

# HB1767



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1767

by Rep. Jim Durkin

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/1D-1

Amends the School Code. Makes a technical change in a Section concerning block grants for Chicago.

LRB099 06824 NHT 26898 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 1D-1 as follows:

6 (105 ILCS 5/1D-1)

7 Sec. 1D-1. Block grant funding.

8 (a) For fiscal year 1996 and ~~and~~ each fiscal year  
9 thereafter, the State Board of Education shall award to a  
10 school district having a population exceeding 500,000  
11 inhabitants a general education block grant and an educational  
12 services block grant, determined as provided in this Section,  
13 in lieu of distributing to the district separate State funding  
14 for the programs described in subsections (b) and (c). The  
15 provisions of this Section, however, do not apply to any  
16 federal funds that the district is entitled to receive. In  
17 accordance with Section 2-3.32, all block grants are subject to  
18 an audit. Therefore, block grant receipts and block grant  
19 expenditures shall be recorded to the appropriate fund code for  
20 the designated block grant.

21 (b) The general education block grant shall include the  
22 following programs: REI Initiative, Summer Bridges, Preschool  
23 At Risk, K-6 Comprehensive Arts, School Improvement Support,

1 Urban Education, Scientific Literacy, Substance Abuse  
2 Prevention, Second Language Planning, Staff Development,  
3 Outcomes and Assessment, K-6 Reading Improvement, 7-12  
4 Continued Reading Improvement, Truants' Optional Education,  
5 Hispanic Programs, Agriculture Education, Parental Education,  
6 Prevention Initiative, Report Cards, and Criminal Background  
7 Investigations. Notwithstanding any other provision of law,  
8 all amounts paid under the general education block grant from  
9 State appropriations to a school district in a city having a  
10 population exceeding 500,000 inhabitants shall be appropriated  
11 and expended by the board of that district for any of the  
12 programs included in the block grant or any of the board's  
13 lawful purposes.

14 (c) The educational services block grant shall include the  
15 following programs: Regular and Vocational Transportation,  
16 State Lunch and Free Breakfast Program, Special Education  
17 (Personnel, Transportation, Orphanage, Private Tuition),  
18 funding for children requiring special education services,  
19 Summer School, Educational Service Centers, and  
20 Administrator's Academy. This subsection (c) does not relieve  
21 the district of its obligation to provide the services required  
22 under a program that is included within the educational  
23 services block grant. It is the intention of the General  
24 Assembly in enacting the provisions of this subsection (c) to  
25 relieve the district of the administrative burdens that impede  
26 efficiency and accompany single-program funding. The General

1 Assembly encourages the board to pursue mandate waivers  
2 pursuant to Section 2-3.25g.

3 The funding program included in the educational services  
4 block grant for funding for children requiring special  
5 education services in each fiscal year shall be treated in that  
6 fiscal year as a payment to the school district in respect of  
7 services provided or costs incurred in the prior fiscal year,  
8 calculated in each case as provided in this Section. Nothing in  
9 this Section shall change the nature of payments for any  
10 program that, apart from this Section, would be or, prior to  
11 adoption or amendment of this Section, was on the basis of a  
12 payment in a fiscal year in respect of services provided or  
13 costs incurred in the prior fiscal year, calculated in each  
14 case as provided in this Section.

15 (d) For fiscal year 1996 and each fiscal year thereafter,  
16 the amount of the district's block grants shall be determined  
17 as follows: (i) with respect to each program that is included  
18 within each block grant, the district shall receive an amount  
19 equal to the same percentage of the current fiscal year  
20 appropriation made for that program as the percentage of the  
21 appropriation received by the district from the 1995 fiscal  
22 year appropriation made for that program, and (ii) the total  
23 amount that is due the district under the block grant shall be  
24 the aggregate of the amounts that the district is entitled to  
25 receive for the fiscal year with respect to each program that  
26 is included within the block grant that the State Board of

1 Education shall award the district under this Section for that  
2 fiscal year. In the case of the Summer Bridges program, the  
3 amount of the district's block grant shall be equal to 44% of  
4 the amount of the current fiscal year appropriation made for  
5 that program.

6 (e) The district is not required to file any application or  
7 other claim in order to receive the block grants to which it is  
8 entitled under this Section. The State Board of Education shall  
9 make payments to the district of amounts due under the  
10 district's block grants on a schedule determined by the State  
11 Board of Education.

12 (f) A school district to which this Section applies shall  
13 report to the State Board of Education on its use of the block  
14 grants in such form and detail as the State Board of Education  
15 may specify. In addition, the report must include the following  
16 description for the district, which must also be reported to  
17 the General Assembly: block grant allocation and expenditures  
18 by program; population and service levels by program; and  
19 administrative expenditures by program. The State Board of  
20 Education shall ensure that the reporting requirements for the  
21 district are the same as for all other school districts in this  
22 State.

23 (g) This paragraph provides for the treatment of block  
24 grants under Article 1C for purposes of calculating the amount  
25 of block grants for a district under this Section. Those block  
26 grants under Article 1C are, for this purpose, treated as

1 included in the amount of appropriation for the various  
2 programs set forth in paragraph (b) above. The appropriation in  
3 each current fiscal year for each block grant under Article 1C  
4 shall be treated for these purposes as appropriations for the  
5 individual program included in that block grant. The proportion  
6 of each block grant so allocated to each such program included  
7 in it shall be the proportion which the appropriation for that  
8 program was of all appropriations for such purposes now in that  
9 block grant, in fiscal 1995.

10 Payments to the school district under this Section with  
11 respect to each program for which payments to school districts  
12 generally, as of the date of this amendatory Act of the 92nd  
13 General Assembly, are on a reimbursement basis shall continue  
14 to be made to the district on a reimbursement basis, pursuant  
15 to the provisions of this Code governing those programs.

16 (h) Notwithstanding any other provision of law, any school  
17 district receiving a block grant under this Section may  
18 classify all or a portion of the funds that it receives in a  
19 particular fiscal year from any block grant authorized under  
20 this Code or from general State aid pursuant to Section 18-8.05  
21 of this Code (other than supplemental general State aid) as  
22 funds received in connection with any funding program for which  
23 it is entitled to receive funds from the State in that fiscal  
24 year (including, without limitation, any funding program  
25 referred to in subsection (c) of this Section), regardless of  
26 the source or timing of the receipt. The district may not

1 classify more funds as funds received in connection with the  
2 funding program than the district is entitled to receive in  
3 that fiscal year for that program. Any classification by a  
4 district must be made by a resolution of its board of  
5 education. The resolution must identify the amount of any block  
6 grant or general State aid to be classified under this  
7 subsection (h) and must specify the funding program to which  
8 the funds are to be treated as received in connection  
9 therewith. This resolution is controlling as to the  
10 classification of funds referenced therein. A certified copy of  
11 the resolution must be sent to the State Superintendent of  
12 Education. The resolution shall still take effect even though a  
13 copy of the resolution has not been sent to the State  
14 Superintendent of Education in a timely manner. No  
15 classification under this subsection (h) by a district shall  
16 affect the total amount or timing of money the district is  
17 entitled to receive under this Code. No classification under  
18 this subsection (h) by a district shall in any way relieve the  
19 district from or affect any requirements that otherwise would  
20 apply with respect to the block grant as provided in this  
21 Section, including any accounting of funds by source, reporting  
22 expenditures by original source and purpose, reporting  
23 requirements, or requirements of provision of services.

24 (Source: P.A. 97-238, eff. 8-2-11; 97-324, eff. 8-12-11;  
25 97-813, eff. 7-13-12.)