



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3488

Introduced 2/24/2011, by Rep. Dwight Kay

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-19	from Ch. 122, par. 10-19
105 ILCS 5/10-19.1	from Ch. 122, par. 10-19.1
105 ILCS 5/18-8.05	
105 ILCS 5/18-12	from Ch. 122, par. 18-12

Amends the School Code to make changes concerning the length of a school term. Increases the days of actual pupil attendance from 176 days to 180 days. Removes a provision concerning the 1980-1981 school year. With respect to a full-year calendar, increases the days of actual pupil attendance from 180 days to 182 days. Makes related changes.

LRB097 00228 NHT 40243 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 10-19, 10-19.1, 18-8.05, and 18-12 as follows:

6 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

7 Sec. 10-19. Length of school term - experimental programs.
8 Each school board shall annually prepare a calendar for the
9 school term, specifying the opening and closing dates and
10 providing a minimum term of at least 185 days to ensure 180
11 ~~insure 176~~ days of actual pupil attendance, computable under
12 Section 18-8.05, ~~except that for the 1980-1981 school year only~~
13 ~~175 days of actual pupil attendance shall be required because~~
14 ~~of the closing of schools pursuant to Section 24-2 on January~~
15 ~~29, 1981 upon the appointment by the President of that day as a~~
16 ~~day of thanksgiving for the freedom of the Americans who had~~
17 ~~been held hostage in Iran.~~ Any days allowed by law for
18 teachers' institute but not used as such or used as parental
19 institutes as provided in Section 10-22.18d shall increase the
20 minimum term by the school days not so used. Except as provided
21 in Section 10-19.1, the board may not extend the school term
22 beyond such closing date unless that extension of term is
23 necessary to provide the minimum number of computable days. In

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

14 A school board may make such changes in its calendar for
15 the school term as may be required by any changes in the legal
16 school holidays prescribed in Section 24-2. A school board may
17 make changes in its calendar for the school term as may be
18 necessary to reflect the utilization of teachers' institute
19 days as parental institute days as provided in Section
20 10-22.18d.

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

24 With the prior approval of the State Board of Education and
25 subject to review by the State Board of Education every 3
26 years, any school board may, by resolution of its board and in

1 agreement with affected exclusive collective bargaining
2 agents, establish experimental educational programs, including
3 but not limited to programs for self-directed learning or
4 outside of formal class periods, which programs when so
5 approved shall be considered to comply with the requirements of
6 this Section as respects numbers of days of actual pupil
7 attendance and with the other requirements of this Act as
8 respects courses of instruction.

9 (Source: P.A. 93-1036, eff. 9-14-04.)

10 (105 ILCS 5/10-19.1) (from Ch. 122, par. 10-19.1)

11 Sec. 10-19.1. Full year school plan. Any school district
12 may, by resolution of its board, operate one or more schools
13 within the district on a full year school plan approved by the
14 State Board of Education. Any board which operates under this
15 Section shall devise a plan so that a student's required
16 attendance in school shall be for a minimum term of 182 ~~180~~
17 days of actual attendance, including not more than 4 institute
18 days, during a 12 month period, but shall not exceed 185 days.
19 Under such plan, no teacher shall be required to teach more
20 than 185 days. A calendar of 182 ~~180~~ days may be established
21 with the approval of the State Board of Education.

22 (Source: P.A. 81-1508.)

23 (105 ILCS 5/18-8.05)

24 Sec. 18-8.05. Basis for apportionment of general State

1 financial aid and supplemental general State aid to the common
2 schools for the 1998-1999 and subsequent school years.

3 (A) General Provisions.

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

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

1 distribution to school districts as part of the same line item
2 in which the general State financial aid of school districts is
3 appropriated under this Section.

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

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

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

26 (c) If a school district operates a full year school

1 under Section 10-19.1, the general State aid to the school
2 district shall be determined by the State Board of
3 Education in accordance with this Section as near as may be
4 applicable.

5 (d) (Blank).

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

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

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

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

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

23 (c) "Corporate Personal Property Replacement Taxes":
24 Funds paid to local school districts pursuant to "An Act in
25 relation to the abolition of ad valorem personal property
26 tax and the replacement of revenues lost thereby, and

1 amending and repealing certain Acts and parts of Acts in
2 connection therewith", certified August 14, 1979, as
3 amended (Public Act 81-1st S.S.-1).

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

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

10 (B) Foundation Level.

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

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

1 Level of support is \$4,560. For the 2003-2004 school year, the
2 Foundation Level of support is \$4,810. For the 2004-2005 school
3 year, the Foundation Level of support is \$4,964. For the
4 2005-2006 school year, the Foundation Level of support is
5 \$5,164. For the 2006-2007 school year, the Foundation Level of
6 support is \$5,334. For the 2007-2008 school year, the
7 Foundation Level of support is \$5,734. For the 2008-2009 school
8 year, the Foundation Level of support is \$5,959.

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

13 (C) Average Daily Attendance.

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

25 (2) The Average Daily Attendance figures utilized in

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

9 (D) Available Local Resources.

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

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

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

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

26 (4) The Corporate Personal Property Replacement Taxes paid

1 to each school district during the calendar year one year
2 before the calendar year in which a school year begins, divided
3 by the Average Daily Attendance figure for that district, shall
4 be added to the local property tax revenues per pupil as
5 derived by the application of the immediately preceding
6 paragraph (3). The sum of these per pupil figures for each
7 school district shall constitute Available Local Resources as
8 that term is utilized in subsection (E) in the calculation of
9 general State aid.

10 (E) Computation of General State Aid.

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

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

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

1 the calculated general State aid per pupil shall decline in
2 direct linear fashion from 0.07 times the Foundation Level for
3 a school district with Available Local Resources equal to the
4 product of 0.93 times the Foundation Level, to 0.05 times the
5 Foundation Level for a school district with Available Local
6 Resources equal to the product of 1.75 times the Foundation
7 Level. The allocation of general State aid for school districts
8 subject to this paragraph 3 shall be the calculated general
9 State aid per pupil figure multiplied by the Average Daily
10 Attendance of the school district.

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

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

1 (F) Compilation of Average Daily Attendance.

2 (1) Each school district shall, by July 1 of each year,
3 submit to the State Board of Education, on forms prescribed by
4 the State Board of Education, attendance figures for the school
5 year that began in the preceding calendar year. The attendance
6 information so transmitted shall identify the average daily
7 attendance figures for each month of the school year. Beginning
8 with the general State aid claim form for the 2002-2003 school
9 year, districts shall calculate Average Daily Attendance as
10 provided in subdivisions (a), (b), and (c) of this paragraph
11 (1).

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

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

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

1 Average Daily Attendance for the district, the average
2 daily attendance for the year-round buildings shall be
3 multiplied by the days in session for the non-year-round
4 buildings for each month and added to the monthly
5 attendance of the non-year-round buildings.

6 Except as otherwise provided in this Section, days of
7 attendance by pupils shall be counted only for sessions of not
8 less than 5 clock hours of school work per day under direct
9 supervision of: (i) teachers, or (ii) non-teaching personnel or
10 volunteer personnel when engaging in non-teaching duties and
11 supervising in those instances specified in subsection (a) of
12 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
13 of legal school age and in kindergarten and grades 1 through
14 12.

15 Days of attendance by tuition pupils shall be accredited
16 only to the districts that pay the tuition to a recognized
17 school.

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

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

1 be counted on the basis of the proportion of minutes of
2 school work completed each day to the minimum number of
3 minutes that school work is required to be held that day.

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

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

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

1 calendar day required under Section 10-19 of this Code,
2 provided that the full-day, parent-teacher conference
3 consists of (i) a minimum of 5 clock hours of
4 parent-teacher conferences, (ii) both a minimum of 2 clock
5 hours of parent-teacher conferences held in the evening
6 following a full day of student attendance, as specified in
7 subsection (F)(1)(c), and a minimum of 3 clock hours of
8 parent-teacher conferences held on the day immediately
9 following evening parent-teacher conferences, or (iii)
10 multiple parent-teacher conferences held in the evenings
11 following full days of student attendance, as specified in
12 subsection (F)(1)(c), in which the time used for the
13 parent-teacher conferences is equivalent to a minimum of 5
14 clock hours; and (2) when days in addition to those
15 provided in items (1) and (1.5) are scheduled by a school
16 pursuant to its school improvement plan adopted under
17 Article 34 or its revised or amended school improvement
18 plan adopted under Article 2, provided that (i) such
19 sessions of 3 or more clock hours are scheduled to occur at
20 regular intervals, (ii) the remainder of the school days in
21 which such sessions occur are utilized for in-service
22 training programs or other staff development activities
23 for teachers, and (iii) a sufficient number of minutes of
24 school work under the direct supervision of teachers are
25 added to the school days between such regularly scheduled
26 sessions to accumulate not less than the number of minutes

1 by which such sessions of 3 or more clock hours fall short
2 of 5 clock hours. Any full days used for the purposes of
3 this paragraph shall not be considered for computing
4 average daily attendance. Days scheduled for in-service
5 training programs, staff development activities, or
6 parent-teacher conferences may be scheduled separately for
7 different grade levels and different attendance centers of
8 the district.

9 (e) A session of not less than one clock hour of
10 teaching hospitalized or homebound pupils on-site or by
11 telephone to the classroom may be counted as 1/2 day of
12 attendance, however these pupils must receive 4 or more
13 clock hours of instruction to be counted for a full day of
14 attendance.

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

20 (g) For children with disabilities who are below the
21 age of 6 years and who cannot attend 2 or more clock hours
22 because of their disability or immaturity, a session of not
23 less than one clock hour may be counted as 1/2 day of
24 attendance; however for such children whose educational
25 needs so require a session of 4 or more clock hours may be
26 counted as a full day of attendance.

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

18 (i) On the days when the Prairie State Achievement
19 Examination is administered under subsection (c) of
20 Section 2-3.64 of this Code, the day of attendance for a
21 pupil whose school day must be shortened to accommodate
22 required testing procedures may be less than 5 clock hours
23 and shall be counted towards the 180 ~~176~~ days of actual
24 pupil attendance required under Section 10-19 of this Code,
25 provided that a sufficient number of minutes of school work
26 in excess of 5 clock hours are first completed on other

1 school days to compensate for the loss of school work on
2 the examination days.

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

1 district's equalized assessed valuation utilized in
2 calculating the district's 1998-1999 general State aid
3 allocation, then for purposes of calculating the district's
4 general State aid pursuant to paragraph (5) of subsection (E),
5 that Extension Limitation Equalized Assessed Valuation shall
6 be utilized to calculate the district's Available Local
7 Resources.

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

20 (H) Supplemental General State Aid.

21 (1) In addition to the general State aid a school district
22 is allotted pursuant to subsection (E), qualifying school
23 districts shall receive a grant, paid in conjunction with a
24 district's payments of general State aid, for supplemental
25 general State aid based upon the concentration level of

1 children from low-income households within the school
2 district. Supplemental State aid grants provided for school
3 districts under this subsection shall be appropriated for
4 distribution to school districts as part of the same line item
5 in which the general State financial aid of school districts is
6 appropriated under this Section.

7 (1.5) This paragraph (1.5) applies only to those school
8 years preceding the 2003-2004 school year. For purposes of this
9 subsection (H), the term "Low-Income Concentration Level"
10 shall be the low-income eligible pupil count from the most
11 recently available federal census divided by the Average Daily
12 Attendance of the school district. If, however, (i) the
13 percentage decrease from the 2 most recent federal censuses in
14 the low-income eligible pupil count of a high school district
15 with fewer than 400 students exceeds by 75% or more the
16 percentage change in the total low-income eligible pupil count
17 of contiguous elementary school districts, whose boundaries
18 are coterminous with the high school district, or (ii) a high
19 school district within 2 counties and serving 5 elementary
20 school districts, whose boundaries are coterminous with the
21 high school district, has a percentage decrease from the 2 most
22 recent federal censuses in the low-income eligible pupil count
23 and there is a percentage increase in the total low-income
24 eligible pupil count of a majority of the elementary school
25 districts in excess of 50% from the 2 most recent federal
26 censuses, then the high school district's low-income eligible

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

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

1 immediately preceding fiscal years for each fiscal year
2 thereafter) divided by the Average Daily Attendance of the
3 school district.

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

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

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

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

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

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

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

5 (2.5) Supplemental general State aid pursuant to this
6 subsection (H) shall be provided as follows for the 2002-2003
7 school year:

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

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

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

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

24 (e) For any school district with a Low Income
25 Concentration Level of at least 50% and less than 60%, the
26 grant for each school year shall be \$1,680 multiplied by

1 the low income eligible pupil count.

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

6 (2.10) Except as otherwise provided, supplemental general
7 State aid pursuant to this subsection (H) shall be provided as
8 follows for the 2003-2004 school year and each school year
9 thereafter:

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

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

19 For the 2003-2004 school year and each school year
20 thereafter through the 2008-2009 school year only, the grant
21 shall be no less than the grant for the 2002-2003 school year.
22 For the 2009-2010 school year only, the grant shall be no less
23 than the grant for the 2002-2003 school year multiplied by
24 0.66. For the 2010-2011 school year only, the grant shall be no
25 less than the grant for the 2002-2003 school year multiplied by
26 0.33. Notwithstanding the provisions of this paragraph to the

1 contrary, if for any school year supplemental general State aid
2 grants are prorated as provided in paragraph (1) of this
3 subsection (H), then the grants under this paragraph shall be
4 prorated.

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

23 (3) School districts with an Average Daily Attendance of
24 more than 1,000 and less than 50,000 that qualify for
25 supplemental general State aid pursuant to this subsection
26 shall submit a plan to the State Board of Education prior to

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

7 (4) School districts with an Average Daily Attendance of
8 50,000 or more that qualify for supplemental general State aid
9 pursuant to this subsection shall be required to distribute
10 from funds available pursuant to this Section, no less than
11 \$261,000,000 in accordance with the following requirements:

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

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

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

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

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

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

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

23 If the district fails to distribute State aid to
24 attendance centers in accordance with an approved plan, the
25 plan for the following year shall allocate funds, in
26 addition to the funds otherwise required by this

1 subsection, to those attendance centers which were
2 underfunded during the previous year in amounts equal to
3 such underfunding.

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

24 The State Board of Education shall promulgate rules and
25 regulations to implement the provisions of this
26 subsection. No funds shall be released under this

1 subdivision (H) (4) to any district that has not submitted a
2 plan that has been approved by the State Board of
3 Education.

4 (I) (Blank).

5 (J) Supplementary Grants in Aid.

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

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

12 (3) (Blank).

13 (K) Grants to Laboratory and Alternative Schools.

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

20 As used in this Section, "laboratory school" means a public
21 school which is created and operated by a public university and
22 approved by the State Board of Education. The governing board
23 of a public university which receives funds from the State
24 Board under this subsection (K) may not increase the number of
25 students enrolled in its laboratory school from a single

1 district, if that district is already sending 50 or more
2 students, except under a mutual agreement between the school
3 board of a student's district of residence and the university
4 which operates the laboratory school. A laboratory school may
5 not have more than 1,000 students, excluding students with
6 disabilities in a special education program.

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

23 Each laboratory and alternative school shall file, on forms
24 provided by the State Superintendent of Education, an annual
25 State aid claim which states the Average Daily Attendance of
26 the school's students by month. The best 3 months' Average

1 Daily Attendance shall be computed for each school. The general
2 State aid entitlement shall be computed by multiplying the
3 applicable Average Daily Attendance by the Foundation Level as
4 determined under this Section.

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

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

19 (2) (Blank).

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

22 (M) Education Funding Advisory Board.

23 The Education Funding Advisory Board, hereinafter in this
24 subsection (M) referred to as the "Board", is hereby created.

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

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

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

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

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

1 concentrations of children from poverty. The recommended
2 foundation level shall be determined based on a methodology
3 which incorporates the basic education expenditures of
4 low-spending schools exhibiting high academic performance. The
5 Education Funding Advisory Board shall make such
6 recommendations to the General Assembly on January 1 of odd
7 numbered years, beginning January 1, 2001.

8 (N) (Blank).

9 (O) References.

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

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

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

1 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
2 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
3 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
4 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,
5 eff. 7-1-10; 96-1000, eff. 7-2-10.)

6 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

7 Sec. 18-12. Dates for filing State aid claims. The school
8 board of each school district shall require teachers,
9 principals, or superintendents to furnish from records kept by
10 them such data as it needs in preparing and certifying to the
11 regional superintendent its school district report of claims
12 provided in Sections 18-8.05 through 18-9 as required by the
13 State Superintendent of Education. The district claim shall be
14 based on the latest available equalized assessed valuation and
15 tax rates, as provided in Section 18-8.05 and shall use the
16 average daily attendance as determined by the method outlined
17 in Section 18-8.05 and shall be certified and filed with the
18 regional superintendent by June 21 for districts with an
19 official school calendar end date before June 15 or within 2
20 weeks following the official school calendar end date for
21 districts with a school year end date of June 15 or later. The
22 regional superintendent shall certify and file with the State
23 Superintendent of Education district State aid claims by July 1
24 for districts with an official school calendar end date before
25 June 15 or no later than July 15 for districts with an official

1 school calendar end date of June 15 or later. Failure to so
2 file by these deadlines constitutes a forfeiture of the right
3 to receive payment by the State until such claim is filed and
4 vouchered for payment. The regional superintendent of schools
5 shall certify the county report of claims by July 15; and the
6 State Superintendent of Education shall voucher for payment
7 those claims to the State Comptroller as provided in Section
8 18-11.

9 Except as otherwise provided in this Section, if any school
10 district fails to provide the minimum school term specified in
11 Section 10-19, the State aid claim for that year shall be
12 reduced by the State Superintendent of Education in an amount
13 equivalent to 1/180 ~~1/176~~ or 0.55556% ~~.56818%~~ for each day less
14 than the number of days required by this Code.

15 If the State Superintendent of Education determines that
16 the failure to provide the minimum school term was occasioned
17 by an act or acts of God, or was occasioned by conditions
18 beyond the control of the school district which posed a
19 hazardous threat to the health and safety of pupils, the State
20 aid claim need not be reduced.

21 If a school district is precluded from providing the
22 minimum hours of instruction required for a full day of
23 attendance due to an adverse weather condition or a condition
24 beyond the control of the school district that poses a
25 hazardous threat to the health and safety of students, then the
26 partial day of attendance may be counted if (i) the school

1 district has provided at least one hour of instruction prior to
2 the closure of the school district, (ii) a school building has
3 provided at least one hour of instruction prior to the closure
4 of the school building, or (iii) the normal start time of the
5 school district is delayed.

6 If, prior to providing any instruction, a school district
7 must close one or more but not all school buildings after
8 consultation with a local emergency response agency or due to a
9 condition beyond the control of the school district, then the
10 school district may claim attendance for up to 2 school days
11 based on the average attendance of the 3 school days
12 immediately preceding the closure of the affected school
13 building. The partial or no day of attendance described in this
14 Section and the reasons therefore shall be certified within a
15 month of the closing or delayed start by the school district
16 superintendent to the regional superintendent of schools for
17 forwarding to the State Superintendent of Education for
18 approval.

19 No exception to the requirement of providing a minimum
20 school term may be approved by the State Superintendent of
21 Education pursuant to this Section unless a school district has
22 first used all emergency days provided for in its regular
23 calendar.

24 If the State Superintendent of Education declares that an
25 energy shortage exists during any part of the school year for
26 the State or a designated portion of the State, a district may

1 operate the school attendance centers within the district 4
2 days of the week during the time of the shortage by extending
3 each existing school day by one clock hour of school work, and
4 the State aid claim shall not be reduced, nor shall the
5 employees of that district suffer any reduction in salary or
6 benefits as a result thereof. A district may operate all
7 attendance centers on this revised schedule, or may apply the
8 schedule to selected attendance centers, taking into
9 consideration such factors as pupil transportation schedules
10 and patterns and sources of energy for individual attendance
11 centers.

12 Electronically submitted State aid claims shall be
13 submitted by duly authorized district or regional individuals
14 over a secure network that is password protected. The
15 electronic submission of a State aid claim must be accompanied
16 with an affirmation that all of the provisions of Sections
17 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
18 all respects.

19 (Source: P.A. 95-152, eff. 8-14-07; 95-811, eff. 8-13-08;
20 95-876, eff. 8-21-08; 96-734, eff. 8-25-09.)