



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4439

by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

New Act

105 ILCS 5/1C-1

105 ILCS 5/14-7.02b

105 ILCS 5/14-7.05

105 ILCS 5/18-8.05

105 ILCS 5/Art. 1D rep.

Creates the Continuing Appropriation for Education Act to require a Common School Fund recommendation by the Governor in the annual budget and annual Common School Fund appropriations by the General Assembly sufficient to fund general State aid and to require an irrevocable and continuing appropriation if the General Assembly fails to make sufficient Common School Fund appropriations. Amends the School Code. Removes language that provides that the Block Grants Article does not apply to the Chicago school district, repeals the Block Grants for Chicago Article, and makes related changes. Amends the State aid formula provisions to provide that the Foundation Level of support amount for the 2016-2017 school year and each school year thereafter is equal to the Foundation Level of support amount for the previous school year increased by 2%. Effective immediately.

LRB099 17000 NHT 41352 b

FISCAL NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the
5 Continuing Appropriation for Education Act.

6 Section 5. Annual budget; recommendation. Beginning with
7 the Budget for fiscal year 2017, the Governor shall include a
8 Common School Fund recommendation to the State Board of
9 Education in the annual Budget sufficient to fund the General
10 State Aid Formula set forth in subsection (E) (Computation of
11 General State Aid) of Section 18-8.05 of the School Code.

12 Section 10. State aid formula; funding. Beginning with
13 fiscal year 2017, the General Assembly shall annually make
14 Common School Fund appropriations to the State Board of
15 Education sufficient to fund the General State Aid Formula set
16 forth in subsection (E) (Computation of General State Aid) of
17 Section 18-8.05 of the School Code.

18 Section 15. Continuing appropriation. If the General
19 Assembly fails to make Common School Fund appropriations to the
20 State Board of Education in fiscal year 2016 or in any fiscal
21 year thereafter sufficient to fund the General State Aid

1 Formula set forth in subsection (E) (Computation of General
2 State Aid) of Section 18-8.05 of the School Code, this Act
3 shall constitute an irrevocable and continuing appropriation
4 from the Common School Fund of all amounts necessary for those
5 purposes.

6 Section 90. The School Code is amended by changing Sections
7 1C-1, 14-7.02b, 14-7.05, and 18-8.05 as follows:

8 (105 ILCS 5/1C-1)

9 Sec. 1C-1. Purpose. The purpose of this Article is to
10 permit greater flexibility and efficiency in the distribution
11 and use of certain State funds available to local education
12 agencies for the improvement of the quality of educational
13 services pursuant to locally established priorities.

14 ~~This Article does not apply to school districts having a~~
15 ~~population in excess of 500,000 inhabitants.~~

16 (Source: P.A. 88-555, eff. 7-27-94; 89-15, eff. 5-30-95;
17 89-397, eff. 8-20-95; 89-626, eff. 8-9-96.)

18 (105 ILCS 5/14-7.02b)

19 Sec. 14-7.02b. Funding for children requiring special
20 education services. Payments to school districts for children
21 requiring special education services documented in their
22 individualized education program regardless of the program
23 from which these services are received, excluding children

1 claimed under Sections 14-7.02 and 14-7.03 of this Code, shall
2 be made in accordance with this Section. Funds received under
3 this Section may be used only for the provision of special
4 educational facilities and services as defined in Section
5 14-1.08 of this Code.

6 The appropriation for fiscal year 2005 and thereafter shall
7 be based upon the IDEA child count of all students in the
8 State, excluding students claimed under Sections 14-7.02 and
9 14-7.03 of this Code, on December 1 of the fiscal year 2 years
10 preceding, multiplied by 17.5% of the general State aid
11 foundation level of support established for that fiscal year
12 under Section 18-8.05 of this Code.

13 Beginning with fiscal year 2005 and through fiscal year
14 2007, individual school districts shall not receive payments
15 under this Section totaling less than they received under the
16 funding authorized under Section 14-7.02a of this Code during
17 fiscal year 2004, pursuant to the provisions of Section
18 14-7.02a as they were in effect before the effective date of
19 this amendatory Act of the 93rd General Assembly. This base
20 level funding shall be computed first.

21 Beginning with fiscal year 2008 and each fiscal year
22 thereafter, individual school districts must not receive
23 payments under this Section totaling less than they received in
24 fiscal year 2007. This funding shall be computed last and shall
25 be a separate calculation from any other calculation set forth
26 in this Section. ~~This amount is exempt from the requirements of~~

1 ~~Section 1D-1 of this Code.~~

2 An amount equal to 85% of the funds remaining in the
3 appropriation shall be allocated to school districts based upon
4 the district's average daily attendance reported for purposes
5 of Section 18-8.05 of this Code for the preceding school year.
6 Fifteen percent of the funds remaining in the appropriation
7 shall be allocated to school districts based upon the
8 district's low income eligible pupil count used in the
9 calculation of general State aid under Section 18-8.05 of this
10 Code for the same fiscal year. One hundred percent of the funds
11 computed and allocated to districts under this Section shall be
12 distributed and paid to school districts.

13 For individual students with disabilities whose program
14 costs exceed 4 times the district's per capita tuition rate as
15 calculated under Section 10-20.12a of this Code, the costs in
16 excess of 4 times the district's per capita tuition rate shall
17 be paid by the State Board of Education from unexpended IDEA
18 discretionary funds originally designated for room and board
19 reimbursement pursuant to Section 14-8.01 of this Code. The
20 amount of tuition for these children shall be determined by the
21 actual cost of maintaining classes for these children, using
22 the per capita cost formula set forth in Section 14-7.01 of
23 this Code, with the program and cost being pre-approved by the
24 State Superintendent of Education. Reimbursement for
25 individual students with disabilities whose program costs
26 exceed 4 times the district's per capita tuition rate shall be

1 claimed beginning with costs encumbered for the 2004-2005
2 school year and thereafter.

3 The State Board of Education shall prepare vouchers equal
4 to one-fourth the amount allocated to districts, for
5 transmittal to the State Comptroller on the 30th day of
6 September, December, and March, respectively, and the final
7 voucher, no later than June 20. The Comptroller shall make
8 payments pursuant to this Section to school districts as soon
9 as possible after receipt of vouchers. If the money
10 appropriated from the General Assembly for such purposes for
11 any year is insufficient, it shall be apportioned on the basis
12 of the payments due to school districts.

13 Nothing in this Section shall be construed ~~to decrease or~~
14 ~~increase the percentage of all special education funds that are~~
15 ~~allocated annually under Article 1D of this Code or~~ to alter
16 the requirement that a school district provide special
17 education services.

18 Nothing in this amendatory Act of the 93rd General Assembly
19 shall eliminate any reimbursement obligation owed as of the
20 effective date of this amendatory Act of the 93rd General
21 Assembly to a school district with in excess of 500,000
22 inhabitants.

23 (Source: P.A. 93-1022, eff. 8-24-08; 95-705, eff. 1-8-08.)

24 (105 ILCS 5/14-7.05)

25 Sec. 14-7.05. Placement in residential facility; payment

1 of educational costs. For any student with a disability in a
2 residential facility placement made or paid for by an Illinois
3 public State agency or made by any court in this State, the
4 school district of residence as determined pursuant to this
5 Article is responsible for the costs of educating the child and
6 shall be reimbursed for those costs in accordance with this
7 Code. Subject to this Section and relevant State appropriation,
8 the resident district's financial responsibility and
9 reimbursement must be calculated in accordance with the
10 provisions of Section 14-7.02 of this Code. ~~In those instances~~
11 ~~in which a district receives a block grant pursuant to Article~~
12 ~~1D of this Code, the district's financial responsibility is~~
13 ~~limited to the actual educational costs of the placement, which~~
14 ~~must be paid by the district from its block grant~~
15 ~~appropriation.~~ Resident district financial responsibility and
16 reimbursement applies for both residential facilities that are
17 approved by the State Board of Education and non-approved
18 facilities, subject to the requirements of this Section. The
19 Illinois placing agency or court remains responsible for
20 funding the residential portion of the placement and for
21 notifying the resident district prior to the placement, except
22 in emergency situations. The residential facility in which the
23 student is placed shall notify the resident district of the
24 student's enrollment as soon as practicable after the
25 placement. Failure of the placing agency or court to notify the
26 resident district prior to the placement does not absolve the

1 resident district of financial responsibility for the
2 educational costs of the placement; however, the resident
3 district shall not become financially responsible unless and
4 until it receives written notice of the placement by either the
5 placing agency, court, or residential facility. The placing
6 agency or parent shall request an individualized education
7 program (IEP) meeting from the resident district if the
8 placement would entail additional educational services beyond
9 the student's current IEP. The district of residence shall
10 retain control of the IEP process, and any changes to the IEP
11 must be done in compliance with the federal Individuals with
12 Disabilities Education Act.

13 Payments shall be made by the resident district to the
14 entity providing the educational services, whether the entity
15 is the residential facility or the school district wherein the
16 facility is located, no less than once per quarter unless
17 otherwise agreed to in writing by the parties.

18 A residential facility providing educational services
19 within the facility, but not approved by the State Board of
20 Education, is required to demonstrate proof to the State Board
21 of (i) appropriate certification of teachers for the student
22 population, (ii) age-appropriate curriculum, (iii) enrollment
23 and attendance data, and (iv) the ability to implement the
24 child's IEP. A school district is under no obligation to pay
25 such a residential facility unless and until such proof is
26 provided to the State Board's satisfaction.

1 When a dispute arises over the determination of the
2 district of residence under this Section, any person or entity,
3 including without limitation a school district or residential
4 facility, may make a written request for a residency decision
5 to the State Superintendent of Education, who, upon review of
6 materials submitted and any other items of information he or
7 she may request for submission, shall issue his or her decision
8 in writing. The decision of the State Superintendent of
9 Education is final.

10 (Source: P.A. 95-844, eff. 8-15-08; 95-938, eff. 8-29-08.)

11 (105 ILCS 5/18-8.05)

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

15 (A) General Provisions.

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

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

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

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

20 (a) Any school district which fails for any given
21 school year to maintain school as required by law, or to
22 maintain a recognized school is not eligible to file for
23 such school year any claim upon the Common School Fund. In
24 case of nonrecognition of one or more attendance centers in
25 a school district otherwise operating recognized schools,
26 the claim of the district shall be reduced in the

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

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

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

18 (d) (Blank).

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

23 School districts are not required to exert a minimum
24 Operating Tax Rate in order to qualify for assistance under
25 this Section.

26 (5) As used in this Section the following terms, when

1 capitalized, shall have the meaning ascribed herein:

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

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

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

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

19 (e) "Operating Tax Rate": All school district property
20 taxes extended for all purposes, except Bond and Interest,
21 Summer School, Rent, Capital Improvement, and Vocational
22 Education Building purposes.

23 (B) Foundation Level.

24 (1) The Foundation Level is a figure established by the
25 State representing the minimum level of per pupil financial

1 support that should be available to provide for the basic
2 education of each pupil in Average Daily Attendance. As set
3 forth in this Section, each school district is assumed to exert
4 a sufficient local taxing effort such that, in combination with
5 the aggregate of general State financial aid provided the
6 district, an aggregate of State and local resources are
7 available to meet the basic education needs of pupils in the
8 district.

9 (2) For the 1998-1999 school year, the Foundation Level of
10 support is \$4,225. For the 1999-2000 school year, the
11 Foundation Level of support is \$4,325. For the 2000-2001 school
12 year, the Foundation Level of support is \$4,425. For the
13 2001-2002 school year and 2002-2003 school year, the Foundation
14 Level of support is \$4,560. For the 2003-2004 school year, the
15 Foundation Level of support is \$4,810. For the 2004-2005 school
16 year, the Foundation Level of support is \$4,964. For the
17 2005-2006 school year, the Foundation Level of support is
18 \$5,164. For the 2006-2007 school year, the Foundation Level of
19 support is \$5,334. For the 2007-2008 school year, the
20 Foundation Level of support is \$5,734. For the 2008-2009 school
21 year, the Foundation Level of support is \$5,959. For the
22 2009-2010 school year through the 2015-2016 school year, the
23 Foundation Level of support is \$6,119.

24 (3) For the 2016-2017 ~~2009-2010~~ school year and each school
25 year thereafter, the Foundation Level of support is an amount
26 equal to the Foundation Level of Support amount for the

1 previous school year increased by 2% \$6,119 or such greater
2 amount as may be established by law by the General Assembly.

3 (C) Average Daily Attendance.

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

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

24 (D) Available Local Resources.

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

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

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

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

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

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

1 (E) Computation of General State Aid.

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

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

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

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

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

16 (F) Compilation of Average Daily Attendance.

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

1 (1).

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

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

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

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

1 supervising in those instances specified in subsection (a) of
2 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
3 of legal school age and in kindergarten and grades 1 through
4 12. Days of attendance by pupils through verified participation
5 in an e-learning program approved by the State Board of
6 Education under Section 10-20.56 of the Code shall be
7 considered as full days of attendance for purposes of this
8 Section.

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

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

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

9 (G) Equalized Assessed Valuation Data.

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

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

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

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

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

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

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

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

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

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

1 district's Extension Limitation Equalized Assessed Valuation
2 as calculated under this subsection (G) (3).

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

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

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

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

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

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

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

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

26 If a school district is subject to property tax extension

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

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

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

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

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

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

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

7 (H) Supplemental General State Aid.

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

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

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

1 affected by any other funding.

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

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

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

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

1 multiplied by the low income eligible pupil count.

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

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

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

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

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

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

25 (b) For any school district with a Low Income
26 Concentration Level of at least 10% and less than 20%, the

1 grant for each school year shall be \$675 multiplied by the
2 low income eligible pupil count.

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

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

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

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

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

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

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

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

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

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

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

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

25 (a) The required amounts shall be distributed to the
26 attendance centers within the district in proportion to the

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

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

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

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

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

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

1 written notice of intent to modify. Districts may amend
2 approved plans pursuant to rules promulgated by the State
3 Board of Education.

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

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

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

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

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

17 (I) (Blank).

18 (J) (Blank).

19 (K) Grants to Laboratory and Alternative Schools.

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

1 Education shall require by rule such reporting requirements as
2 it deems necessary.

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

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

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

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

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

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

1 Article.

2 (2) (Blank).

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

5 (M) Education Funding Advisory Board.

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

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

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

24 The State Board of Education shall provide such staff
25 assistance to the Education Funding Advisory Board as is
26 reasonably required for the proper performance by the Board of

1 its responsibilities.

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

16 (N) (Blank).

17 (O) References.

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

23 (2) References in other laws to State Chapter 1 funds shall
24 be deemed to refer to the supplemental general State aid

1 provided under subsection (H) of this Section.

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

8 (Q) State Fiscal Year 2015 Payments.

9 For payments made for State fiscal year 2015, the State
10 Board of Education shall, for each school district, calculate
11 that district's pro-rata share of a minimum sum of \$13,600,000
12 or additional amounts as needed from the total net General
13 State Aid funding as calculated under this Section that shall
14 be deemed attributable to the provision of special educational
15 facilities and services, as defined in Section 14-1.08 of this
16 Code, in a manner that ensures compliance with maintenance of
17 State financial support requirements under the federal
18 Individuals with Disabilities Education Act. Each school
19 district must use such funds only for the provision of special
20 educational facilities and services, as defined in Section
21 14-1.08 of this Code, and must comply with any expenditure
22 verification procedures adopted by the State Board of
23 Education.

24 (Source: P.A. 98-972, eff. 8-15-14; 99-2, eff. 3-26-15; 99-194,

1 eff. 7-30-15.)

2 (105 ILCS 5/Art. 1D rep.)

3 Section 95. The School Code is amended by repealing Article
4 1D.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.