



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4227

by Rep. Barbara Wheeler

SYNOPSIS AS INTRODUCED:

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

Amends the School Code to make changes concerning the length of a school term. Increases the days of actual pupil attendance from 176 days to 181 days. Removes a provision concerning the 1980-1981 school year. With respect to a full-year calendar, increases the days of actual pupil attendance from 180 days to 183 days. Makes related changes.

LRB099 12722 NHT 36506 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 10-19, 10-19.1, 18-8.05, and 18-12 as follows:

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

7 Sec. 10-19. Length of school term - experimental programs.
8 Each school board shall annually prepare a calendar for the
9 school term, specifying the opening and closing dates and
10 providing a minimum term of at least 185 days to ensure 181
11 ~~insure 176~~ days of actual pupil attendance, computable under
12 Section 18-8.05, ~~except that for the 1980-1981 school year only~~
13 ~~175 days of actual pupil attendance shall be required because~~
14 ~~of the closing of schools pursuant to Section 24-2 on January~~
15 ~~29, 1981 upon the appointment by the President of that day as a~~
16 ~~day of thanksgiving for the freedom of the Americans who had~~
17 ~~been held hostage in Iran.~~ Any days allowed by law for
18 teachers' institutes but not used as such or used as parental
19 institutes as provided in Section 10-22.18d shall increase the
20 minimum term by the school days not so used. Except as provided
21 in Section 10-19.1, the board may not extend the school term
22 beyond such closing date unless that extension of term is
23 necessary to provide the minimum number of computable days. In

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

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

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

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

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

9 (Source: P.A. 98-756, eff. 7-16-14.)

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

11 Sec. 10-19.1. Full year school plan.

12 (a) Any school district may, by resolution of its board,
13 operate one or more schools within the district on a full year
14 school plan approved by the State Board of Education. Any board
15 which operates under this subsection (a) shall devise a plan so
16 that a student's required attendance in school shall be for a
17 minimum term of 183 ~~180~~ days of actual attendance, including
18 not more than 4 institute days, during a 12 month period, but
19 shall not exceed 185 days. Under such plan, no teacher shall be
20 required to teach more than 185 days. A calendar of 183 ~~180~~
21 days may be established with the approval of the State Board of
22 Education.

23 (b) Any school board that operates one or more schools
24 within the school district on a pilot full-year school plan
25 under subsection (a-5) of Section 2-3.25f of this Code shall

1 devise a plan so that a student's required attendance in school
2 shall be for a minimum term of 215 days of actual attendance,
3 including not more than 4 institute days, during a 12-month
4 period. A calendar of 215 days may be established with the
5 approval of the State Board of Education.

6 (Source: P.A. 97-370, eff. 1-1-12.)

7 (105 ILCS 5/18-8.05)

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

11 (A) General Provisions.

12 (1) The provisions of this Section apply to the 1998-1999
13 and subsequent school years. The system of general State
14 financial aid provided for in this Section is designed to
15 assure that, through a combination of State financial aid and
16 required local resources, the financial support provided each
17 pupil in Average Daily Attendance equals or exceeds a
18 prescribed per pupil Foundation Level. This formula approach
19 imputes a level of per pupil Available Local Resources and
20 provides for the basis to calculate a per pupil level of
21 general State financial aid that, when added to Available Local
22 Resources, equals or exceeds the Foundation Level. The amount
23 of per pupil general State financial aid for school districts,
24 in general, varies in inverse relation to Available Local

1 Resources. Per pupil amounts are based upon each school
2 district's Average Daily Attendance as that term is defined in
3 this Section.

4 (2) In addition to general State financial aid, school
5 districts with specified levels or concentrations of pupils
6 from low income households are eligible to receive supplemental
7 general State financial aid grants as provided pursuant to
8 subsection (H). The supplemental State aid grants provided for
9 school districts under subsection (H) shall be appropriated for
10 distribution to school districts as part of the same line item
11 in which the general State financial aid of school districts is
12 appropriated under this Section.

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

16 (a) Any school district which fails for any given
17 school year to maintain school as required by law, or to
18 maintain a recognized school is not eligible to file for
19 such school year any claim upon the Common School Fund. In
20 case of nonrecognition of one or more attendance centers in
21 a school district otherwise operating recognized schools,
22 the claim of the district shall be reduced in the
23 proportion which the Average Daily Attendance in the
24 attendance center or centers bear to the Average Daily
25 Attendance in the school district. A "recognized school"
26 means any public school which meets the standards as

1 established for recognition by the State Board of
2 Education. A school district or attendance center not
3 having recognition status at the end of a school term is
4 entitled to receive State aid payments due upon a legal
5 claim which was filed while it was recognized.

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

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

14 (d) (Blank).

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

19 School districts are not required to exert a minimum
20 Operating Tax Rate in order to qualify for assistance under
21 this Section.

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

24 (a) "Average Daily Attendance": A count of pupil
25 attendance in school, averaged as provided for in
26 subsection (C) and utilized in deriving per pupil financial

1 support levels.

2 (b) "Available Local Resources": A computation of
3 local financial support, calculated on the basis of Average
4 Daily Attendance and derived as provided pursuant to
5 subsection (D).

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

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

15 (e) "Operating Tax Rate": All school district property
16 taxes extended for all purposes, except Bond and Interest,
17 Summer School, Rent, Capital Improvement, and Vocational
18 Education Building purposes.

19 (B) Foundation Level.

20 (1) The Foundation Level is a figure established by the
21 State representing the minimum level of per pupil financial
22 support that should be available to provide for the basic
23 education of each pupil in Average Daily Attendance. As set
24 forth in this Section, each school district is assumed to exert
25 a sufficient local taxing effort such that, in combination with

1 the aggregate of general State financial aid provided the
2 district, an aggregate of State and local resources are
3 available to meet the basic education needs of pupils in the
4 district.

5 (2) For the 1998-1999 school year, the Foundation Level of
6 support is \$4,225. For the 1999-2000 school year, the
7 Foundation Level of support is \$4,325. For the 2000-2001 school
8 year, the Foundation Level of support is \$4,425. For the
9 2001-2002 school year and 2002-2003 school year, the Foundation
10 Level of support is \$4,560. For the 2003-2004 school year, the
11 Foundation Level of support is \$4,810. For the 2004-2005 school
12 year, the Foundation Level of support is \$4,964. For the
13 2005-2006 school year, the Foundation Level of support is
14 \$5,164. For the 2006-2007 school year, the Foundation Level of
15 support is \$5,334. For the 2007-2008 school year, the
16 Foundation Level of support is \$5,734. For the 2008-2009 school
17 year, the Foundation Level of support is \$5,959.

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

22 (C) Average Daily Attendance.

23 (1) For purposes of calculating general State aid pursuant
24 to subsection (E), an Average Daily Attendance figure shall be
25 utilized. The Average Daily Attendance figure for formula

1 calculation purposes shall be the monthly average of the actual
2 number of pupils in attendance of each school district, as
3 further averaged for the best 3 months of pupil attendance for
4 each school district. In compiling the figures for the number
5 of pupils in attendance, school districts and the State Board
6 of Education shall, for purposes of general State aid funding,
7 conform attendance figures to the requirements of subsection
8 (F).

9 (2) The Average Daily Attendance figures utilized in
10 subsection (E) shall be the requisite attendance data for the
11 school year immediately preceding the school year for which
12 general State aid is being calculated or the average of the
13 attendance data for the 3 preceding school years, whichever is
14 greater. The Average Daily Attendance figures utilized in
15 subsection (H) shall be the requisite attendance data for the
16 school year immediately preceding the school year for which
17 general State aid is being calculated.

18 (D) Available Local Resources.

19 (1) For purposes of calculating general State aid pursuant
20 to subsection (E), a representation of Available Local
21 Resources per pupil, as that term is defined and determined in
22 this subsection, shall be utilized. Available Local Resources
23 per pupil shall include a calculated dollar amount representing
24 local school district revenues from local property taxes and
25 from Corporate Personal Property Replacement Taxes, expressed

1 on the basis of pupils in Average Daily Attendance. Calculation
2 of Available Local Resources shall exclude any tax amnesty
3 funds received as a result of Public Act 93-26.

4 (2) In determining a school district's revenue from local
5 property taxes, the State Board of Education shall utilize the
6 equalized assessed valuation of all taxable property of each
7 school district as of September 30 of the previous year. The
8 equalized assessed valuation utilized shall be obtained and
9 determined as provided in subsection (G).

10 (3) For school districts maintaining grades kindergarten
11 through 12, local property tax revenues per pupil shall be
12 calculated as the product of the applicable equalized assessed
13 valuation for the district multiplied by 3.00%, and divided by
14 the district's Average Daily Attendance figure. For school
15 districts maintaining grades kindergarten through 8, local
16 property tax revenues per pupil shall be calculated as the
17 product of the applicable equalized assessed valuation for the
18 district multiplied by 2.30%, and divided by the district's
19 Average Daily Attendance figure. For school districts
20 maintaining grades 9 through 12, local property tax revenues
21 per pupil shall be the applicable equalized assessed valuation
22 of the district multiplied by 1.05%, and divided by the
23 district's Average Daily Attendance figure.

24 For partial elementary unit districts created pursuant to
25 Article 11E of this Code, local property tax revenues per pupil
26 shall be calculated as the product of the equalized assessed

1 valuation for property within the partial elementary unit
2 district for elementary purposes, as defined in Article 11E of
3 this Code, multiplied by 2.06% and divided by the district's
4 Average Daily Attendance figure, plus the product of the
5 equalized assessed valuation for property within the partial
6 elementary unit district for high school purposes, as defined
7 in Article 11E of this Code, multiplied by 0.94% and divided by
8 the district's Average Daily Attendance figure.

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

19 (E) Computation of General State Aid.

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

23 (2) For any school district for which Available Local
24 Resources per pupil is less than the product of 0.93 times the
25 Foundation Level, general State aid for that district shall be

1 calculated as an amount equal to the Foundation Level minus
2 Available Local Resources, multiplied by the Average Daily
3 Attendance of the school district.

4 (3) For any school district for which Available Local
5 Resources per pupil is equal to or greater than the product of
6 0.93 times the Foundation Level and less than the product of
7 1.75 times the Foundation Level, the general State aid per
8 pupil shall be a decimal proportion of the Foundation Level
9 derived using a linear algorithm. Under this linear algorithm,
10 the calculated general State aid per pupil shall decline in
11 direct linear fashion from 0.07 times the Foundation Level for
12 a school district with Available Local Resources equal to the
13 product of 0.93 times the Foundation Level, to 0.05 times the
14 Foundation Level for a school district with Available Local
15 Resources equal to the product of 1.75 times the Foundation
16 Level. The allocation of general State aid for school districts
17 subject to this paragraph 3 shall be the calculated general
18 State aid per pupil figure multiplied by the Average Daily
19 Attendance of the school district.

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

25 (5) The amount of general State aid allocated to a school
26 district for the 1999-2000 school year meeting the requirements

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

9 (F) Compilation of Average Daily Attendance.

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

20 (a) In districts that do not hold year-round classes,
21 days of attendance in August shall be added to the month of
22 September and any days of attendance in June shall be added
23 to the month of May.

24 (b) In districts in which all buildings hold year-round
25 classes, days of attendance in July and August shall be

1 added to the month of September and any days of attendance
2 in June shall be added to the month of May.

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

15 Except as otherwise provided in this Section, days of
16 attendance by pupils shall be counted only for sessions of not
17 less than 5 clock hours of school work per day under direct
18 supervision of: (i) teachers, or (ii) non-teaching personnel or
19 volunteer personnel when engaging in non-teaching duties and
20 supervising in those instances specified in subsection (a) of
21 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
22 of legal school age and in kindergarten and grades 1 through
23 12.

24 Days of attendance by tuition pupils shall be accredited
25 only to the districts that pay the tuition to a recognized
26 school.

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

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

13 (b) (Blank).

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

19 (d) A session of 3 or more clock hours may be counted
20 as a day of attendance (1) when the remainder of the school
21 day or at least 2 hours in the evening of that day is
22 utilized for an in-service training program for teachers,
23 up to a maximum of 5 days per school year, provided a
24 district conducts an in-service training program for
25 teachers in accordance with Section 10-22.39 of this Code;
26 or, in lieu of 4 such days, 2 full days may be used, in

1 which event each such day may be counted as a day required
2 for a legal school calendar pursuant to Section 10-19 of
3 this Code; (1.5) when, of the 5 days allowed under item
4 (1), a maximum of 4 days are used for parent-teacher
5 conferences, or, in lieu of 4 such days, 2 full days are
6 used, in which case each such day may be counted as a
7 calendar day required under Section 10-19 of this Code,
8 provided that the full-day, parent-teacher conference
9 consists of (i) a minimum of 5 clock hours of
10 parent-teacher conferences, (ii) both a minimum of 2 clock
11 hours of parent-teacher conferences held in the evening
12 following a full day of student attendance, as specified in
13 subsection (F)(1)(c), and a minimum of 3 clock hours of
14 parent-teacher conferences held on the day immediately
15 following evening parent-teacher conferences, or (iii)
16 multiple parent-teacher conferences held in the evenings
17 following full days of student attendance, as specified in
18 subsection (F)(1)(c), in which the time used for the
19 parent-teacher conferences is equivalent to a minimum of 5
20 clock hours; and (2) when days in addition to those
21 provided in items (1) and (1.5) are scheduled by a school
22 pursuant to its school improvement plan adopted under
23 Article 34 or its revised or amended school improvement
24 plan adopted under Article 2, provided that (i) such
25 sessions of 3 or more clock hours are scheduled to occur at
26 regular intervals, (ii) the remainder of the school days in

1 which such sessions occur are utilized for in-service
2 training programs or other staff development activities
3 for teachers, and (iii) a sufficient number of minutes of
4 school work under the direct supervision of teachers are
5 added to the school days between such regularly scheduled
6 sessions to accumulate not less than the number of minutes
7 by which such sessions of 3 or more clock hours fall short
8 of 5 clock hours. Any full days used for the purposes of
9 this paragraph shall not be considered for computing
10 average daily attendance. Days scheduled for in-service
11 training programs, staff development activities, or
12 parent-teacher conferences may be scheduled separately for
13 different grade levels and different attendance centers of
14 the district.

15 (e) A session of not less than one clock hour of
16 teaching hospitalized or homebound pupils on-site or by
17 telephone to the classroom may be counted as 1/2 day of
18 attendance, however these pupils must receive 4 or more
19 clock hours of instruction to be counted for a full day of
20 attendance.

21 (f) A session of at least 4 clock hours may be counted
22 as a day of attendance for first grade pupils, and pupils
23 in full day kindergartens, and a session of 2 or more hours
24 may be counted as 1/2 day of attendance by pupils in
25 kindergartens which provide only 1/2 day of attendance.

26 (g) For children with disabilities who are below the

1 age of 6 years and who cannot attend 2 or more clock hours
2 because of their disability or immaturity, a session of not
3 less than one clock hour may be counted as 1/2 day of
4 attendance; however for such children whose educational
5 needs so require a session of 4 or more clock hours may be
6 counted as a full day of attendance.

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

24 (i) On the days when the assessment that includes a
25 college and career ready determination is administered
26 under subsection (c) of Section 2-3.64a-5 of this Code, the

1 day of attendance for a pupil whose school day must be
2 shortened to accommodate required testing procedures may
3 be less than 5 clock hours and shall be counted towards the
4 181 ~~176~~ days of actual pupil attendance required under
5 Section 10-19 of this Code, provided that a sufficient
6 number of minutes of school work in excess of 5 clock hours
7 are first completed on other school days to compensate for
8 the loss of school work on the examination days.

9 (j) Pupils enrolled in a remote educational program
10 established under Section 10-29 of this Code may be counted
11 on the basis of one-fifth day of attendance for every clock
12 hour of instruction attended in the remote educational
13 program, provided that, in any month, the school district
14 may not claim for a student enrolled in a remote
15 educational program more days of attendance than the
16 maximum number of days of attendance the district can claim

17 (i) for students enrolled in a building holding year-round
18 classes if the student is classified as participating in
19 the remote educational program on a year-round schedule or

20 (ii) for students enrolled in a building not holding
21 year-round classes if the student is not classified as
22 participating in the remote educational program on a
23 year-round schedule.

24 (G) Equalized Assessed Valuation Data.

25 (1) For purposes of the calculation of Available Local

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

10 The Department of Revenue shall add to the equalized
11 assessed value of all taxable property of each school district
12 situated entirely or partially within a county that is or was
13 subject to the provisions of Section 15-176 or 15-177 of the
14 Property Tax Code (a) an amount equal to the total amount by
15 which the homestead exemption allowed under Section 15-176 or
16 15-177 of the Property Tax Code for real property situated in
17 that school district exceeds the total amount that would have
18 been allowed in that school district if the maximum reduction
19 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
20 all other counties in tax year 2003 or (ii) \$5,000 in all
21 counties in tax year 2004 and thereafter and (b) an amount
22 equal to the aggregate amount for the taxable year of all
23 additional exemptions under Section 15-175 of the Property Tax
24 Code for owners with a household income of \$30,000 or less. The
25 county clerk of any county that is or was subject to the
26 provisions of Section 15-176 or 15-177 of the Property Tax Code

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

22 This equalized assessed valuation, as adjusted further by
23 the requirements of this subsection, shall be utilized in the
24 calculation of Available Local Resources.

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

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

24 (b) The real property equalized assessed valuation for
25 a school district shall be adjusted by subtracting from the
26 real property value as equalized or assessed by the

1 Department of Revenue for the district an amount computed
2 by dividing the amount of any abatement of taxes under
3 Section 18-170 of the Property Tax Code by 3.00% for a
4 district maintaining grades kindergarten through 12, by
5 2.30% for a district maintaining grades kindergarten
6 through 8, or by 1.05% for a district maintaining grades 9
7 through 12 and adjusted by an amount computed by dividing
8 the amount of any abatement of taxes under subsection (a)
9 of Section 18-165 of the Property Tax Code by the same
10 percentage rates for district type as specified in this
11 subparagraph (b).

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

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

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

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

24 "Preceding Tax Year": The property tax levy year
25 immediately preceding the Base Tax Year.

26 "Base Tax Year's Tax Extension": The product of the

1 equalized assessed valuation utilized by the County Clerk
2 in the Base Tax Year multiplied by the limiting rate as
3 calculated by the County Clerk and defined in the Property
4 Tax Extension Limitation Law.

5 "Preceding Tax Year's Tax Extension": The product of
6 the equalized assessed valuation utilized by the County
7 Clerk in the Preceding Tax Year multiplied by the Operating
8 Tax Rate as defined in subsection (A).

9 "Extension Limitation Ratio": A numerical ratio,
10 certified by the County Clerk, in which the numerator is
11 the Base Tax Year's Tax Extension and the denominator is
12 the Preceding Tax Year's Tax Extension.

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

15 If a school district is subject to property tax extension
16 limitations as imposed under the Property Tax Extension
17 Limitation Law, the State Board of Education shall calculate
18 the Extension Limitation Equalized Assessed Valuation of that
19 district. For the 1999-2000 school year, the Extension
20 Limitation Equalized Assessed Valuation of a school district as
21 calculated by the State Board of Education shall be equal to
22 the product of the district's 1996 Equalized Assessed Valuation
23 and the district's Extension Limitation Ratio. Except as
24 otherwise provided in this paragraph for a school district that
25 has approved or does approve an increase in its limiting rate,
26 for the 2000-2001 school year and each school year thereafter,

1 the Extension Limitation Equalized Assessed Valuation of a
2 school district as calculated by the State Board of Education
3 shall be equal to the product of the Equalized Assessed
4 Valuation last used in the calculation of general State aid and
5 the district's Extension Limitation Ratio. If the Extension
6 Limitation Equalized Assessed Valuation of a school district as
7 calculated under this subsection (G)(3) is less than the
8 district's equalized assessed valuation as calculated pursuant
9 to subsections (G)(1) and (G)(2), then for purposes of
10 calculating the district's general State aid for the Budget
11 Year pursuant to subsection (E), that Extension Limitation
12 Equalized Assessed Valuation shall be utilized to calculate the
13 district's Available Local Resources under subsection (D). For
14 the 2009-2010 school year and each school year thereafter, if a
15 school district has approved or does approve an increase in its
16 limiting rate, pursuant to Section 18-190 of the Property Tax
17 Code, affecting the Base Tax Year, the Extension Limitation
18 Equalized Assessed Valuation of the school district, as
19 calculated by the State Board of Education, shall be equal to
20 the product of the Equalized Assessed Valuation last used in
21 the calculation of general State aid times an amount equal to
22 one plus the percentage increase, if any, in the Consumer Price
23 Index for all Urban Consumers for all items published by the
24 United States Department of Labor for the 12-month calendar
25 year preceding the Base Tax Year, plus the Equalized Assessed
26 Valuation of new property, annexed property, and recovered tax

1 increment value and minus the Equalized Assessed Valuation of
2 disconnected property. New property and recovered tax
3 increment value shall have the meanings set forth in the
4 Property Tax Extension Limitation Law.

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

9 (3.5) For the 2010-2011 school year and each school year
10 thereafter, if a school district's boundaries span multiple
11 counties, then the Department of Revenue shall send to the
12 State Board of Education, for the purpose of calculating
13 general State aid, the limiting rate and individual rates by
14 purpose for the county that contains the majority of the school
15 district's Equalized Assessed Valuation.

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

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

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

22 (H) Supplemental General State Aid.

23 (1) In addition to the general State aid a school district
24 is allotted pursuant to subsection (E), qualifying school
25 districts shall receive a grant, paid in conjunction with a

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

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

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

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

1 Children and Family Services, averaged over the 2 immediately
2 preceding fiscal years for fiscal year 2004 and over the 3
3 immediately preceding fiscal years for each fiscal year
4 thereafter) divided by the Average Daily Attendance of the
5 school district.

6 (2) Supplemental general State aid pursuant to this
7 subsection (H) shall be provided as follows for the 1998-1999,
8 1999-2000, and 2000-2001 school years only:

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

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

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

21 (d) For any school district with a Low Income
22 Concentration Level of 60% or more, the grant for the
23 1998-99 school year shall be \$1,900 multiplied by the low
24 income eligible pupil count.

25 (e) For the 1999-2000 school year, the per pupil amount
26 specified in subparagraphs (b), (c), and (d) immediately

1 above shall be increased to \$1,243, \$1,600, and \$2,000,
2 respectively.

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

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

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

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

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

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

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

1 Concentration Level of at least 50% and less than 60%, the
2 grant for each school year shall be \$1,680 multiplied by
3 the low income eligible pupil count.

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

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

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

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

21 For the 2003-2004 school year and each school year
22 thereafter through the 2008-2009 school year only, the grant
23 shall be no less than the grant for the 2002-2003 school year.
24 For the 2009-2010 school year only, the grant shall be no less
25 than the grant for the 2002-2003 school year multiplied by
26 0.66. For the 2010-2011 school year only, the grant shall be no

1 less than the grant for the 2002-2003 school year multiplied by
2 0.33. Notwithstanding the provisions of this paragraph to the
3 contrary, if for any school year supplemental general State aid
4 grants are prorated as provided in paragraph (1) of this
5 subsection (H), then the grants under this paragraph shall be
6 prorated.

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

25 (3) School districts with an Average Daily Attendance of
26 more than 1,000 and less than 50,000 that qualify for

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

9 (4) School districts with an Average Daily Attendance of
10 50,000 or more that qualify for supplemental general State aid
11 pursuant to this subsection shall be required to distribute
12 from funds available pursuant to this Section, no less than
13 \$261,000,000 in accordance with the following requirements:

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

21 (b) The distribution of these portions of supplemental
22 and general State aid among attendance centers according to
23 these requirements shall not be compensated for or
24 contravened by adjustments of the total of other funds
25 appropriated to any attendance centers, and the Board of
26 Education shall utilize funding from one or several sources

1 in order to fully implement this provision annually prior
2 to the opening of school.

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

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

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

1 expended for any political or lobbying purposes as defined
2 by board rule.

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

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

25 If the district fails to distribute State aid to
26 attendance centers in accordance with an approved plan, the

1 plan for the following year shall allocate funds, in
2 addition to the funds otherwise required by this
3 subsection, to those attendance centers which were
4 underfunded during the previous year in amounts equal to
5 such underfunding.

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

26 The State Board of Education shall promulgate rules and

1 regulations to implement the provisions of this
2 subsection. No funds shall be released under this
3 subdivision (H) (4) to any district that has not submitted a
4 plan that has been approved by the State Board of
5 Education.

6 (I) (Blank).

7 (J) (Blank).

8 (K) Grants to Laboratory and Alternative Schools.

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

15 As used in this Section, "laboratory school" means a public
16 school which is created and operated by a public university and
17 approved by the State Board of Education. The governing board
18 of a public university which receives funds from the State
19 Board under this subsection (K) may not increase the number of
20 students enrolled in its laboratory school from a single
21 district, if that district is already sending 50 or more
22 students, except under a mutual agreement between the school
23 board of a student's district of residence and the university

1 which operates the laboratory school. A laboratory school may
2 not have more than 1,000 students, excluding students with
3 disabilities in a special education program.

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

20 Each laboratory and alternative school shall file, on forms
21 provided by the State Superintendent of Education, an annual
22 State aid claim which states the Average Daily Attendance of
23 the school's students by month. The best 3 months' Average
24 Daily Attendance shall be computed for each school. The general
25 State aid entitlement shall be computed by multiplying the
26 applicable Average Daily Attendance by the Foundation Level as

1 determined under this Section.

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

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

16 (2) (Blank).

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

19 (M) Education Funding Advisory Board.

20 The Education Funding Advisory Board, hereinafter in this
21 subsection (M) referred to as the "Board", is hereby created.
22 The Board shall consist of 5 members who are appointed by the
23 Governor, by and with the advice and consent of the Senate. The
24 members appointed shall include representatives of education,

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

1 person to fill that membership for the unexpired term. If the
2 Senate is not in session when the initial appointments are
3 made, those appointments shall be made as in the case of
4 vacancies.

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

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

17 For school years after the 2000-2001 school year, the
18 Education Funding Advisory Board, in consultation with the
19 State Board of Education, shall make recommendations as
20 provided in this subsection (M) to the General Assembly for the
21 foundation level under subdivision (B)(3) of this Section and
22 for the supplemental general State aid grant level under
23 subsection (H) of this Section for districts with high
24 concentrations of children from poverty. The recommended
25 foundation level shall be determined based on a methodology
26 which incorporates the basic education expenditures of

1 low-spending schools exhibiting high academic performance. The
2 Education Funding Advisory Board shall make such
3 recommendations to the General Assembly on January 1 of odd
4 numbered years, beginning January 1, 2001.

5 (N) (Blank).

6 (O) References.

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

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

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

21 (Q) State Fiscal Year 2015 Payments.

22 For payments made for State fiscal year 2015, the State

1 Board of Education shall, for each school district, calculate
2 that district's pro-rata share of a minimum sum of \$13,600,000
3 or additional amounts as needed from the total net General
4 State Aid funding as calculated under this Section that shall
5 be deemed attributable to the provision of special educational
6 facilities and services, as defined in Section 14-1.08 of this
7 Code, in a manner that ensures compliance with maintenance of
8 State financial support requirements under the federal
9 Individuals with Disabilities Education Act. Each school
10 district must use such funds only for the provision of special
11 educational facilities and services, as defined in Section
12 14-1.08 of this Code, and must comply with any expenditure
13 verification procedures adopted by the State Board of
14 Education.

15 (Source: P.A. 98-972, eff. 8-15-14; 99-2, eff. 3-26-15.)

16 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

17 Sec. 18-12. Dates for filing State aid claims. The school
18 board of each school district shall require teachers,
19 principals, or superintendents to furnish from records kept by
20 them such data as it needs in preparing and certifying to the
21 regional superintendent its school district report of claims
22 provided in Sections 18-8.05 through 18-9 as required by the
23 State Superintendent of Education. The district claim shall be
24 based on the latest available equalized assessed valuation and
25 tax rates, as provided in Section 18-8.05 and shall use the

1 average daily attendance as determined by the method outlined
2 in Section 18-8.05 and shall be certified and filed with the
3 regional superintendent by June 21 for districts with an
4 official school calendar end date before June 15 or within 2
5 weeks following the official school calendar end date for
6 districts with a school year end date of June 15 or later. The
7 regional superintendent shall certify and file with the State
8 Superintendent of Education district State aid claims by July 1
9 for districts with an official school calendar end date before
10 June 15 or no later than July 15 for districts with an official
11 school calendar end date of June 15 or later. Failure to so
12 file by these deadlines constitutes a forfeiture of the right
13 to receive payment by the State until such claim is filed and
14 vouchered for payment. The regional superintendent of schools
15 shall certify the county report of claims by July 15; and the
16 State Superintendent of Education shall voucher for payment
17 those claims to the State Comptroller as provided in Section
18 18-11.

19 Except as otherwise provided in this Section, if any school
20 district fails to provide the minimum school term specified in
21 Section 10-19, the State aid claim for that year shall be
22 reduced by the State Superintendent of Education in an amount
23 equivalent to 1/181 ~~1/176~~ or 0.55249% ~~.56818%~~ for each day less
24 than the number of days required by this Code.

25 If the State Superintendent of Education determines that
26 the failure to provide the minimum school term was occasioned

1 by an act or acts of God, or was occasioned by conditions
2 beyond the control of the school district which posed a
3 hazardous threat to the health and safety of pupils, the State
4 aid claim need not be reduced.

5 If a school district is precluded from providing the
6 minimum hours of instruction required for a full day of
7 attendance due to an adverse weather condition or a condition
8 beyond the control of the school district that poses a
9 hazardous threat to the health and safety of students, then the
10 partial day of attendance may be counted if (i) the school
11 district has provided at least one hour of instruction prior to
12 the closure of the school district, (ii) a school building has
13 provided at least one hour of instruction prior to the closure
14 of the school building, or (iii) the normal start time of the
15 school district is delayed.

16 If, prior to providing any instruction, a school district
17 must close one or more but not all school buildings after
18 consultation with a local emergency response agency or due to a
19 condition beyond the control of the school district, then the
20 school district may claim attendance for up to 2 school days
21 based on the average attendance of the 3 school days
22 immediately preceding the closure of the affected school
23 building. The partial or no day of attendance described in this
24 Section and the reasons therefore shall be certified within a
25 month of the closing or delayed start by the school district
26 superintendent to the regional superintendent of schools for

1 forwarding to the State Superintendent of Education for
2 approval.

3 No exception to the requirement of providing a minimum
4 school term may be approved by the State Superintendent of
5 Education pursuant to this Section unless a school district has
6 first used all emergency days provided for in its regular
7 calendar.

8 If the State Superintendent of Education declares that an
9 energy shortage exists during any part of the school year for
10 the State or a designated portion of the State, a district may
11 operate the school attendance centers within the district 4
12 days of the week during the time of the shortage by extending
13 each existing school day by one clock hour of school work, and
14 the State aid claim shall not be reduced, nor shall the
15 employees of that district suffer any reduction in salary or
16 benefits as a result thereof. A district may operate all
17 attendance centers on this revised schedule, or may apply the
18 schedule to selected attendance centers, taking into
19 consideration such factors as pupil transportation schedules
20 and patterns and sources of energy for individual attendance
21 centers.

22 Electronically submitted State aid claims shall be
23 submitted by duly authorized district or regional individuals
24 over a secure network that is password protected. The
25 electronic submission of a State aid claim must be accompanied
26 with an affirmation that all of the provisions of Sections

1 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
2 all respects.

3 (Source: P.A. 95-152, eff. 8-14-07; 95-811, eff. 8-13-08;
4 95-876, eff. 8-21-08; 96-734, eff. 8-25-09.)