

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 2-3.51, 2-3.51.5, 10-20.9a, 10-29, 13A-11, 13B-25.25, 14C-2,  
6 14C-3, 18-8.05, 21B-75, 27A-4, 27A-6, and 34-8.14 and by adding  
7 Section 2-3.64a-5 as follows:

8 (105 ILCS 5/2-3.51) (from Ch. 122, par. 2-3.51)

9 Sec. 2-3.51. Reading Improvement Block Grant Program. To  
10 improve the reading and study skills of children from  
11 kindergarten through sixth grade in school districts. The State  
12 Board of Education is authorized to administer a Reading  
13 Improvement Block Grant Program. As used in this Section:

14 "School district" includes those schools designated as  
15 "laboratory schools".

16 "Scientifically based reading research" means the  
17 application of rigorous, systematic, and objective procedures  
18 to obtain valid knowledge relevant to reading development,  
19 reading instruction, and reading difficulties. The term  
20 includes research that employs systematic, empirical methods  
21 that draw on observation or experiment, involves rigorous data  
22 analysis that is adequate to test the stated hypotheses and to  
23 justify the general conclusions drawn, relies on measurements

1 or observational methods that provide valid data across  
2 evaluators and observers and across multiple measurements and  
3 observations, and has been accepted by peer-reviewed journal or  
4 approved by a panel of independent experts through a comparably  
5 rigorous, objective and scientific review.

6 (a) Funds for the Reading Improvement Block Grant Program  
7 shall be distributed to school districts on the following  
8 basis: 70% of monies shall be awarded on the prior year's best  
9 3 months average daily attendance and 30% shall be distributed  
10 on the number of economically disadvantaged (E.C.I.A. Chapter  
11 I) pupils in the district, provided that the State Board may  
12 distribute an amount not to exceed 2% of the monies  
13 appropriated for the Reading Improvement Block Grant Program  
14 for the purpose of providing teacher training and re-training  
15 in the teaching of reading. Program funds shall be distributed  
16 to school districts in 2 semi-annual installments, one payment  
17 on or before October 30, and one payment prior to April 30, of  
18 each year. The State Board shall promulgate rules and  
19 regulations necessary for the implementation of this program.  
20 Programs provided with grant funds shall not replace quality  
21 classroom reading instruction, but shall instead supplement  
22 such instruction.

23 (a-5) Reading Improvement Block Grant Program funds shall  
24 be used by school districts in the following manner:

25 (1) to hire reading specialists, reading teachers, and  
26 reading aides in order to provide early reading

1 intervention in kindergarten through grade 2 and programs  
2 of continued reading support for students in grades 3  
3 through 6;

4 (2) in kindergarten through grade 2, to establish  
5 short-term tutorial early reading intervention programs  
6 for children who are at risk of failing to learn to read;  
7 these programs shall (i) focus on scientifically based  
8 research and best practices with proven long-term results,  
9 (ii) identify students in need of help no later than the  
10 middle of first grade, (iii) provide ongoing training for  
11 teachers in the program, (iv) focus instruction on  
12 strengthening a student's phonemic awareness, phonics,  
13 fluency, and comprehension skills, (v) provide a means to  
14 document and evaluate student growth, and (vi) provide  
15 properly trained staff;

16 (3) to continue direct reading instruction for grades 3  
17 through 6;

18 (4) in grades 3 through 6, to establish programs of  
19 support for students who demonstrate a need for continued  
20 assistance in learning to read and in maintaining reading  
21 achievement; these programs shall (i) focus on  
22 scientifically based research and best practices with  
23 proven long-term results, (ii) provide ongoing training  
24 for teachers and other staff members in the program, (iii)  
25 focus instruction on strengthening a student's phonics,  
26 fluency, and comprehension skills in grades 3 through 6,

1 (iv) provide a means to evaluate and document student  
2 growth, and (v) provide properly trained staff;

3 (5) in grades K through 6, to provide classroom reading  
4 materials for students; each district may allocate up to  
5 25% of the funds for this purpose; and

6 (6) to provide a long-term professional development  
7 program for classroom teachers, administrators, and other  
8 appropriate staff; the program shall (i) focus on  
9 scientifically based research and best practices with  
10 proven long-term results, (ii) provide a means to evaluate  
11 student progress in reading as a result of the training,  
12 (iii) and be provided by approved staff development  
13 providers.

14 (a-10) Reading Improvement Block Grant Program funds shall  
15 be made available to each eligible school district submitting  
16 an approved application developed by the State Board beginning  
17 with the 1998-99 school year. Applications shall include a  
18 proposed assessment method or methods for measuring the reading  
19 growth of students who receive direct instruction as a result  
20 of the funding and the impact of staff development activities  
21 on student growth in reading. Such methods may include the  
22 reading portion of the assessments required under Section  
23 2-3.64a-5 of this Code ~~Illinois Standards Achievement Testing~~  
24 ~~Program~~. At the end of each school year the district shall  
25 report performance of progress results to the State Board.  
26 Districts not demonstrating performance progress using an

1 approved assessment method shall not be eligible for funding in  
2 the third or subsequent years until such progress is  
3 established.

4 (a-15) The State Superintendent of Education, in  
5 cooperation with the school districts participating in the  
6 program, shall annually report to the leadership of the General  
7 Assembly on the results of the Reading Improvement Block Grant  
8 Program and the progress being made on improving the reading  
9 skills of students in kindergarten through the sixth grade.

10 (b) (Blank).

11 (c) (Blank).

12 (d) Grants under the Reading Improvement Program shall be  
13 awarded provided there is an appropriation for the program, and  
14 funding levels for each district shall be prorated according to  
15 the amount of the appropriation.

16 (e) (Blank).

17 (f) (Blank).

18 (Source: P.A. 92-25, eff. 7-1-01.)

19 (105 ILCS 5/2-3.51.5)

20 Sec. 2-3.51.5. School Safety and Educational Improvement  
21 Block Grant Program. To improve the level of education and  
22 safety of students from kindergarten through grade 12 in school  
23 districts and State-recognized, non-public schools. The State  
24 Board of Education is authorized to fund a School Safety and  
25 Educational Improvement Block Grant Program.

1           (1) For school districts, the program shall provide funding  
2 for school safety, textbooks and software, electronic  
3 textbooks and the technological equipment necessary to gain  
4 access to and use electronic textbooks, teacher training and  
5 curriculum development, school improvements, ~~remediation~~  
6 ~~programs under subsection (a) of Section 2-3.64,~~ school report  
7 cards under Section 10-17a, and criminal history records checks  
8 under Sections 10-21.9 and 34-18.5. For State-recognized,  
9 non-public schools, the program shall provide funding for  
10 secular textbooks and software, criminal history records  
11 checks, and health and safety mandates to the extent that the  
12 funds are expended for purely secular purposes. A school  
13 district or laboratory school as defined in Section 18-8 or  
14 18-8.05 is not required to file an application in order to  
15 receive the categorical funding to which it is entitled under  
16 this Section. Funds for the School Safety and Educational  
17 Improvement Block Grant Program shall be distributed to school  
18 districts and laboratory schools based on the prior year's best  
19 3 months average daily attendance. Funds for the School Safety  
20 and Educational Improvement Block Grant Program shall be  
21 distributed to State-recognized, non-public schools based on  
22 the average daily attendance figure for the previous school  
23 year provided to the State Board of Education. The State Board  
24 of Education shall develop an application that requires  
25 State-recognized, non-public schools to submit average daily  
26 attendance figures. A State-recognized, non-public school must

1 submit the application and average daily attendance figure  
2 prior to receiving funds under this Section. The State Board of  
3 Education shall promulgate rules and regulations necessary for  
4 the implementation of this program.

5 (2) Distribution of moneys to school districts and  
6 State-recognized, non-public schools shall be made in 2  
7 semi-annual installments, one payment on or before October 30,  
8 and one payment prior to April 30, of each fiscal year.

9 (3) Grants under the School Safety and Educational  
10 Improvement Block Grant Program shall be awarded provided there  
11 is an appropriation for the program, and funding levels for  
12 each district shall be prorated according to the amount of the  
13 appropriation.

14 (4) The provisions of this Section are in the public  
15 interest, are for the public benefit, and serve secular public  
16 purposes.

17 (Source: P.A. 95-707, eff. 1-11-08; 96-1403, eff. 7-29-10.)

18 (105 ILCS 5/2-3.64a-5 new)

19 Sec. 2-3.64a-5. State goals and assessment.

20 (a) For the assessment and accountability purposes of this  
21 Section, "students" includes those students enrolled in a  
22 public or State-operated elementary school, secondary school,  
23 or cooperative or joint agreement with a governing body or  
24 board of control, a charter school operating in compliance with  
25 the Charter Schools Law, a school operated by a regional office

1 of education under Section 13A-3 of this Code, or a public  
2 school administered by a local public agency or the Department  
3 of Human Services.

4 (b) The State Board of Education shall establish the  
5 academic standards that are to be applicable to students who  
6 are subject to State assessments under this Section. The State  
7 Board of Education shall not establish any such standards in  
8 final form without first providing opportunities for public  
9 participation and local input in the development of the final  
10 academic standards. Those opportunities shall include a  
11 well-publicized period of public comment and opportunities to  
12 file written comments.

13 (c) Beginning no later than the 2014-2015 school year, the  
14 State Board of Education shall annually assess all students  
15 enrolled in grades 3 through 8 in English language arts and  
16 mathematics.

17 Beginning no later than the 2017-2018 school year, the  
18 State Board of Education shall annually assess all students in  
19 science at one grade in grades 3 through 5, at one grade in  
20 grades 6 through 8, and at one grade in grades 9 through 12.

21 The State Board of Education shall annually assess schools  
22 that operate a secondary education program, as defined in  
23 Section 22-22 of this Code, in English language arts and  
24 mathematics. The State Board of Education shall administer no  
25 more than 3 assessments, per student, of English language arts  
26 and mathematics for students in a secondary education program.



1 One of these assessments shall include a college and career  
2 ready determination.

3 Students who are not assessed for college and career ready  
4 determinations may not receive a regular high school diploma  
5 unless the student is exempted from taking State assessments  
6 under subsection (d) of this Section because (i) the student's  
7 individualized educational program developed under Article 14  
8 of this Code identifies the State assessment as inappropriate  
9 for the student, (ii) the student is enrolled in a program of  
10 adult and continuing education, as defined in the Adult  
11 Education Act, (iii) the school district is not required to  
12 assess the individual student for purposes of accountability  
13 under federal No Child Left Behind Act of 2001 requirements,  
14 (iv) the student has been determined to be an English language  
15 learner, referred to in this Code as a student with limited  
16 English proficiency, and has been enrolled in schools in the  
17 United States for less than 12 months, or (v) the student is  
18 otherwise identified by the State Board of Education, through  
19 rules, as being exempt from the assessment.

20 The State Board of Education shall not assess students  
21 under this Section in subjects not required by this Section.

22 Districts shall inform their students of the timelines and  
23 procedures applicable to their participation in every yearly  
24 administration of the State assessments. The State Board of  
25 Education shall establish periods of time in each school year  
26 during which State assessments shall occur to meet the

1 objectives of this Section.

2 (d) Every individualized educational program as described  
3 in Article 14 shall identify if the State assessment or  
4 components thereof are appropriate for the student. The State  
5 Board of Education shall develop rules governing the  
6 administration of an alternate assessment that may be available  
7 to students for whom participation in this State's regular  
8 assessments is not appropriate, even with accommodations as  
9 allowed under this Section.

10 Students receiving special education services whose  
11 individualized educational programs identify them as eligible  
12 for the alternative State assessments nevertheless shall have  
13 the option of taking this State's regular assessment that  
14 includes a college and career ready determination, which shall  
15 be administered in accordance with the eligible accommodations  
16 appropriate for meeting these students' respective needs.

17 All students determined to be an English language learner,  
18 referred to in this Code as a student with limited English  
19 proficiency, shall participate in the State assessments,  
20 excepting those students who have been enrolled in schools in  
21 the United States for less than 12 months. Such students may be  
22 exempted from participation in one annual administration of the  
23 English language arts assessment. Any student determined to be  
24 an English language learner, referred to in this Code as a  
25 student with limited English proficiency, shall receive  
26 appropriate assessment accommodations, including language

1 supports, which shall be established by rule. Approved  
2 assessment accommodations must be provided until the student's  
3 English language skills develop to the extent that the student  
4 is no longer considered to be an English language learner,  
5 referred to in this Code as a student with limited English  
6 proficiency, as demonstrated through a State-identified  
7 English language proficiency assessment.

8 (e) The results or scores of each assessment taken under  
9 this Section shall be made available to the parents of each  
10 student.

11 In each school year, the scores attained by a student on  
12 the State assessment that includes a college and career ready  
13 determination must be placed in the student's permanent record  
14 and must be entered on the student's transcript pursuant to  
15 rules that the State Board of Education shall adopt for that  
16 purpose in accordance with Section 3 of the Illinois School  
17 Student Records Act. In each school year, the scores attained  
18 by a student on the State assessments administered in grades 3  
19 through 8 must be placed in the student's temporary record.

20 (f) All schools shall administer an academic assessment of  
21 English language proficiency in oral language (listening and  
22 speaking) and reading and writing skills to all children  
23 determined to be English language learners, referred to in  
24 Section 14C-3 of this Code as children with limited  
25 English-speaking ability.

26 (g) All schools in this State that are part of the sample

1 drawn by the National Center for Education Statistics, in  
2 collaboration with their school districts and the State Board  
3 of Education, shall administer the biennial academic  
4 assessments under the National Assessment of Educational  
5 Progress carried out under Section 411(b)(2) of the federal  
6 National Education Statistics Act of 1994 (20 U.S.C. 9010) if  
7 the U.S. Secretary of Education pays the costs of administering  
8 the assessments.

9 (h) Subject to available funds to this State for the  
10 purpose of student assessment, the State Board of Education  
11 shall provide additional assessments and assessment resources  
12 that may be used by school districts for local assessment  
13 purposes. The State Board of Education shall annually  
14 distribute a listing of these additional resources.

15 (i) For the purposes of this subsection (i), "academically  
16 based assessments" means assessments consisting of questions  
17 and answers that are measurable and quantifiable to measure the  
18 knowledge, skills, and ability of students in the subject  
19 matters covered by the assessments. All assessments  
20 administered pursuant to this Section must be academically  
21 based assessments. The scoring of academically based  
22 assessments shall be reliable, valid, and fair and shall meet  
23 the guidelines for assessment development and use prescribed by  
24 the American Psychological Association, the National Council  
25 on Measurement in Education, and the American Educational  
26 Research Association.

1       The State Board of Education shall review the use of all  
2 assessment item types in order to ensure that they are valid  
3 and reliable indicators of student performance aligned to the  
4 learning standards being assessed and that the development,  
5 administration, and scoring of these item types are justifiable  
6 in terms of cost.

7       (j) The State Superintendent of Education shall appoint a  
8 committee of no more than 21 members, consisting of parents,  
9 teachers, school administrators, school board members,  
10 assessment experts, regional superintendents of schools, and  
11 citizens, to review the State assessments administered by the  
12 State Board of Education. The Committee shall select one of its  
13 members as its chairperson. The Committee shall meet on an  
14 ongoing basis to review the content and design of the  
15 assessments (including whether the requirements of subsection  
16 (i) of this Section have been met), the time and money expended  
17 at the local and State levels to prepare for and administer the  
18 assessments, the collective results of the assessments as  
19 measured against the stated purpose of assessing student  
20 performance, and other issues involving the assessments  
21 identified by the Committee. The Committee shall make periodic  
22 recommendations to the State Superintendent of Education and  
23 the General Assembly concerning the assessments.

24       (k) The State Board of Education may adopt rules to  
25 implement this Section.

1 (105 ILCS 5/10-20.9a) (from Ch. 122, par. 10-20.9a)

2 Sec. 10-20.9a. Final Grade; Promotion.

3 (a) Teachers shall administer the approved marking system  
4 or other approved means of evaluating pupil progress. The  
5 teacher shall maintain the responsibility and right to  
6 determine grades and other evaluations of students within the  
7 grading policies of the district based upon his or her  
8 professional judgment of available criteria pertinent to any  
9 given subject area or activity for which he or she is  
10 responsible. District policy shall provide the procedure and  
11 reasons by and for which a grade may be changed; provided that  
12 no grade or evaluation shall be changed without notification to  
13 the teacher concerning the nature and reasons for such change.  
14 If such a change is made, the person making the change shall  
15 assume such responsibility for determining the grade or  
16 evaluation, and shall initial such change.

17 (b) School districts shall not promote students to the next  
18 higher grade level based upon age or any other social reasons  
19 not related to the academic performance of the students. On or  
20 before September 1, 1998, school boards shall adopt and enforce  
21 a policy on promotion as they deem necessary to ensure that  
22 students meet local goals and objectives and can perform at the  
23 expected grade level prior to promotion. Decisions to promote  
24 or retain students in any classes shall be based on successful  
25 completion of the curriculum, attendance, performance based on  
26 the assessments required under Section 2-3.64a-5 of this Code

1 ~~Illinois Goals and Assessment Program tests~~, the Iowa Test of  
2 Basic Skills, or other testing or any other criteria  
3 established by the school board. Students determined by the  
4 local district to not qualify for promotion to the next higher  
5 grade shall be provided remedial assistance, which may include,  
6 but shall not be limited to, a summer bridge program of no less  
7 than 90 hours, tutorial sessions, increased or concentrated  
8 instructional time, modifications to instructional materials,  
9 and retention in grade.

10 (Source: P.A. 89-610, eff. 8-6-96; 90-548, eff. 1-1-98.)

11 (105 ILCS 5/10-29)

12 Sec. 10-29. Remote educational programs.

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

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

24 (A) Criteria for determining that a remote  
25 educational program will best serve a student's

1 individual learning needs. The criteria must include  
2 consideration of, at a minimum, a student's prior  
3 attendance, disciplinary record, and academic history.

4 (B) Any limitations on the number of students or  
5 grade levels that may participate in a remote  
6 educational program.

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

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

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

25 (F) A description of the process for renewing a  
26 remote educational program at the expiration of its



1 term.

2 (G) Such other terms and provisions as the school  
3 district deems necessary to provide for the  
4 establishment and delivery of a remote educational  
5 program.

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

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

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

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

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

24 (4) During the period of time from and including the  
25 opening date to the closing date of the regular school term  
26 of the school district established pursuant to Section

1 10-19 of this Code, participation in a remote educational  
2 program may be claimed for general State aid purposes under  
3 Section 18-8.05 of this Code on any calendar day,  
4 notwithstanding whether the day is a day of pupil  
5 attendance or institute day on the school district's  
6 calendar or any other provision of law restricting  
7 instruction on that day. If the district holds year-round  
8 classes in some buildings, the district shall classify each  
9 student's participation in a remote educational program as  
10 either on a year-round or a non-year-round schedule for  
11 purposes of claiming general State aid. Outside of the  
12 regular school term of the district, the remote educational  
13 program may be offered as part of any summer school program  
14 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 2-3.64a-5 ~~2-3.64~~ of this Code at the attendance  
17          center in which the student is enrolled and in accordance  
18          with the attendance center's assessment policies and  
19          schedule. The student must be included within all adequate  
20          yearly progress and other accountability determinations  
21          for the school district and attendance center under State  
22          and 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 by students in a remote  
10 educational program meeting the requirements of this Section  
11 may be claimed by the school district and shall be counted as  
12 school work for general State aid purposes in accordance with  
13 and subject to the limitations of Section 18-8.05 of this Code.

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

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

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

26 (g) School districts that, pursuant to this Section, adopt

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

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

12 (Source: P.A. 96-684, eff. 8-25-09; 97-339, eff. 8-12-11.)

13 (105 ILCS 5/13A-11)

14 Sec. 13A-11. Chicago public schools.

15 (a) The Chicago Board of Education may establish  
16 alternative schools within Chicago and may contract with third  
17 parties for services otherwise performed by employees,  
18 including those in a bargaining unit, in accordance with  
19 Sections 34-8.1, 34-18, and 34-49.

20 (b) Alternative schools operated by third parties within  
21 Chicago shall be exempt from all provisions of this ~~the School~~  
22 Code, except provisions concerning:

- 23 (1) student ~~Student~~ civil rights;
- 24 (2) staff ~~Staff~~ civil rights;
- 25 (3) health ~~Health~~ and safety;

- 1 (4) performance ~~Performance~~ and financial audits;
- 2 (5) the assessments required under Section 2-3.64a-5
- 3 of this Code ~~The Illinois Goals Assessment Program~~;
- 4 (6) Chicago learning outcomes;
- 5 (7) Sections 2-3.25a through 2-3.25j of this ~~the School~~
- 6 Code;
- 7 (8) the ~~The~~ Inspector General; and
- 8 (9) Section 34-2.4b of this ~~the School~~ Code.
- 9 (Source: P.A. 89-383, eff. 8-18-95; 89-636, eff. 8-9-96.)

10 (105 ILCS 5/13B-25.25)

11 Sec. 13B-25.25. Testing and assessment. A district plan for

12 an alternative learning opportunities program operated through

13 a cooperative or intergovernmental agreement must provide

14 procedures for ensuring that students are included in the

15 administration of statewide testing programs. Students

16 enrolled in an alternative learning opportunities program

17 shall participate in State assessments under Section 2-3.64a-5

18 ~~2-3.64~~ of this Code.

19 (Source: P.A. 92-42, eff. 1-1-02.)

20 (105 ILCS 5/14C-2) (from Ch. 122, par. 14C-2)

21 Sec. 14C-2. Definitions. Unless the context indicates

22 otherwise, the terms used in this Article have the following

23 meanings:

24 (a) "State Board" means the State Board of Education.



1           (b) "Certification Board" means the State Teacher  
2 Certification Board.

3           (c) "School District" means any school district  
4 established under this Code.

5           (d) "Children of limited English-speaking ability" means  
6 (1) all children in grades pre-K through 12 who were not born  
7 in the United States, whose native tongue is a language other  
8 than English, and who are incapable of performing ordinary  
9 classwork in English; and (2) all children in grades pre-K  
10 through 12 who were born in the United States of parents  
11 possessing no or limited English-speaking ability and who are  
12 incapable of performing ordinary classwork in English.

13           (e) "Teacher of transitional bilingual education" means a  
14 teacher with a speaking and reading ability in a language other  
15 than English in which transitional bilingual education is  
16 offered and with communicative skills in English.

17           (f) "Program in transitional bilingual education" means a  
18 full-time program of instruction (1) in all those courses or  
19 subjects which a child is required by law to receive and which  
20 are required by the child's school district, l which shall be  
21 given in the native language of the children of limited  
22 English-speaking ability who are enrolled in the program and  
23 also in English, (2) in the reading and writing of the native  
24 language of the children of limited English-speaking ability  
25 who are enrolled in the program and in the oral language  
26 (listening and ~~comprehension~~, speaking), reading, l and writing

1 of English, and (3) in the history and culture of the country,  
2 territory, or geographic area which is the native land of the  
3 parents of children of limited English-speaking ability who are  
4 enrolled in the program and in the history and culture of the  
5 United States; or a part-time program of instruction based on  
6 the educational needs of those children of limited  
7 English-speaking ability who do not need a full-time program of  
8 instruction.

9 (Source: P.A. 95-793, eff. 1-1-09.)

10 (105 ILCS 5/14C-3) (from Ch. 122, par. 14C-3)

11 Sec. 14C-3. Language classification of children;  
12 establishment of program; period of participation;  
13 examination. Each school district shall ascertain, not later  
14 than the first day of March, under regulations prescribed by  
15 the State Board, the number of children of limited  
16 English-speaking ability within the school district, and shall  
17 classify them according to the language of which they possess a  
18 primary speaking ability, and their grade level, age or  
19 achievement level.

20 When, at the beginning of any school year, there is within  
21 an attendance center of a school district not including  
22 children who are enrolled in existing private school systems,  
23 20 or more children of limited English-speaking ability in any  
24 such language classification, the school district shall  
25 establish, for each classification, a program in transitional

1 bilingual education for the children therein. A school district  
2 may establish a program in transitional bilingual education  
3 with respect to any classification with less than 20 children  
4 therein, but should a school district decide not to establish  
5 such a program, the school district shall provide a locally  
6 determined transitional program of instruction which, based  
7 upon an individual student language assessment, provides  
8 content area instruction in a language other than English to  
9 the extent necessary to ensure that each student can benefit  
10 from educational instruction and achieve an early and effective  
11 transition into the regular school curriculum.

12 Every school-age child of limited English-speaking ability  
13 not enrolled in existing private school systems shall be  
14 enrolled and participate in the program in transitional  
15 bilingual education established for the classification to  
16 which he belongs by the school district in which he resides for  
17 a period of 3 years or until such time as he achieves a level of  
18 English language skills which will enable him to perform  
19 successfully in classes in which instruction is given only in  
20 English, whichever shall first occur.

21 A child of limited English-speaking ability enrolled in a  
22 program in transitional bilingual education may, in the  
23 discretion of the school district and subject to the approval  
24 of the child's parent or legal guardian, continue in that  
25 program for a period longer than 3 years.

26 An examination in the oral language (listening and

1 ~~comprehension,~~ speaking), reading, and writing of English, as  
2 prescribed by the State Board, shall be administered annually  
3 to all children of limited English-speaking ability enrolled  
4 and participating in a program in transitional bilingual  
5 education. No school district shall transfer a child of limited  
6 English-speaking ability out of a program in transitional  
7 bilingual education prior to his third year of enrollment  
8 therein unless the parents of the child approve the transfer in  
9 writing, and unless the child has received a score on said  
10 examination which, in the determination of the State Board,  
11 reflects a level of English language skills appropriate to his  
12 or her grade level.

13 If later evidence suggests that a child so transferred is  
14 still disabled by an inadequate command of English, he may be  
15 re-enrolled in the program for a length of time equal to that  
16 which remained at the time he was transferred.

17 (Source: P.A. 89-397, eff. 8-20-95.)

18 (105 ILCS 5/18-8.05)

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

22 (A) General Provisions.

23 (1) The provisions of this Section apply to the 1998-1999  
24 and subsequent school years. The system of general State

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

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

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

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

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

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

25           (d) (Blank).

26           (4) Except as provided in subsections (H) and (L), the

1 board of any district receiving any of the grants provided for  
2 in this Section may apply those funds to any fund so received  
3 for which that board is authorized to make expenditures by law.

4 School districts are not required to exert a minimum  
5 Operating Tax Rate in order to qualify for assistance under  
6 this Section.

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

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

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

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

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

26 (e) "Operating Tax Rate": All school district property

1 taxes extended for all purposes, except Bond and Interest,  
2 Summer School, Rent, Capital Improvement, and Vocational  
3 Education Building purposes.

4 (B) Foundation Level.

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

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



1 Foundation Level of support is \$5,734. For the 2008-2009 school  
2 year, the Foundation Level of support is \$5,959.

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

7 (C) Average Daily Attendance.

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

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

1 school year immediately preceding the school year for which  
2 general State aid is being calculated.

3 (D) Available Local Resources.

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

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

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

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

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

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

1 school district shall constitute Available Local Resources as  
2 that term is utilized in subsection (E) in the calculation of  
3 general State aid.

4 (E) Computation of General State Aid.

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

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

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

1 Level. The allocation of general State aid for school districts  
2 subject to this paragraph 3 shall be the calculated general  
3 State aid per pupil figure multiplied by the Average Daily  
4 Attendance of the school district.

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

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

20 (F) Compilation of Average Daily Attendance.

21 (1) Each school district shall, by July 1 of each year,  
22 submit to the State Board of Education, on forms prescribed by  
23 the State Board of Education, attendance figures for the school  
24 year that began in the preceding calendar year. The attendance  
25 information so transmitted shall identify the average daily

1 attendance figures for each month of the school year. Beginning  
2 with the general State aid claim form for the 2002-2003 school  
3 year, districts shall calculate Average Daily Attendance as  
4 provided in subdivisions (a), (b), and (c) of this paragraph  
5 (1).

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

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

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

26 Except as otherwise provided in this Section, days of

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

9 Days of attendance by tuition pupils shall be accredited  
10 only to the districts that pay the tuition to a recognized  
11 school.

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

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

24 (b) (Blank).

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

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

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



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

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

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

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

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

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

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

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

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

1 educational program more days of attendance than the  
2 maximum number of days of attendance the district can claim  
3 (i) for students enrolled in a building holding year-round  
4 classes if the student is classified as participating in  
5 the remote educational program on a year-round schedule or  
6 (ii) for students enrolled in a building not holding  
7 year-round classes if the student is not classified as  
8 participating in the remote educational program on a  
9 year-round schedule.

10 (G) Equalized Assessed Valuation Data.

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

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

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

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

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

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

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

1 redevelopment project costs have been paid, as provided in  
2 Section 11-74.4-8 of the Tax Increment Allocation  
3 Redevelopment Act or in Section 11-74.6-35 of the  
4 Industrial Jobs Recovery Law. For the purpose of the  
5 equalized assessed valuation of the district, the total  
6 initial equalized assessed valuation or the current  
7 equalized assessed valuation, whichever is lower, shall be  
8 used until such time as all redevelopment project costs  
9 have been paid.

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

24 (3) For the 1999-2000 school year and each school year  
25 thereafter, if a school district meets all of the criteria of  
26 this subsection (G) (3), the school district's Available Local

1 Resources shall be calculated under subsection (D) using the  
2 district's Extension Limitation Equalized Assessed Valuation  
3 as calculated under this subsection (G) (3).

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

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

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

10 "Preceding Tax Year": The property tax levy year  
11 immediately preceding the Base Tax Year.

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

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

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

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



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

1 school district has approved or does approve an increase in its  
2 limiting rate, pursuant to Section 18-190 of the Property Tax  
3 Code, affecting the Base Tax Year, the Extension Limitation  
4 Equalized Assessed Valuation of the school district, as  
5 calculated by the State Board of Education, shall be equal to  
6 the product of the Equalized Assessed Valuation last used in  
7 the calculation of general State aid times an amount equal to  
8 one plus the percentage increase, if any, in the Consumer Price  
9 Index for all Urban Consumers for all items published by the  
10 United States Department of Labor for the 12-month calendar  
11 year preceding the Base Tax Year, plus the Equalized Assessed  
12 Valuation of new property, annexed property, and recovered tax  
13 increment value and minus the Equalized Assessed Valuation of  
14 disconnected property. New property and recovered tax  
15 increment value shall have the meanings set forth in the  
16 Property Tax Extension Limitation Law.

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

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

1 district's Equalized Assessed Valuation.

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

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

1 this Section is less than the amount of general State aid  
2 allocated to the district for the 1998-1999 school year under  
3 these subsections, then the general State aid of the district  
4 for the 1999-2000 school year only shall be increased by the  
5 difference between these amounts. The total payments made under  
6 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
7 be prorated if they exceed \$14,000,000.

8 (H) Supplemental General State Aid.

9 (1) In addition to the general State aid a school district  
10 is allotted pursuant to subsection (E), qualifying school  
11 districts shall receive a grant, paid in conjunction with a  
12 district's payments of general State aid, for supplemental  
13 general State aid based upon the concentration level of  
14 children from low-income households within the school  
15 district. Supplemental State aid grants provided for school  
16 districts under this subsection 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 (1.5) This paragraph (1.5) applies only to those school  
21 years preceding the 2003-2004 school year. For purposes of this  
22 subsection (H), the term "Low-Income Concentration Level"  
23 shall be the low-income eligible pupil count from the most  
24 recently available federal census divided by the Average Daily  
25 Attendance of the school district. If, however, (i) the

1 percentage decrease from the 2 most recent federal censuses in  
2 the low-income eligible pupil count of a high school district  
3 with fewer than 400 students exceeds by 75% or more the  
4 percentage change in the total low-income eligible pupil count  
5 of contiguous elementary school districts, whose boundaries  
6 are coterminous with the high school district, or (ii) a high  
7 school district within 2 counties and serving 5 elementary  
8 school districts, whose boundaries are coterminous with the  
9 high school district, has a percentage decrease from the 2 most  
10 recent federal censuses in the low-income eligible pupil count  
11 and there is a percentage increase in the total low-income  
12 eligible pupil count of a majority of the elementary school  
13 districts in excess of 50% from the 2 most recent federal  
14 censuses, then the high school district's low-income eligible  
15 pupil count from the earlier federal census shall be the number  
16 used as the low-income eligible pupil count for the high school  
17 district, for purposes of this subsection (H). The changes made  
18 to this paragraph (1) by Public Act 92-28 shall apply to  
19 supplemental general State aid grants for school years  
20 preceding the 2003-2004 school year that are paid in fiscal  
21 year 1999 or thereafter and to any State aid payments made in  
22 fiscal year 1994 through fiscal year 1998 pursuant to  
23 subsection 1(n) of Section 18-8 of this Code (which was  
24 repealed on July 1, 1998), and any high school district that is  
25 affected by Public Act 92-28 is entitled to a recomputation of  
26 its supplemental general State aid grant or State aid paid in

1 any of those fiscal years. This recomputation shall not be  
2 affected by any other funding.

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

18 (2) Supplemental general State aid pursuant to this  
19 subsection (H) shall be provided as follows for the 1998-1999,  
20 1999-2000, and 2000-2001 school years only:

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

25 (b) For any school district with a Low Income  
26 Concentration Level of at least 35% and less than 50%, the

1 grant for the 1998-1999 school year shall be \$1,100  
2 multiplied by the low income eligible pupil count.

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

7 (d) For any school district with a Low Income  
8 Concentration Level of 60% or more, the grant for the  
9 1998-99 school year shall be \$1,900 multiplied by the low  
10 income eligible pupil count.

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

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

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

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

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

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

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

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

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

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



1 eligible pupil count.

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

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

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

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

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

21 (4) School districts with an Average Daily Attendance of  
22 50,000 or more that qualify for supplemental general State aid  
23 pursuant to this subsection shall be required to distribute  
24 from funds available pursuant to this Section, no less than  
25 \$261,000,000 in accordance with the following requirements:

26 (a) The required amounts shall be distributed to the

1 attendance centers within the district in proportion to the  
2 number of pupils enrolled at each attendance center who are  
3 eligible to receive free or reduced-price lunches or  
4 breakfasts under the federal Child Nutrition Act of 1966  
5 and under the National School Lunch Act during the  
6 immediately preceding school year.

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

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

23 (d) Any funds made available under this subsection that  
24 by reason of the provisions of this subsection are not  
25 required to be allocated and provided to attendance centers  
26 may be used and appropriated by the board of the district

1 for any lawful school purpose.

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

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

1 submit a modified plan within 30 days after the date of the  
2 written notice of intent to modify. Districts may amend  
3 approved plans pursuant to rules promulgated by the State  
4 Board of Education.

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

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

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

1 State Superintendent of Education shall, within 60 days of  
2 receipt of the report, notify the district and any affected  
3 local school council. The district shall within 45 days of  
4 receipt of that notification inform the State  
5 Superintendent of Education of the remedial or corrective  
6 action to be taken, whether by amendment of the current  
7 plan, if feasible, or by adjustment in the plan for the  
8 following year. Failure to provide the expenditure report  
9 or the notification of remedial or corrective action in a  
10 timely manner shall result in a withholding of the affected  
11 funds.

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

18 (I) (Blank).

19 (J) (Blank).

20 (K) Grants to Laboratory and Alternative Schools.

21 In calculating the amount to be paid to the governing board  
22 of a public university that operates a laboratory school under  
23 this Section or to any alternative school that is operated by a

1 regional superintendent of schools, the State Board of  
2 Education shall require by rule such reporting requirements as  
3 it deems necessary.

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

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

1 the regional superintendents of schools of the affected  
2 educational service regions. An alternative school serving  
3 more than one educational service region may be operated under  
4 such terms as the regional superintendents of schools of those  
5 educational service regions may agree.

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

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

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



1 provides for a disposition other than that provided by this  
2 Article.

3 (2) (Blank).

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

6 (M) Education Funding Advisory Board.

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

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

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

25 The State Board of Education shall provide such staff  
26 assistance to the Education Funding Advisory Board as is

1 reasonably required for the proper performance by the Board of  
2 its responsibilities.

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

17 (N) (Blank).

18 (O) References.

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

24 (2) References in other laws to State Chapter 1 funds shall

1 be deemed to refer to the supplemental general State aid  
2 provided under subsection (H) of this Section.

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

9 (Source: P.A. 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300,  
10 eff. 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09;  
11 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff.  
12 11-18-10; 97-339, eff. 8-12-11; 97-351, eff. 8-12-11; 97-742,  
13 eff. 6-30-13; 97-813, eff. 7-13-12.)

14 (105 ILCS 5/21B-75)

15 Sec. 21B-75. Suspension or revocation of license.

16 (a) As used in this Section, "teacher" means any school  
17 district employee regularly required to be licensed, as  
18 provided in this Article, in order to teach or supervise in the  
19 public schools.

20 (b) The State Superintendent of Education has the exclusive  
21 authority, in accordance with this Section and any rules  
22 adopted by the State Board of Education, in consultation with  
23 the State Educator Preparation and Licensure Board, to initiate  
24 the suspension of up to 5 calendar years or revocation of any

1 license issued pursuant to this Article for abuse or neglect of  
2 a child, immorality, a condition of health detrimental to the  
3 welfare of pupils, incompetency, unprofessional conduct (which  
4 includes the failure to disclose on an employment application  
5 any previous conviction for a sex offense, as defined in  
6 Section 21B-80 of this Code, or any other offense committed in  
7 any other state or against the laws of the United States that,  
8 if committed in this State, would be punishable as a sex  
9 offense, as defined in Section 21B-80 of this Code), the  
10 neglect of any professional duty, willful failure to report an  
11 instance of suspected child abuse or neglect as required by the  
12 Abused and Neglected Child Reporting Act, failure to establish  
13 satisfactory repayment on an educational loan guaranteed by the  
14 Illinois Student Assistance Commission, or other just cause.  
15 Unprofessional conduct shall include the refusal to attend or  
16 participate in institutes, teachers' meetings, or professional  
17 readings or to meet other reasonable requirements of the  
18 regional superintendent of schools or State Superintendent of  
19 Education. Unprofessional conduct also includes conduct that  
20 violates the standards, ethics, or rules applicable to the  
21 security, administration, monitoring, or scoring of or the  
22 reporting of scores from any assessment test or examination  
23 administered under Section 2-3.64a-5 ~~2-3.64~~ of this Code or  
24 that is known or intended to produce or report manipulated or  
25 artificial, rather than actual, assessment or achievement  
26 results or gains from the administration of those tests or

1 examinations. Unprofessional conduct shall also include  
2 neglect or unnecessary delay in the making of statistical and  
3 other reports required by school officers. Incompetency shall  
4 include, without limitation, 2 or more school terms of service  
5 for which the license holder has received an unsatisfactory  
6 rating on a performance evaluation conducted pursuant to  
7 Article 24A of this Code within a period of 7 school terms of  
8 service. In determining whether to initiate action against one  
9 or more licenses based on incompetency and the recommended  
10 sanction for such action, the State Superintendent shall  
11 consider factors that include without limitation all of the  
12 following:

13 (1) Whether the unsatisfactory evaluation ratings  
14 occurred prior to June 13, 2011 (the effective date of  
15 Public Act 97-8).

16 (2) Whether the unsatisfactory evaluation ratings  
17 occurred prior to or after the implementation date, as  
18 defined in Section 24A-2.5 of this Code, of an evaluation  
19 system for teachers in a school district.

20 (3) Whether the evaluator or evaluators who performed  
21 an unsatisfactory evaluation met the pre-licensure and  
22 training requirements set forth in Section 24A-3 of this  
23 Code.

24 (4) The time between the unsatisfactory evaluation  
25 ratings.

26 (5) The quality of the remediation plans associated

1 with the unsatisfactory evaluation ratings and whether the  
2 license holder successfully completed the remediation  
3 plans.

4 (6) Whether the unsatisfactory evaluation ratings were  
5 related to the same or different assignments performed by  
6 the license holder.

7 (7) Whether one or more of the unsatisfactory  
8 evaluation ratings occurred in the first year of a teaching  
9 or administrative assignment.

10 When initiating an action against one or more licenses, the  
11 State Superintendent may seek required professional  
12 development as a sanction in lieu of or in addition to  
13 suspension or revocation. Any such required professional  
14 development must be at the expense of the license holder, who  
15 may use, if available and applicable to the requirements  
16 established by administrative or court order, training,  
17 coursework, or other professional development funds in  
18 accordance with the terms of an applicable collective  
19 bargaining agreement entered into after June 13, 2011 (the  
20 effective date of Public Act 97-8), unless that agreement  
21 specifically precludes use of funds for such purpose.

22 (c) The State Superintendent of Education shall, upon  
23 receipt of evidence of abuse or neglect of a child, immorality,  
24 a condition of health detrimental to the welfare of pupils,  
25 incompetency (subject to subsection (b) of this Section),  
26 unprofessional conduct, the neglect of any professional duty,

1 or other just cause, further investigate and, if and as  
2 appropriate, serve written notice to the individual and afford  
3 the individual opportunity for a hearing prior to suspension,  
4 revocation, or other sanction; provided that the State  
5 Superintendent is under no obligation to initiate such an  
6 investigation if the Department of Children and Family Services  
7 is investigating the same or substantially similar allegations  
8 and its child protective service unit has not made its  
9 determination, as required under Section 7.12 of the Abused and  
10 Neglected Child Reporting Act. If the State Superintendent of  
11 Education does not receive from an individual a request for a  
12 hearing within 10 days after the individual receives notice,  
13 the suspension, revocation, or other sanction shall  
14 immediately take effect in accordance with the notice. If a  
15 hearing is requested within 10 days after notice of an  
16 opportunity for hearing, it shall act as a stay of proceedings  
17 until the State Educator Preparation and Licensure Board issues  
18 a decision. Any hearing shall take place in the educational  
19 service region where the educator is or was last employed and  
20 in accordance with rules adopted by the State Board of  
21 Education, in consultation with the State Educator Preparation  
22 and Licensure Board, and such rules shall include without  
23 limitation provisions for discovery and the sharing of  
24 information between parties prior to the hearing. The standard  
25 of proof for any administrative hearing held pursuant to this  
26 Section shall be by the preponderance of the evidence. The



1 decision of the State Educator Preparation and Licensure Board  
2 is a final administrative decision and is subject to judicial  
3 review by appeal of either party.

4 The State Board of Education may refuse to issue or may  
5 suspend the license of any person who fails to file a return or  
6 to pay the tax, penalty, or interest shown in a filed return or  
7 to pay any final assessment of tax, penalty, or interest, as  
8 required by any tax Act administered by the Department of  
9 Revenue, until such time as the requirements of any such tax  
10 Act are satisfied.

11 The exclusive authority of the State Superintendent of  
12 Education to initiate suspension or revocation of a license  
13 pursuant to this Section does not preclude a regional  
14 superintendent of schools from cooperating with the State  
15 Superintendent or a State's Attorney with respect to an  
16 investigation of alleged misconduct.

17 (d) The State Superintendent of Education or his or her  
18 designee may initiate and conduct such investigations as may be  
19 reasonably necessary to establish the existence of any alleged  
20 misconduct. At any stage of the investigation, the State  
21 Superintendent may issue a subpoena requiring the attendance  
22 and testimony of a witness, including the license holder, and  
23 the production of any evidence, including files, records,  
24 correspondence, or documents, relating to any matter in  
25 question in the investigation. The subpoena shall require a  
26 witness to appear at the State Board of Education at a

1 specified date and time and shall specify any evidence to be  
2 produced. The license holder is not entitled to be present, but  
3 the State Superintendent shall provide the license holder with  
4 a copy of any recorded testimony prior to a hearing under this  
5 Section. Such recorded testimony must not be used as evidence  
6 at a hearing, unless the license holder has adequate notice of  
7 the testimony and the opportunity to cross-examine the witness.  
8 Failure of a license holder to comply with a duly issued,  
9 investigatory subpoena may be grounds for revocation,  
10 suspension, or denial of a license.

11 (e) All correspondence, documentation, and other  
12 information so received by the regional superintendent of  
13 schools, the State Superintendent of Education, the State Board  
14 of Education, or the State Educator Preparation and Licensure  
15 Board under this Section is confidential and must not be  
16 disclosed to third parties, except (i) as necessary for the  
17 State Superintendent of Education or his or her designee to  
18 investigate and prosecute pursuant to this Article, (ii)  
19 pursuant to a court order, (iii) for disclosure to the license  
20 holder or his or her representative, or (iv) as otherwise  
21 required in this Article and provided that any such information  
22 admitted into evidence in a hearing is exempt from this  
23 confidentiality and non-disclosure requirement.

24 (f) The State Superintendent of Education or a person  
25 designated by him or her shall have the power to administer  
26 oaths to witnesses at any hearing conducted before the State

1 Educator Preparation and Licensure Board pursuant to this  
2 Section. The State Superintendent of Education or a person  
3 designated by him or her is authorized to subpoena and bring  
4 before the State Educator Preparation and Licensure Board any  
5 person in this State and to take testimony either orally or by  
6 deposition or by exhibit, with the same fees and mileage and in  
7 the same manner as prescribed by law in judicial proceedings in  
8 civil cases in circuit courts of this State.

9 (g) Any circuit court, upon the application of the State  
10 Superintendent of Education or the license holder, may, by  
11 order duly entered, require the attendance of witnesses and the  
12 production of relevant books and papers as part of any  
13 investigation or at any hearing the State Educator Preparation  
14 and Licensure Board is authorized to conduct pursuant to this  
15 Section, and the court may compel obedience to its orders by  
16 proceedings for contempt.

17 (h) The State Board of Education shall receive an annual  
18 line item appropriation to cover fees associated with the  
19 investigation and prosecution of alleged educator misconduct  
20 and hearings related thereto.

21 (Source: P.A. 97-607, eff. 8-26-11; incorporates 97-8, eff.  
22 6-13-11; 97-813, eff. 7-13-12.)

23 (105 ILCS 5/27A-4)

24 Sec. 27A-4. General Provisions.

25 (a) The General Assembly does not intend to alter or amend

1 the provisions of any court-ordered desegregation plan in  
2 effect for any school district. A charter school shall be  
3 subject to all federal and State laws and constitutional  
4 provisions prohibiting discrimination on the basis of  
5 disability, race, creed, color, gender, national origin,  
6 religion, ancestry, marital status, or need for special  
7 education services.

8 (b) The total number of charter schools operating under  
9 this Article at any one time shall not exceed 120. Not more  
10 than 70 charter schools shall operate at any one time in any  
11 city having a population exceeding 500,000, with at least 5  
12 charter schools devoted exclusively to students from  
13 low-performing or overcrowded schools operating at any one time  
14 in that city; and not more than 45 charter schools shall  
15 operate at any one time in the remainder of the State, with not  
16 more than one charter school that has been initiated by a board  
17 of education, or by an intergovernmental agreement between or  
18 among boards of education, operating at any one time in the  
19 school district where the charter school is located. In  
20 addition to these charter schools, up to but no more than 5  
21 charter schools devoted exclusively to re-enrolled high school  
22 dropouts and/or students 16 or 15 years old at risk of dropping  
23 out may operate at any one time in any city having a population  
24 exceeding 500,000. Notwithstanding any provision to the  
25 contrary in subsection (b) of Section 27A-5 of this Code, each  
26 such dropout charter may operate up to 15 campuses within the

1 city. Any of these dropout charters may have a maximum of 1,875  
2 enrollment seats, any one of the campuses of the dropout  
3 charter may have a maximum of 165 enrollment seats, and each  
4 campus of the dropout charter must be operated, through a  
5 contract or payroll, by the same legal entity as that for which  
6 the charter is approved and certified.

7 For purposes of implementing this Section, the State Board  
8 shall assign a number to each charter submission it receives  
9 under Section 27A-6 for its review and certification, based on  
10 the chronological order in which the submission is received by  
11 it. The State Board shall promptly notify local school boards  
12 when the maximum numbers of certified charter schools  
13 authorized to operate have been reached.

14 (c) No charter shall be granted under this Article that  
15 would convert any existing private, parochial, or non-public  
16 school to a charter school.

17 (d) Enrollment in a charter school shall be open to any  
18 pupil who resides within the geographic boundaries of the area  
19 served by the local school board, provided that the board of  
20 education in a city having a population exceeding 500,000 may  
21 designate attendance boundaries for no more than one-third of  
22 the charter schools permitted in the city if the board of  
23 education determines that attendance boundaries are needed to  
24 relieve overcrowding or to better serve low-income and at-risk  
25 students. Students residing within an attendance boundary may  
26 be given priority for enrollment, but must not be required to

1 attend the charter school.

2 (e) Nothing in this Article shall prevent 2 or more local  
3 school boards from jointly issuing a charter to a single shared  
4 charter school, provided that all of the provisions of this  
5 Article are met as to those local school boards.

6 (f) No local school board shall require any employee of the  
7 school district to be employed in a charter school.

8 (g) No local school board shall require any pupil residing  
9 within the geographic boundary of its district to enroll in a  
10 charter school.

11 (h) If there are more eligible applicants for enrollment in  
12 a charter school than there are spaces available, successful  
13 applicants shall be selected by lottery. However, priority  
14 shall be given to siblings of pupils enrolled in the charter  
15 school and to pupils who were enrolled in the charter school  
16 the previous school year, unless expelled for cause, and  
17 priority may be given to pupils residing within the charter  
18 school's attendance boundary, if a boundary has been designated  
19 by the board of education in a city having a population  
20 exceeding 500,000. Dual enrollment at both a charter school and  
21 a public school or non-public school shall not be allowed. A  
22 pupil who is suspended or expelled from a charter school shall  
23 be deemed to be suspended or expelled from the public schools  
24 of the school district in which the pupil resides.  
25 Notwithstanding anything to the contrary in this subsection

26 (h):

1           (1) any charter school with a mission exclusive to  
2           educating high school dropouts may grant priority  
3           admission to students who are high school dropouts and/or  
4           students 16 or 15 years old at risk of dropping out and any  
5           charter school with a mission exclusive to educating  
6           students from low-performing or overcrowded schools may  
7           restrict admission to students who are from low-performing  
8           or overcrowded schools; "priority admission" for charter  
9           schools exclusively devoted to re-enrolled dropouts or  
10          students at risk of dropping out means a minimum of 90% of  
11          students enrolled shall be high school dropouts; and

12          (2) any charter school located in a school district  
13          that contains all or part of a federal military base may  
14          set aside up to 33% of its current charter enrollment to  
15          students with parents assigned to the federal military  
16          base, with the remaining 67% subject to the general  
17          enrollment and lottery requirements of subsection (d) of  
18          this Section and this subsection (h); if a student with a  
19          parent assigned to the federal military base withdraws from  
20          the charter school during the course of a school year for  
21          reasons other than grade promotion, those students with  
22          parents assigned to the federal military base shall have  
23          preference in filling the vacancy.

24          (i) (Blank).

25          (j) Notwithstanding any other provision of law to the  
26          contrary, a school district in a city having a population

1 exceeding 500,000 shall not have a duty to collectively bargain  
2 with an exclusive representative of its employees over  
3 decisions to grant or deny a charter school proposal under  
4 Section 27A-8 of this Code, decisions to renew or revoke a  
5 charter under Section 27A-9 of this Code, and the impact of  
6 these decisions, provided that nothing in this Section shall  
7 have the effect of negating, abrogating, replacing, reducing,  
8 diminishing, or limiting in any way employee rights,  
9 guarantees, or privileges granted in Sections 2, 3, 7, 8, 10,  
10 14, and 15 of the Illinois Educational Labor Relations Act.

11 (k) In this Section:

12 "Low-performing school" means a public school in a school  
13 district organized under Article 34 of this Code that enrolls  
14 students in any of grades kindergarten through 8 and that is  
15 ranked within the lowest 10% of schools in that district in  
16 terms of the percentage of students meeting or exceeding  
17 standards on the assessments required under Section 2-3.64a-5  
18 of this Code ~~Illinois Standards Achievement Test~~.

19 "Overcrowded school" means a public school in a school  
20 district organized under Article 34 of this Code that (i)  
21 enrolls students in any of grades kindergarten through 8, (ii)  
22 has a percentage of low-income students of 70% or more, as  
23 identified in the most recently available School Report Card  
24 published by the State Board of Education, and (iii) is  
25 determined by the Chicago Board of Education to be in the most  
26 severely overcrowded 5% of schools in the district. On or



1 before November 1 of each year, the Chicago Board of Education  
2 shall file a report with the State Board of Education on which  
3 schools in the district meet the definition of "overcrowded  
4 school". "Students at risk of dropping out" means students 16  
5 or 15 years old in a public school in a district organized  
6 under Article 34 of this Code that enrolls students in any  
7 grades 9-12 who have been absent at least 90 school attendance  
8 days of the previous 180 school attendance days.

9 (Source: P.A. 97-151, eff. 1-1-12; 97-624, eff. 11-28-11;  
10 97-813, eff. 7-13-12; 98-474, eff. 8-16-13.)

11 (105 ILCS 5/27A-6)

12 Sec. 27A-6. Contract contents; applicability of laws and  
13 regulations.

14 (a) A certified charter shall constitute a binding contract  
15 and agreement between the charter school and a local school  
16 board under the terms of which the local school board  
17 authorizes the governing body of the charter school to operate  
18 the charter school on the terms specified in the contract.

19 (b) Notwithstanding any other provision of this Article,  
20 the certified charter may not waive or release the charter  
21 school from the State goals, standards, and assessments  
22 established pursuant to Section 2-3.64a-5 of this Code ~~2-3.64~~.  
23 Beginning with the 2003-2004 school year, the certified charter  
24 for a charter school operating in a city having a population  
25 exceeding 500,000 shall require the charter school to

1 administer any other nationally recognized standardized tests  
2 to its students that the chartering entity administers to other  
3 students, and the results on such tests shall be included in  
4 the chartering entity's assessment reports.

5 (c) Subject to the provisions of subsection (e), a material  
6 revision to a previously certified contract or a renewal shall  
7 be made with the approval of both the local school board and  
8 the governing body of the charter school.

9 (c-5) The proposed contract shall include a provision on  
10 how both parties will address minor violations of the contract.

11 (d) The proposed contract between the governing body of a  
12 proposed charter school and the local school board as described  
13 in Section 27A-7 must be submitted to and certified by the  
14 State Board before it can take effect. If the State Board  
15 recommends that the proposed contract be modified for  
16 consistency with this Article before it can be certified, the  
17 modifications must be consented to by both the governing body  
18 of the charter school and the local school board, and  
19 resubmitted to the State Board for its certification. If the  
20 proposed contract is resubmitted in a form that is not  
21 consistent with this Article, the State Board may refuse to  
22 certify the charter.

23 The State Board shall assign a number to each submission or  
24 resubmission in chronological order of receipt, and shall  
25 determine whether the proposed contract is consistent with the  
26 provisions of this Article. If the proposed contract complies,

1 the State Board shall so certify.

2 (e) No material revision to a previously certified contract  
3 or a renewal shall be effective unless and until the State  
4 Board certifies that the revision or renewal is consistent with  
5 the provisions of this Article.

6 (Source: P.A. 93-3, eff. 4-16-03.)

7 (105 ILCS 5/34-8.14)

8 Sec. 34-8.14. Non-waivable provisions. Notwithstanding  
9 anything in this ~~the School~~ Code to the contrary, statutes,  
10 regulations, rules, and policy provisions concerning the  
11 following shall not be waivable:

- 12 (1) student ~~Student~~ civil rights;
- 13 (2) staff ~~Staff~~ civil rights;
- 14 (3) health ~~Health~~ and safety;
- 15 (4) performance ~~Performance~~ and financial audits;
- 16 (5) Local School Council provisions, including  
17 required statements of economic disclosure;
- 18 (6) the ~~The~~ Open Meetings Act;
- 19 (7) the ~~The~~ Freedom of Information Act;
- 20 (8) the assessments required under Section 2-3.64a-5  
21 of this Code ~~The Illinois goals assessment program~~;
- 22 (9) Chicago learning outcomes;
- 23 (10) Sections 2-3.25a through 2-3.25j of this ~~the~~  
24 ~~School~~ Code; and
- 25 (11) collective ~~Collective~~ bargaining agreements.

1 (Source: P.A. 89-3, eff. 2-27-95.)

2 (105 ILCS 5/2-3.64 rep.)

3 (105 ILCS 5/2-3.64a rep.)

4 Section 10. The School Code is amended by repealing  
5 Sections 2-3.64 and 2-3.64a.

6 Section 99. Effective date. This Act takes effect July 1,  
7 2014.