by adjustments of the total of other funds
9 appropriated to any attendance centers, and the Board of
10 Education shall utilize funding from one or several sources
11 in order to fully implement this provision annually prior
12 to the opening of school.

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

21 (d) Any funds made available under this subsection that
22 by reason of the provisions of this subsection are not
23 required to be allocated and provided to attendance centers
24 may be used and appropriated by the board of the district
25 for any lawful school purpose.

26 (e) Funds received by an attendance center pursuant to

1 this subsection shall be used by the attendance center at
2 the discretion of the principal and local school council
3 for programs to improve educational opportunities at
4 qualifying schools through the following programs and
5 services: early childhood education, reduced class size or
6 improved adult to student classroom ratio, enrichment
7 programs, remedial assistance, attendance improvement, and
8 other educationally beneficial expenditures which
9 supplement the regular and basic programs as determined by
10 the State Board of Education. Funds provided shall not be
11 expended for any political or lobbying purposes as defined
12 by board rule.

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

1 approved plans pursuant to rules promulgated by the State
2 Board of Education.

3 Upon notification by the State Board of Education that
4 the district has not submitted a plan prior to July 15 or a
5 modified plan within the time period specified herein, the
6 State aid funds affected by that plan or modified plan
7 shall be withheld by the State Board of Education until a
8 plan or modified plan is submitted.

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

16 For purposes of determining compliance with this
17 subsection in relation to the requirements of attendance
18 center funding, each district subject to the provisions of
19 this subsection shall submit as a separate document by
20 December 1 of each year a report of expenditure data for
21 the prior year in addition to any modification of its
22 current plan. If it is determined that there has been a
23 failure to comply with the expenditure provisions of this
24 subsection regarding contravention or supplanting, the
25 State Superintendent of Education shall, within 60 days of
26 receipt of the report, notify the district and any affected

1 local school council. The district shall within 45 days of
2 receipt of that notification inform the State
3 Superintendent of Education of the remedial or corrective
4 action to be taken, whether by amendment of the current
5 plan, if feasible, or by adjustment in the plan for the
6 following year. Failure to provide the expenditure report
7 or the notification of remedial or corrective action in a
8 timely manner shall result in a withholding of the affected
9 funds.

10 The State Board of Education shall promulgate rules and
11 regulations to implement the provisions of this
12 subsection. No funds shall be released under this
13 subdivision (H) (4) to any district that has not submitted a
14 plan that has been approved by the State Board of
15 Education.

16 (I) (Blank).

17 (J) Supplementary Grants in Aid.

18 (1) Notwithstanding any other provisions of this Section,
19 the amount of the aggregate general State aid in combination
20 with supplemental general State aid under this Section for
21 which each school district is eligible shall be no less than
22 the amount of the aggregate general State aid entitlement that
23 was received by the district under Section 18-8 (exclusive of
24 amounts received under subsections 5(p) and 5(p-5) of that

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

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

24 (3) (Blank).

25 (K) Grants to Laboratory and Alternative Schools.

1 In calculating the amount to be paid to the governing board
2 of a public university that operates a laboratory school under
3 this Section or to any alternative school that is operated by a
4 regional superintendent of schools, the State Board of
5 Education shall require by rule such reporting requirements as
6 it deems necessary.

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

19 As used in this Section, "alternative school" means a
20 public school which is created and operated by a Regional
21 Superintendent of Schools and approved by the State Board of
22 Education. Such alternative schools may offer courses of
23 instruction for which credit is given in regular school
24 programs, courses to prepare students for the high school
25 equivalency testing program or vocational and occupational
26 training. A regional superintendent of schools may contract

1 with a school district or a public community college district
2 to operate an alternative school. An alternative school serving
3 more than one educational service region may be established by
4 the regional superintendents of schools of the affected
5 educational service regions. An alternative school serving
6 more than one educational service region may be operated under
7 such terms as the regional superintendents of schools of those
8 educational service regions may agree.

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

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

18 (1) For a school district operating under the financial
19 supervision of an Authority created under Article 34A, the
20 general State aid otherwise payable to that district under this
21 Section, but not the supplemental general State aid, shall be
22 reduced by an amount equal to the budget for the operations of
23 the Authority as certified by the Authority to the State Board
24 of Education, and an amount equal to such reduction shall be
25 paid to the Authority created for such district for its

1 operating expenses in the manner provided in Section 18-11. The
2 remainder of general State school aid for any such district
3 shall be paid in accordance with Article 34A when that Article
4 provides for a disposition other than that provided by this
5 Article.

6 (2) (Blank).

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

9 (M) Education Funding Advisory Board.

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

1 the third Monday of January, 2002, and the remaining 4 members,
2 by lots drawn at the first meeting of the Board that is held
3 after all 5 members are appointed, shall determine 2 of their
4 number to serve for terms that commence on the date of their
5 respective appointments and expire on the third Monday of
6 January, 2001, and 2 of their number to serve for terms that
7 commence on the date of their respective appointments and
8 expire on the third Monday of January, 2000. All members
9 appointed to serve on the Board shall serve until their
10 respective successors are appointed and confirmed. Vacancies
11 shall be filled in the same manner as original appointments. If
12 a vacancy in membership occurs at a time when the Senate is not
13 in session, the Governor shall make a temporary appointment
14 until the next meeting of the Senate, when he or she shall
15 appoint, by and with the advice and consent of the Senate, a
16 person to fill that membership for the unexpired term. If the
17 Senate is not in session when the initial appointments are
18 made, those appointments shall be made as in the case of
19 vacancies.

20 The Education Funding Advisory Board shall be deemed
21 established, and the initial members appointed by the Governor
22 to serve as members of the Board shall take office, on the date
23 that the Governor makes his or her appointment of the fifth
24 initial member of the Board, whether those initial members are
25 then serving pursuant to appointment and confirmation or
26 pursuant to temporary appointments that are made by the

1 Governor as in the case of vacancies.

2 The State Board of Education shall provide such staff
3 assistance to the Education Funding Advisory Board as is
4 reasonably required for the proper performance by the Board of
5 its responsibilities.

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

20 (N) (Blank).

21 (O) References.

22 (1) References in other laws to the various subdivisions of
23 Section 18-8 as that Section existed before its repeal and
24 replacement by this Section 18-8.05 shall be deemed to refer to

1 the corresponding provisions of this Section 18-8.05, to the
2 extent that those references remain applicable.

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

6 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
7 changes to this Section. Under Section 6 of the Statute on
8 Statutes there is an irreconcilable conflict between Public Act
9 93-808 and Public Act 93-838. Public Act 93-838, being the last
10 acted upon, is controlling. The text of Public Act 93-838 is
11 the law regardless of the text of Public Act 93-808.

12 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
13 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
14 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
15 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,
16 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff. 11-18-10;
17 revised 11-24-10.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.