

1 AN ACT in relation to schools.

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
5 Sections 18-9 and 18-12 as follows:

6 (105 ILCS 5/18-9) (from Ch. 122, par. 18-9)

7 Sec. 18-9. Requirement--for--special--equalization--and
8 Supplementary State aid in cases of bankruptcy.

9 (a) (Blank). Any---school---district---claiming---an
10 equalization--quota--may--not--increase--its--annual-net-cash
11 balance-in-the-educational-fund-for-the-fiscal-school-year-by
12 failing-to-expend-for-educational-purposes-the-total--of--(1)
13 the--general--grant,--(2)--the-equalization-quota,--and--(3)--the
14 amount-determined-by-applying--the--qualifying--rate--to--the
15 equalized--assessed--valuation-of-the-district,--Any-district
16 which-increases-such-annual-net-cash-balance--by--failing--to
17 expend--the--amount--received-from-the-sum-of--(1)--the-general
18 grant,--(2)--the--equalization--quota,--and--(3)--the--amount
19 determined-by-applying-the-qualifying-rate-to--the--equalized
20 assessed-valuation-of-the-district,--shall-have-its-next-claim
21 for--an--equalization-quota-reduced-in-an-amount-equal-to-the
22 difference-between-its-expenditures-for-educational--purposes
23 and-that-sum.

24 Current--expenditures--made--in--any-district-receiving-a
25 special--equalization--quota--and--governed--by--a--board--of
26 directors--must--be--approved--in--advance--by--the--regional
27 superintendent.

28 If,--as-a-result-of-tax-objections-based-on-inequities--of
29 assessment,--a--final-decision-of-any-court,--entered-not-more
30 than-one-year-before--or--3--years--after--August--26,--1963,
31 reduces--the--taxes--received--by--the--educational-fund-of-a

1 school-district, for any given year, in an amount equal to or
 2 more than 3% of the total amount of taxes extended for
 3 educational purposes of the district, that district may amend
 4 its claim for equalization aid for that year by adding
 5 thereto an amount determined by multiplying the deficiency in
 6 tax receipts by a percentage computed by dividing the tax
 7 rate required in Section 18-8 to receive an equalization
 8 quota by the tax rate originally extended for educational
 9 purposes. The amended claim including any additional monies
 10 to which the district may be entitled shall be filed within
 11 three years of the date of such decision and the additional
 12 amount paid as supplementary state equalization aid.

13 (b) Any elementary, high school or unit district which
 14 for the year 1971, as compared to the year 1970, has a
 15 decrease of more than 40% in the value of all its taxable
 16 property as equalized or assessed by the Department of
 17 Revenue, shall be entitled to file a claim for supplementary
 18 State aid with the Office of the State Superintendent of
 19 Education. The amount of such aid shall be determined by
 20 multiplying the amount of the decrease in the value of the
 21 district's taxable property times the total of the 1972 tax
 22 rates for school purposes less the sum of the district's
 23 qualifying tax rates for educational and transportation
 24 purposes extended by such district. Such claims shall be
 25 filed on forms prescribed by the Superintendent, and the
 26 Superintendent upon receipt of such claims shall adjust the
 27 claim of each such district in accordance with the provisions
 28 of this Section.

29 Where property comprising an aggregate assessed valuation
 30 equal to 3% or more of the total assessed valuation of all
 31 taxable property in a school the district is owned by a
 32 person or corporation who is the subject of bankruptcy
 33 proceedings or has been adjudged a bankrupt and, as a result
 34 thereof, has not paid taxes on that property for 2 or more

1 years, that district may amend its general State aid claim
2 (i) back to the inception of such bankruptcy, not to exceed 6
3 years, in which time such taxes were not paid and (ii) for
4 each succeeding year that such taxes remain unpaid, by adding
5 to that claim an amount determined by multiplying the
6 assessed valuation of the property on which taxes have not
7 been paid due to the bankruptcy ~~by-the-tax-rate-required-in~~
8 ~~Section 18-8-to-receive-an-equalization-quota-or--after--July~~
9 ~~17-1973,~~ by the applicable district's ~~operating-tax~~ rate used
10 in calculating the district's general State aid under
11 paragraph (3) of subsection (D) of Section 18-8.05 of this
12 Code for--general--state--aid--purposes. If at any time a
13 district which receives additional State aid under the
14 provisions of this Section paragraph receives tax revenue
15 from such property for the years that taxes were not paid,
16 its next claim for State aid shall be reduced in an amount
17 equal to the taxes paid on such property, not to exceed the
18 additional State aid received under the provisions of this
19 Section paragraph. The Such claims made under this Section
20 shall be filed on forms prescribed by the State
21 Superintendent of Education, and the State Superintendent
22 upon receipt of such claims shall adjust the claims claim of
23 each such district in accordance with the provisions of this
24 Section paragraph. The supplementary State aid for each
25 succeeding year shall be paid beginning with the first
26 general State aid claim paid after the district has filed a
27 completed claim in accordance with this Section.

28 (Source: P.A. 81-1509.)

29 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)
30 Sec. 18-12. Dates for filing State aid claims.} The
31 school board of each school district shall require teachers,
32 principals, or superintendents to furnish from records kept
33 by them such data as it needs in preparing and certifying

1 under oath or affirmation to the regional superintendent its
 2 school district report of claims provided in Sections 18-8
 3 through 18-10 on blanks to be provided by the State
 4 Superintendent of Education. The district claim shall be
 5 based on the latest available equalized assessed valuation
 6 and tax rates, as provided in Section 18-8.05 18-8 and shall
 7 use the average daily attendance as determined by the method
 8 outlined in Section 18-8.05 18-8 and shall be certified and
 9 filed with the regional superintendent by July 1. Failure to
 10 so file by July 1 constitutes a forfeiture of the right to
 11 receive payment by the State until such claim is filed and
 12 vouchered for payment. The regional superintendent of
 13 schools shall certify the county report of claims by July 15;
 14 and the State Superintendent of Education shall voucher for
 15 payment those claims to the State Comptroller as provided in
 16 Section 18-11.

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

23 If the State Superintendent of Education determines that
 24 the such failure to provide the minimum school term was
 25 occasioned by an act or acts of God, or was occasioned by
 26 conditions beyond the control of the school district which
 27 posed a hazardous threat to the health and safety of pupils,
 28 the State aid claim need not be reduced.

29 If the State Superintendent of Education determines that
 30 the failure to provide the minimum school term was due to a
 31 school being closed on or after September 11, 2001 for more
 32 than one-half day of attendance due to a bioterrorism or
 33 terrorism threat that was investigated by a law enforcement
 34 agency, the State aid claim shall not be reduced.

1 If, during any school day, (i) a school district has
 2 provided at least one clock hour of instruction but must
 3 close the schools due to adverse weather conditions or due to
 4 a condition beyond the control of the school district that
 5 poses a hazardous threat to the health and safety of pupils
 6 prior to providing the minimum hours of instruction required
 7 for a full day of attendance, or (ii) the school district
 8 must delay the start of the school day due to adverse weather
 9 conditions and this delay prevents the district from
 10 providing the minimum hours of instruction required for a
 11 full day of attendance, the partial day of attendance may be
 12 counted as a full day of attendance. The partial day of
 13 attendance and the reasons therefor shall be certified in
 14 writing within a month of the closing or delayed start by the
 15 local school district superintendent to the Regional
 16 Superintendent of Schools for forwarding to the State
 17 Superintendent of Education for approval.

18 If a school building is ordered to be closed by the
 19 school board, in consultation with a local emergency response
 20 agency, due to a condition that poses a hazardous threat to
 21 the health and safety of pupils, then the school district
 22 shall have a grace period of 4 days in which the general
 23 State aid claim shall not be reduced so that alternative
 24 housing of the pupils may be located.

25 No exception to the requirement of providing a minimum
 26 school term may be approved by the State Superintendent of
 27 Education pursuant to this Section unless a school district
 28 has first used all emergency days provided for in its regular
 29 calendar.

30 If the State Superintendent of Education declares that an
 31 energy shortage exists during any part of the school year for
 32 the State or a designated portion of the State, a district
 33 may operate the school attendance centers within the district
 34 4 days of the week during the time of the shortage by

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

10 No State aid claim may be filed for any district unless
11 the clerk or secretary of the school board executes and files
12 with the State Superintendent of Education, on forms
13 prescribed by the Superintendent, a sworn statement that the
14 district has complied with the requirements of Section
15 10-22.5 in regard to the nonsegregation of pupils on account
16 of color, creed, race, sex or nationality.

17 No State aid claim may be filed for any district unless
18 the clerk or secretary of the school board executes and files
19 with the State Superintendent of Education, on forms
20 prescribed by the Superintendent, a sworn statement that to
21 the best of his or her knowledge or belief the employing or
22 assigning personnel have complied with Section 24-4 in all
23 respects.

24 (Source: P.A. 90-98, eff. 7-11-97.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.