

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 18-8.15 as follows:

(105 ILCS 5/18-8.15)

Sec. 18-8.15. Evidence-Based Funding for student success for the 2017-2018 and subsequent school years.

(a) General provisions.

(1) The purpose of this Section is to ensure that, by June 30, 2027 and beyond, this State has a kindergarten through grade 12 public education system with the capacity to ensure the educational development of all persons to the limits of their capacities in accordance with Section 1 of Article X of the Constitution of the State of Illinois. To accomplish that objective, this Section creates a method of funding public education that is evidence-based; is sufficient to ensure every student receives a meaningful opportunity to learn irrespective of race, ethnicity, sexual orientation, gender, or community-income level; and is sustainable and predictable. When fully funded under this Section, every school shall have the resources, based on what the

evidence indicates is needed, to:

(A) provide all students with a high quality education that offers the academic, enrichment, social and emotional support, technical, and career-focused programs that will allow them to become competitive workers, responsible parents, productive citizens of this State, and active members of our national democracy;

(B) ensure all students receive the education they need to graduate from high school with the skills required to pursue post-secondary education and training for a rewarding career;

(C) reduce, with a goal of eliminating, the achievement gap between at-risk and non-at-risk students by raising the performance of at-risk students and not by reducing standards; and

(D) ensure this State satisfies its obligation to assume the primary responsibility to fund public education and simultaneously relieve the disproportionate burden placed on local property taxes to fund schools.

(2) The Evidence-Based Funding formula under this Section shall be applied to all Organizational Units in this State. The Evidence-Based Funding formula outlined in this Act is based on the formula outlined in Senate Bill 1 of the 100th General Assembly, as passed by both

legislative chambers. As further defined and described in this Section, there are 4 major components of the Evidence-Based Funding model:

(A) First, the model calculates a unique Adequacy Target for each Organizational Unit in this State that considers the costs to implement research-based activities, the unit's student demographics, and regional wage differences.

(B) Second, the model calculates each Organizational Unit's Local Capacity, or the amount each Organizational Unit is assumed to contribute toward its Adequacy Target from local resources.

(C) Third, the model calculates how much funding the State currently contributes to the Organizational Unit and adds that to the unit's Local Capacity to determine the unit's overall current adequacy of funding.

(D) Finally, the model's distribution method allocates new State funding to those Organizational Units that are least well-funded, considering both Local Capacity and State funding, in relation to their Adequacy Target.

(3) An Organizational Unit receiving any funding under this Section may apply those funds to any fund so received for which that Organizational Unit is authorized to make expenditures by law.

(4) As used in this Section, the following terms shall have the meanings ascribed in this paragraph (4):

"Adequacy Target" is defined in paragraph (1) of subsection (b) of this Section.

"Adjusted EAV" is defined in paragraph (4) of subsection (d) of this Section.

"Adjusted Local Capacity Target" is defined in paragraph (3) of subsection (c) of this Section.

"Adjusted Operating Tax Rate" means a tax rate for all Organizational Units, for which the State Superintendent shall calculate and subtract for the Operating Tax Rate a transportation rate based on total expenses for transportation services under this Code, as reported on the most recent Annual Financial Report in Pupil Transportation Services, function 2550 in both the Education and Transportation funds and functions 4110 and 4120 in the Transportation fund, less any corresponding fiscal year State of Illinois scheduled payments excluding net adjustments for prior years for regular, vocational, or special education transportation reimbursement pursuant to Section 29-5 or subsection (b) of Section 14-13.01 of this Code divided by the Adjusted EAV. If an Organizational Unit's corresponding fiscal year State of Illinois scheduled payments excluding net adjustments for prior years for regular, vocational, or special education transportation reimbursement pursuant to Section 29-5 or

subsection (b) of Section 14-13.01 of this Code exceed the total transportation expenses, as defined in this paragraph, no transportation rate shall be subtracted from the Operating Tax Rate.

"Allocation Rate" is defined in paragraph (3) of subsection (g) of this Section.

"Alternative School" means a public school that is created and operated by a regional superintendent of schools and approved by the State Board.

"Applicable Tax Rate" is defined in paragraph (1) of subsection (d) of this Section.

"Assessment" means any of those benchmark, progress monitoring, formative, diagnostic, and other assessments, in addition to the State accountability assessment, that assist teachers' needs in understanding the skills and meeting the needs of the students they serve.

"Assistant principal" means a school administrator duly endorsed to be employed as an assistant principal in this State.

"At-risk student" means a student who is at risk of not meeting the Illinois Learning Standards or not graduating from elementary or high school and who demonstrates a need for vocational support or social services beyond that provided by the regular school program. All students included in an Organizational Unit's Low-Income Count, as well as all English learner and

disabled students attending the Organizational Unit, shall be considered at-risk students under this Section.

"Average Student Enrollment" or "ASE" for fiscal year 2018 means, for an Organizational Unit, the greater of the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1 in the immediately preceding school year, plus the pre-kindergarten students who receive special education services of 2 or more hours a day as reported to the State Board on December 1 in the immediately preceding school year, or the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1, plus the pre-kindergarten students who receive special education services of 2 or more hours a day as reported to the State Board on December 1, for each of the immediately preceding 3 school years. For fiscal year 2019 and each subsequent fiscal year, "Average Student Enrollment" or "ASE" means, for an Organizational Unit, the greater of the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1 and March 1 in the immediately preceding school year, plus the pre-kindergarten students who receive special education services as reported to the State Board on October 1 and March 1 in the immediately preceding school year, or the average number of students (grades K

through 12) reported to the State Board as enrolled in the Organizational Unit on October 1 and March 1, plus the pre-kindergarten students who receive special education services as reported to the State Board on October 1 and March 1, for each of the immediately preceding 3 school years. For the purposes of this definition, "enrolled in the Organizational Unit" means the number of students reported to the State Board who are enrolled in schools within the Organizational Unit that the student attends or would attend if not placed or transferred to another school or program to receive needed services. For the purposes of calculating "ASE", all students, grades K through 12, excluding those attending kindergarten for a half day and students attending an alternative education program operated by a regional office of education or intermediate service center, shall be counted as 1.0. All students attending kindergarten for a half day shall be counted as 0.5, unless in 2017 by June 15 or by March 1 in subsequent years, the school district reports to the State Board of Education the intent to implement full-day kindergarten district-wide for all students, then all students attending kindergarten shall be counted as 1.0. Special education pre-kindergarten students shall be counted as 0.5 each. If the State Board does not collect or has not collected both an October 1 and March 1 enrollment count by grade or a December 1 collection of special

education pre-kindergarten students as of August 31, 2017 (the effective date of Public Act 100-465), it shall establish such collection for all future years. For any year in which a count by grade level was collected only once, that count shall be used as the single count available for computing a 3-year average ASE. Funding for programs operated by a regional office of education or an intermediate service center must be calculated using the Evidence-Based Funding formula under this Section for the 2019-2020 school year and each subsequent school year until separate adequacy formulas are developed and adopted for each type of program. ASE for a program operated by a regional office of education or an intermediate service center must be determined by the March 1 enrollment for the program. For the 2019-2020 school year, the ASE used in the calculation must be the first-year ASE and, in that year only, the assignment of students served by a regional office of education or intermediate service center shall not result in a reduction of the March enrollment for any school district. For the 2020-2021 school year, the ASE must be the greater of the current-year ASE or the 2-year average ASE. Beginning with the 2021-2022 school year, the ASE must be the greater of the current-year ASE or the 3-year average ASE. School districts shall submit the data for the ASE calculation to the State Board within 45 days of the dates required in this Section for submission of

enrollment data in order for it to be included in the ASE calculation. For fiscal year 2018 only, the ASE calculation shall include only enrollment taken on October 1. In recognition of the impact of COVID-19, the definition of "Average Student Enrollment" or "ASE" shall be adjusted for calculations under this Section for fiscal years 2022 through 2024. For fiscal years 2022 through 2024, the enrollment used in the calculation of ASE representing the 2020-2021 school year shall be the greater of the enrollment for the 2020-2021 school year or the 2019-2020 school year.

"Base Funding Guarantee" is defined in paragraph (10) of subsection (g) of this Section.

"Base Funding Minimum" is defined in subsection (e) of this Section.

"Base Tax Year" means the property tax levy year used to calculate the Budget Year allocation of primary State aid.

"Base Tax Year's Extension" means the product of the equalized assessed valuation utilized by the county clerk in the Base Tax Year multiplied by the limiting rate as calculated by the county clerk and defined in PTELL.

"Bilingual Education Allocation" means the amount of an Organizational Unit's final Adequacy Target attributable to bilingual education divided by the Organizational Unit's final Adequacy Target, the product

of which shall be multiplied by the amount of new funding received pursuant to this Section. An Organizational Unit's final Adequacy Target attributable to bilingual education shall include all additional investments in English learner students' adequacy elements.

"Budget Year" means the school year for which primary State aid is calculated and awarded under this Section.

"Central office" means individual administrators and support service personnel charged with managing the instructional programs, business and operations, and security of the Organizational Unit.

"Comparable Wage Index" or "CWI" means a regional cost differentiation metric that measures systemic, regional variations in the salaries of college graduates who are not educators. The CWI utilized for this Section shall, for the first 3 years of Evidence-Based Funding implementation, be the CWI initially developed by the National Center for Education Statistics, as most recently updated by Texas A & M University. In the fourth and subsequent years of Evidence-Based Funding implementation, the State Superintendent shall re-determine the CWI using a similar methodology to that identified in the Texas A & M University study, with adjustments made no less frequently than once every 5 years.

"Computer technology and equipment" means computers servers, notebooks, network equipment, copiers, printers,

instructional software, security software, curriculum management courseware, and other similar materials and equipment.

"Computer technology and equipment investment allocation" means the final Adequacy Target amount of an Organizational Unit assigned to Tier 1 or Tier 2 in the prior school year attributable to the additional \$285.50 per student computer technology and equipment investment grant divided by the Organizational Unit's final Adequacy Target, the result of which shall be multiplied by the amount of new funding received pursuant to this Section. An Organizational Unit assigned to a Tier 1 or Tier 2 final Adequacy Target attributable to the received computer technology and equipment investment grant shall include all additional investments in computer technology and equipment adequacy elements.

"Core subject" means mathematics; science; reading, English, writing, and language arts; history and social studies; world languages; and subjects taught as Advanced Placement in high schools.

"Core teacher" means a regular classroom teacher in elementary schools and teachers of a core subject in middle and high schools.

"Core Intervention teacher (tutor)" means a licensed teacher providing one-on-one or small group tutoring to students struggling to meet proficiency in core subjects.

"CPPRT" means corporate personal property replacement tax funds paid to an Organizational Unit during the calendar year one year before the calendar year in which a school year begins, pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

"EAV" means equalized assessed valuation as defined in paragraph (2) of subsection (d) of this Section and calculated in accordance with paragraph (3) of subsection (d) of this Section.

"ECI" means the Bureau of Labor Statistics' national employment cost index for civilian workers in educational services in elementary and secondary schools on a cumulative basis for the 12-month calendar year preceding the fiscal year of the Evidence-Based Funding calculation.

"EIS Data" means the employment information system data maintained by the State Board on educators within Organizational Units.

"Employee benefits" means health, dental, and vision insurance offered to employees of an Organizational Unit, the costs associated with the statutorily required payment of the normal cost of the Organizational Unit's teacher pensions, Social Security employer contributions, and

Illinois Municipal Retirement Fund employer contributions.

"English learner" or "EL" means a child included in the definition of "English learners" under Section 14C-2 of this Code participating in a program of transitional bilingual education or a transitional program of instruction meeting the requirements and program application procedures of Article 14C of this Code. For the purposes of collecting the number of EL students enrolled, the same collection and calculation methodology as defined above for "ASE" shall apply to English learners, with the exception that EL student enrollment shall include students in grades pre-kindergarten through 12.

"Essential Elements" means those elements, resources, and educational programs that have been identified through academic research as necessary to improve student success, improve academic performance, close achievement gaps, and provide for other per student costs related to the delivery and leadership of the Organizational Unit, as well as the maintenance and operations of the unit, and which are specified in paragraph (2) of subsection (b) of this Section.

"Evidence-Based Funding" means State funding provided to an Organizational Unit pursuant to this Section.

"Extended day" means academic and enrichment programs provided to students outside the regular school day before

and after school or during non-instructional times during the school day.

"Extension Limitation Ratio" means a numerical ratio in which the numerator is the Base Tax Year's Extension and the denominator is the Preceding Tax Year's Extension.

"Final Percent of Adequacy" is defined in paragraph (4) of subsection (f) of this Section.

"Final Resources" is defined in paragraph (3) of subsection (f) of this Section.

"Full-time equivalent" or "FTE" means the full-time equivalency compensation for staffing the relevant position at an Organizational Unit.

"Funding Gap" is defined in paragraph (1) of subsection (g).

"Hybrid District" means a partial elementary unit district created pursuant to Article 11E of this Code.

"Instructional assistant" means a core or special education, non-licensed employee who assists a teacher in the classroom and provides academic support to students.

"Instructional facilitator" means a qualified teacher or licensed teacher leader who facilitates and coaches continuous improvement in classroom instruction; provides instructional support to teachers in the elements of research-based instruction or demonstrates the alignment of instruction with curriculum standards and assessment tools; develops or coordinates instructional programs or

strategies; develops and implements training; chooses standards-based instructional materials; provides teachers with an understanding of current research; serves as a mentor, site coach, curriculum specialist, or lead teacher; or otherwise works with fellow teachers, in collaboration, to use data to improve instructional practice or develop model lessons.

"Instructional materials" means relevant instructional materials for student instruction, including, but not limited to, textbooks, consumable workbooks, laboratory equipment, library books, and other similar materials.

"Laboratory School" means a public school that is created and operated by a public university and approved by the State Board.

"Librarian" means a teacher with an endorsement as a library information specialist or another individual whose primary responsibility is overseeing library resources within an Organizational Unit.

"Limiting rate for Hybrid Districts" means the combined elementary school and high school limiting rates.

"Local Capacity" is defined in paragraph (1) of subsection (c) of this Section.

"Local Capacity Percentage" is defined in subparagraph (A) of paragraph (2) of subsection (c) of this Section.

"Local Capacity Ratio" is defined in subparagraph (B)

of paragraph (2) of subsection (c) of this Section.

"Local Capacity Target" is defined in paragraph (2) of subsection (c) of this Section.

"Low-Income Count" means, for an Organizational Unit in a fiscal year, the higher of the average number of students for the prior school year or the immediately preceding 3 school years who, as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services), are eligible for at least one of the following low-income programs: Medicaid, the Children's Health Insurance Program, Temporary Assistance for Needy Families (TANF), or the Supplemental Nutrition Assistance Program, excluding pupils who are eligible for services provided by the Department of Children and Family Services. Until such time that grade level low-income populations become available, grade level low-income populations shall be determined by applying the low-income percentage to total student enrollments by grade level. The low-income percentage is determined by dividing the Low-Income Count by the Average Student Enrollment. The low-income percentage for programs operated by a regional office of education or an intermediate service center must be set to the weighted average of the low-income percentages of all of the school districts in the service region. The weighted low-income percentage is the result of multiplying the low-income percentage of each school

district served by the regional office of education or intermediate service center by each school district's Average Student Enrollment, summarizing those products and dividing the total by the total Average Student Enrollment for the service region.

"Maintenance and operations" means custodial services, facility and ground maintenance, facility operations, facility security, routine facility repairs, and other similar services and functions.

"Minimum Funding Level" is defined in paragraph (9) of subsection (g) of this Section.

"New Property Tax Relief Pool Funds" means, for any given fiscal year, all State funds appropriated under Section 2-3.170 of this Code.

"New State Funds" means, for a given school year, all State funds appropriated for Evidence-Based Funding in excess of the amount needed to fund the Base Funding Minimum for all Organizational Units in that school year.

"Net State Contribution Target" means, for a given school year, the amount of State funds that would be necessary to fully meet the Adequacy Target of an Operational Unit minus the Preliminary Resources available to each unit.

"Nurse" means an individual licensed as a certified school nurse, in accordance with the rules established for nursing services by the State Board, who is an employee of

and is available to provide health care-related services for students of an Organizational Unit.

"Operating Tax Rate" means the rate utilized in the previous year to extend property taxes for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes. For Hybrid Districts, the Operating Tax Rate shall be the combined elementary and high school rates utilized in the previous year to extend property taxes for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

"Organizational Unit" means a Laboratory School or any public school district that is recognized as such by the State Board and that contains elementary schools typically serving kindergarten through 5th grades, middle schools typically serving 6th through 8th grades, high schools typically serving 9th through 12th grades, a program established under Section 2-3.66 or 2-3.41, or a program operated by a regional office of education or an intermediate service center under Article 13A or 13B. The General Assembly acknowledges that the actual grade levels served by a particular Organizational Unit may vary slightly from what is typical.

"Organizational Unit CWI" is determined by calculating the CWI in the region and original county in which an Organizational Unit's primary administrative office is

located as set forth in this paragraph, provided that if the Organizational Unit CWI as calculated in accordance with this paragraph is less than 0.9, the Organizational Unit CWI shall be increased to 0.9. Each county's current CWI value shall be adjusted based on the CWI value of that county's neighboring Illinois counties, to create a "weighted adjusted index value". This shall be calculated by summing the CWI values of all of a county's adjacent Illinois counties and dividing by the number of adjacent Illinois counties, then taking the weighted value of the original county's CWI value and the adjacent Illinois county average. To calculate this weighted value, if the number of adjacent Illinois counties is greater than 2, the original county's CWI value will be weighted at 0.25 and the adjacent Illinois county average will be weighted at 0.75. If the number of adjacent Illinois counties is 2, the original county's CWI value will be weighted at 0.33 and the adjacent Illinois county average will be weighted at 0.66. The greater of the county's current CWI value and its weighted adjusted index value shall be used as the Organizational Unit CWI.

"Preceding Tax Year" means the property tax levy year immediately preceding the Base Tax Year.

"Preceding Tax Year's Extension" means the product of the equalized assessed valuation utilized by the county clerk in the Preceding Tax Year multiplied by the

Operating Tax Rate.

"Preliminary Percent of Adequacy" is defined in paragraph (2) of subsection (f) of this Section.

"Preliminary Resources" is defined in paragraph (2) of subsection (f) of this Section.

"Principal" means a school administrator duly endorsed to be employed as a principal in this State.

"Professional development" means training programs for licensed staff in schools, including, but not limited to, programs that assist in implementing new curriculum programs, provide data focused or academic assessment data training to help staff identify a student's weaknesses and strengths, target interventions, improve instruction, encompass instructional strategies for English learner, gifted, or at-risk students, address inclusivity, cultural sensitivity, or implicit bias, or otherwise provide professional support for licensed staff.

"Prototypical" means 450 special education pre-kindergarten and kindergarten through grade 5 students for an elementary school, 450 grade 6 through 8 students for a middle school, and 600 grade 9 through 12 students for a high school.

"PTELL" means the Property Tax Extension Limitation Law.

"PTELL EAV" is defined in paragraph (4) of subsection (d) of this Section.

"Pupil support staff" means a nurse, psychologist, social worker, family liaison personnel, or other staff member who provides support to at-risk or struggling students.

"Real Receipts" is defined in paragraph (1) of subsection (d) of this Section.

"Regionalization Factor" means, for a particular Organizational Unit, the figure derived by dividing the Organizational Unit CWI by the Statewide Weighted CWI.

"School counselor" means a licensed school counselor who provides guidance and counseling support for students within an Organizational Unit.

"School site staff" means the primary school secretary and any additional clerical personnel assigned to a school.

"Special education" means special educational facilities and services, as defined in Section 14-1.08 of this Code.

"Special Education Allocation" means the amount of an Organizational Unit's final Adequacy Target attributable to special education divided by the Organizational Unit's final Adequacy Target, the product of which shall be multiplied by the amount of new funding received pursuant to this Section. An Organizational Unit's final Adequacy Target attributable to special education shall include all special education investment adequacy elements.

"Specialist teacher" means a teacher who provides instruction in subject areas not included in core subjects, including, but not limited to, art, music, physical education, health, driver education, career-technical education, and such other subject areas as may be mandated by State law or provided by an Organizational Unit.

"Specially Funded Unit" means an Alternative School, safe school, Department of Juvenile Justice school, special education cooperative or entity recognized by the State Board as a special education cooperative, State-approved charter school, or alternative learning opportunities program that received direct funding from the State Board during the 2016-2017 school year through any of the funding sources included within the calculation of the Base Funding Minimum or Glenwood Academy.

"Supplemental Grant Funding" means supplemental general State aid funding received by an Organizational Unit during the 2016-2017 school year pursuant to subsection (H) of Section 18-8.05 of this Code (now repealed).

"State Adequacy Level" is the sum of the Adequacy Targets of all Organizational Units.

"State Board" means the State Board of Education.

"State Superintendent" means the State Superintendent of Education.

"Statewide Weighted CWI" means a figure determined by multiplying each Organizational Unit CWI times the ASE for that Organizational Unit creating a weighted value, summing all Organizational Units' weighted values, and dividing by the total ASE of all Organizational Units, thereby creating an average weighted index.

"Student activities" means non-credit producing after-school programs, including, but not limited to, clubs, bands, sports, and other activities authorized by the school board of the Organizational Unit.

"Substitute teacher" means an individual teacher or teaching assistant who is employed by an Organizational Unit and is temporarily serving the Organizational Unit on a per diem or per period-assignment basis to replace another staff member.

"Summer school" means academic and enrichment programs provided to students during the summer months outside of the regular school year.

"Supervisory aide" means a non-licensed staff member who helps in supervising students of an Organizational Unit, but does so outside of the classroom, in situations such as, but not limited to, monitoring hallways and playgrounds, supervising lunchrooms, or supervising students when being transported in buses serving the Organizational Unit.

"Target Ratio" is defined in paragraph (4) of

subsection (g).

"Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined in paragraph (3) of subsection (g).

"Tier 1 Aggregate Funding", "Tier 2 Aggregate Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate Funding" are defined in paragraph (1) of subsection (g).

(b) Adequacy Target calculation.

(1) Each Organizational Unit's Adequacy Target is the sum of the Organizational Unit's cost of providing Essential Elements, as calculated in accordance with this subsection (b), with the salary amounts in the Essential Elements multiplied by a Regionalization Factor calculated pursuant to paragraph (3) of this subsection (b).

(2) The Essential Elements are attributable on a pro rata basis related to defined subgroups of the ASE of each Organizational Unit as specified in this paragraph (2), with investments and FTE positions pro rata funded based on ASE counts in excess of or less than the thresholds set forth in this paragraph (2). The method for calculating attributable pro rata costs and the defined subgroups thereto are as follows:

(A) Core class size investments. Each Organizational Unit shall receive the funding required to support that number of FTE core teacher positions as is needed to keep the respective class sizes of the

Organizational Unit to the following maximum numbers:

(i) For grades kindergarten through 3, the Organizational Unit shall receive funding required to support one FTE core teacher position for every 15 Low-Income Count students in those grades and one FTE core teacher position for every 20 non-Low-Income Count students in those grades.

(ii) For grades 4 through 12, the Organizational Unit shall receive funding required to support one FTE core teacher position for every 20 Low-Income Count students in those grades and one FTE core teacher position for every 25 non-Low-Income Count students in those grades.

The number of non-Low-Income Count students in a grade shall be determined by subtracting the Low-Income students in that grade from the ASE of the Organizational Unit for that grade.

(B) Specialist teacher investments. Each Organizational Unit shall receive the funding needed to cover that number of FTE specialist teacher positions that correspond to the following percentages:

(i) if the Organizational Unit operates an elementary or middle school, then 20.00% of the number of the Organizational Unit's core teachers, as determined under subparagraph (A) of this

paragraph (2); and

(ii) if such Organizational Unit operates a high school, then 33.33% of the number of the Organizational Unit's core teachers.

(C) Instructional facilitator investments. Each Organizational Unit shall receive the funding needed to cover one FTE instructional facilitator position for every 200 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students of the Organizational Unit.

(D) Core intervention teacher (tutor) investments. Each Organizational Unit shall receive the funding needed to cover one FTE teacher position for each prototypical elementary, middle, and high school.

(E) Substitute teacher investments. Each Organizational Unit shall receive the funding needed to cover substitute teacher costs that is equal to 5.70% of the minimum pupil attendance days required under Section 10-19 of this Code for all full-time equivalent core, specialist, and intervention teachers, school nurses, special education teachers and instructional assistants, instructional facilitators, and summer school and extended day teacher positions, as determined under this paragraph (2), at a salary rate of 33.33% of the average salary for grade K through 12 teachers and 33.33% of the

average salary of each instructional assistant position.

(F) Core school counselor investments. Each Organizational Unit shall receive the funding needed to cover one FTE school counselor for each 450 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 5 students, plus one FTE school counselor for each 250 grades 6 through 8 ASE middle school students, plus one FTE school counselor for each 250 grades 9 through 12 ASE high school students.

(G) Nurse investments. Each Organizational Unit shall receive the funding needed to cover one FTE nurse for each 750 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students across all grade levels it serves.

(H) Supervisory aide investments. Each Organizational Unit shall receive the funding needed to cover one FTE for each 225 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 5 students, plus one FTE for each 225 ASE middle school students, plus one FTE for each 200 ASE high school students.

(I) Librarian investments. Each Organizational Unit shall receive the funding needed to cover one FTE

librarian for each prototypical elementary school, middle school, and high school and one FTE aide or media technician for every 300 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students.

(J) Principal investments. Each Organizational Unit shall receive the funding needed to cover one FTE principal position for each prototypical elementary school, plus one FTE principal position for each prototypical middle school, plus one FTE principal position for each prototypical high school.

(K) Assistant principal investments. Each Organizational Unit shall receive the funding needed to cover one FTE assistant principal position for each prototypical elementary school, plus one FTE assistant principal position for each prototypical middle school, plus one FTE assistant principal position for each prototypical high school.

(L) School site staff investments. Each Organizational Unit shall receive the funding needed for one FTE position for each 225 ASE of pre-kindergarten children with disabilities and all kindergarten through grade 5 students, plus one FTE position for each 225 ASE middle school students, plus one FTE position for each 200 ASE high school students.

(M) Gifted investments. Each Organizational Unit shall receive \$40 per kindergarten through grade 12 ASE.

(N) Professional development investments. Each Organizational Unit shall receive \$125 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students for trainers and other professional development-related expenses for supplies and materials.

(O) Instructional material investments. Each Organizational Unit shall receive \$190 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover instructional material costs.

(P) Assessment investments. Each Organizational Unit shall receive \$25 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover assessment costs.

(Q) Computer technology and equipment investments. Each Organizational Unit shall receive \$285.50 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover computer technology and equipment costs. For the 2018-2019 school year and

subsequent school years, Organizational Units assigned to Tier 1 and Tier 2 in the prior school year shall receive an additional \$285.50 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover computer technology and equipment costs in the Organizational Unit's Adequacy Target. The State Board may establish additional requirements for Organizational Unit expenditures of funds received pursuant to this subparagraph (Q), including a requirement that funds received pursuant to this subparagraph (Q) may be used only for serving the technology needs of the district. It is the intent of Public Act 100-465 that all Tier 1 and Tier 2 districts receive the addition to their Adequacy Target in the following year, subject to compliance with the requirements of the State Board.

(R) Student activities investments. Each Organizational Unit shall receive the following funding amounts to cover student activities: \$100 per kindergarten through grade 5 ASE student in elementary school, plus \$200 per ASE student in middle school, plus \$675 per ASE student in high school.

(S) Maintenance and operations investments. Each Organizational Unit shall receive \$1,038 per student of the combined ASE of pre-kindergarten children with

disabilities and all kindergarten through grade 12 students for day-to-day maintenance and operations expenditures, including salary, supplies, and materials, as well as purchased services, but excluding employee benefits. The proportion of salary for the application of a Regionalization Factor and the calculation of benefits is equal to \$352.92.

(T) Central office investments. Each Organizational Unit shall receive \$742 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover central office operations, including administrators and classified personnel charged with managing the instructional programs, business and operations of the school district, and security personnel. The proportion of salary for the application of a Regionalization Factor and the calculation of benefits is equal to \$368.48.

(U) Employee benefit investments. Each Organizational Unit shall receive 30% of the total of all salary-calculated elements of the Adequacy Target, excluding substitute teachers and student activities investments, to cover benefit costs. For central office and maintenance and operations investments, the benefit calculation shall be based upon the salary proportion of each investment. If at any time the

responsibility for funding the employer normal cost of teacher pensions is assigned to school districts, then that amount certified by the Teachers' Retirement System of the State of Illinois to be paid by the Organizational Unit for the preceding school year shall be added to the benefit investment. For any fiscal year in which a school district organized under Article 34 of this Code is responsible for paying the employer normal cost of teacher pensions, then that amount of its employer normal cost plus the amount for retiree health insurance as certified by the Public School Teachers' Pension and Retirement Fund of Chicago to be paid by the school district for the preceding school year that is statutorily required to cover employer normal costs and the amount for retiree health insurance shall be added to the 30% specified in this subparagraph (U). The Teachers' Retirement System of the State of Illinois and the Public School Teachers' Pension and Retirement Fund of Chicago shall submit such information as the State Superintendent may require for the calculations set forth in this subparagraph (U).

(V) Additional investments in low-income students. In addition to and not in lieu of all other funding under this paragraph (2), each Organizational Unit shall receive funding based on the average teacher

salary for grades K through 12 to cover the costs of:

- (i) one FTE intervention teacher (tutor) position for every 125 Low-Income Count students;
- (ii) one FTE pupil support staff position for every 125 Low-Income Count students;
- (iii) one FTE extended day teacher position for every 120 Low-Income Count students; and
- (iv) one FTE summer school teacher position for every 120 Low-Income Count students.

(W) Additional investments in English learner students. In addition to and not in lieu of all other funding under this paragraph (2), each Organizational Unit shall receive funding based on the average teacher salary for grades K through 12 to cover the costs of:

- (i) one FTE intervention teacher (tutor) position for every 125 English learner students;
- (ii) one FTE pupil support staff position for every 125 English learner students;
- (iii) one FTE extended day teacher position for every 120 English learner students;
- (iv) one FTE summer school teacher position for every 120 English learner students; and
- (v) one FTE core teacher position for every 100 English learner students.

(X) Special education investments. Each

Organizational Unit shall receive funding based on the average teacher salary for grades K through 12 to cover special education as follows:

(i) one FTE teacher position for every 141 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students;

(ii) one FTE instructional assistant for every 141 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students; and

(iii) one FTE psychologist position for every 1,000 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students.

(3) For calculating the salaries included within the Essential Elements, the State Superintendent shall annually calculate average salaries to the nearest dollar using the employment information system data maintained by the State Board, limited to public schools only and excluding special education and vocational cooperatives, schools operated by the Department of Juvenile Justice, and charter schools, for the following positions:

(A) Teacher for grades K through 8.

(B) Teacher for grades 9 through 12.

(C) Teacher for grades K through 12.

- (D) School counselor for grades K through 8.
- (E) School counselor for grades 9 through 12.
- (F) School counselor for grades K through 12.
- (G) Social worker.
- (H) Psychologist.
- (I) Librarian.
- (J) Nurse.
- (K) Principal.
- (L) Assistant principal.

For the purposes of this paragraph (3), "teacher" includes core teachers, specialist and elective teachers, instructional facilitators, tutors, special education teachers, pupil support staff teachers, English learner teachers, extended day teachers, and summer school teachers. Where specific grade data is not required for the Essential Elements, the average salary for corresponding positions shall apply. For substitute teachers, the average teacher salary for grades K through 12 shall apply.

For calculating the salaries included within the Essential Elements for positions not included within EIS Data, the following salaries shall be used in the first year of implementation of Evidence-Based Funding:

- (i) school site staff, \$30,000; and
- (ii) non-instructional assistant, instructional assistant, library aide, library media tech, or

supervisory aide: \$25,000.

In the second and subsequent years of implementation of Evidence-Based Funding, the amounts in items (i) and (ii) of this paragraph (3) shall annually increase by the ECI.

The salary amounts for the Essential Elements determined pursuant to subparagraphs (A) through (L), (S) and (T), and (V) through (X) of paragraph (2) of subsection (b) of this Section shall be multiplied by a Regionalization Factor.

(c) Local Capacity calculation.

(1) Each Organizational Unit's Local Capacity represents an amount of funding it is assumed to contribute toward its Adequacy Target for purposes of the Evidence-Based Funding formula calculation. "Local Capacity" means either (i) the Organizational Unit's Local Capacity Target as calculated in accordance with paragraph (2) of this subsection (c) if its Real Receipts are equal to or less than its Local Capacity Target or (ii) the Organizational Unit's Adjusted Local Capacity, as calculated in accordance with paragraph (3) of this subsection (c) if Real Receipts are more than its Local Capacity Target.

(2) "Local Capacity Target" means, for an Organizational Unit, that dollar amount that is obtained by multiplying its Adequacy Target by its Local Capacity

Ratio.

(A) An Organizational Unit's Local Capacity Percentage is the conversion of the Organizational Unit's Local Capacity Ratio, as such ratio is determined in accordance with subparagraph (B) of this paragraph (2), into a cumulative distribution resulting in a percentile ranking to determine each Organizational Unit's relative position to all other Organizational Units in this State. The calculation of Local Capacity Percentage is described in subparagraph (C) of this paragraph (2).

(B) An Organizational Unit's Local Capacity Ratio in a given year is the percentage obtained by dividing its Adjusted EAV or PTELL EAV, whichever is less, by its Adequacy Target, with the resulting ratio further adjusted as follows:

(i) for Organizational Units serving grades kindergarten through 12 and Hybrid Districts, no further adjustments shall be made;

(ii) for Organizational Units serving grades kindergarten through 8, the ratio shall be multiplied by $9/13$;

(iii) for Organizational Units serving grades 9 through 12, the Local Capacity Ratio shall be multiplied by $4/13$; and

(iv) for an Organizational Unit with a

different grade configuration than those specified in items (i) through (iii) of this subparagraph (B), the State Superintendent shall determine a comparable adjustment based on the grades served.

(C) The Local Capacity Percentage is equal to the percentile ranking of the district. Local Capacity Percentage converts each Organizational Unit's Local Capacity Ratio to a cumulative distribution resulting in a percentile ranking to determine each Organizational Unit's relative position to all other Organizational Units in this State. The Local Capacity Percentage cumulative distribution resulting in a percentile ranking for each Organizational Unit shall be calculated using the standard normal distribution of the score in relation to the weighted mean and weighted standard deviation and Local Capacity Ratios of all Organizational Units. If the value assigned to any Organizational Unit is in excess of 90%, the value shall be adjusted to 90%. For Laboratory Schools, the Local Capacity Percentage shall be set at 10% in recognition of the absence of EAV and resources from the public university that are allocated to the Laboratory School. For programs operated by a regional office of education or an intermediate service center, the Local Capacity Percentage must be set at 10% in recognition of the absence of EAV and resources from

school districts that are allocated to the regional office of education or intermediate service center. The weighted mean for the Local Capacity Percentage shall be determined by multiplying each Organizational Unit's Local Capacity Ratio times the ASE for the unit creating a weighted value, summing the weighted values of all Organizational Units, and dividing by the total ASE of all Organizational Units. The weighted standard deviation shall be determined by taking the square root of the weighted variance of all Organizational Units' Local Capacity Ratio, where the variance is calculated by squaring the difference between each unit's Local Capacity Ratio and the weighted mean, then multiplying the variance for each unit times the ASE for the unit to create a weighted variance for each unit, then summing all units' weighted variance and dividing by the total ASE of all units.

(D) For any Organizational Unit, the Organizational Unit's Adjusted Local Capacity Target shall be reduced by either (i) the school board's remaining contribution pursuant to paragraph (ii) of subsection (b-4) of Section 16-158 of the Illinois Pension Code in a given year or (ii) the board of education's remaining contribution pursuant to paragraph (iv) of subsection (b) of Section 17-129 of the Illinois Pension Code absent the employer normal

cost portion of the required contribution and amount allowed pursuant to subdivision (3) of Section 17-142.1 of the Illinois Pension Code in a given year. In the preceding sentence, item (i) shall be certified to the State Board of Education by the Teachers' Retirement System of the State of Illinois and item (ii) shall be certified to the State Board of Education by the Public School Teachers' Pension and Retirement Fund of the City of Chicago.

(3) If an Organizational Unit's Real Receipts are more than its Local Capacity Target, then its Local Capacity shall equal an Adjusted Local Capacity Target as calculated in accordance with this paragraph (3). The Adjusted Local Capacity Target is calculated as the sum of the Organizational Unit's Local Capacity Target and its Real Receipts Adjustment. The Real Receipts Adjustment equals the Organizational Unit's Real Receipts less its Local Capacity Target, with the resulting figure multiplied by the Local Capacity Percentage.

As used in this paragraph (3), "Real Percent of Adequacy" means the sum of an Organizational Unit's Real Receipts, CPPRT, and Base Funding Minimum, with the resulting figure divided by the Organizational Unit's Adequacy Target.

(d) Calculation of Real Receipts, EAV, and Adjusted EAV for purposes of the Local Capacity calculation.

(1) An Organizational Unit's Real Receipts are the product of its Applicable Tax Rate and its Adjusted EAV. An Organizational Unit's Applicable Tax Rate is its Adjusted Operating Tax Rate for property within the Organizational Unit.

(2) The State Superintendent shall calculate the equalized assessed valuation, or EAV, of all taxable property of each Organizational Unit as of September 30 of the previous year in accordance with paragraph (3) of this subsection (d). The State Superintendent shall then determine the Adjusted EAV of each Organizational Unit in accordance with paragraph (4) of this subsection (d), which Adjusted EAV figure shall be used for the purposes of calculating Local Capacity.

(3) To calculate Real Receipts and EAV, the Department of Revenue shall supply to the State Superintendent the value as equalized or assessed by the Department of Revenue of all taxable property of every Organizational Unit, together with (i) the applicable tax rate used in extending taxes for the funds of the Organizational Unit as of September 30 of the previous year and (ii) the limiting rate for all Organizational Units subject to property tax extension limitations as imposed under PTELL.

(A) The Department of Revenue shall add to the equalized assessed value of all taxable property of each Organizational Unit situated entirely or

partially within a county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code (i) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 or 15-177 of the Property Tax Code for real property situated in that Organizational Unit exceeds the total amount that would have been allowed in that Organizational Unit if the maximum reduction under Section 15-176 was (I) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (II) \$5,000 in all counties in tax year 2004 and thereafter and (ii) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. The county clerk of any county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each Organizational Unit all homestead exemption amounts under Section 15-176 or 15-177 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. It is the intent of this subparagraph (A) that if the general homestead exemption for a parcel of property is determined under

Section 15-176 or 15-177 of the Property Tax Code rather than Section 15-175, then the calculation of EAV shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 or 15-177 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this subparagraph (A) that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than \$30,000, then the calculation of EAV shall not be affected by the difference, if any, because of those additional exemptions.

(B) With respect to any part of an Organizational Unit within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the Illinois Municipal Code, or the Industrial Jobs Recovery Law, Division 74.6 of Article 11 of the Illinois Municipal Code, no part of the current EAV of real property located in any such project area that is attributable to an increase above the total initial

EAV of such property shall be used as part of the EAV of the Organizational Unit, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the EAV of the Organizational Unit, the total initial EAV or the current EAV, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(B-5) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value, as equalized or assessed by the Department of Revenue, for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (B-5).

(C) For Organizational Units that are Hybrid

Districts, the State Superintendent shall use the lesser of the adjusted equalized assessed valuation for property within the partial elementary unit district for elementary purposes, as defined in Article 11E of this Code, or the adjusted equalized assessed valuation for property within the partial elementary unit district for high school purposes, as defined in Article 11E of this Code.

(4) An Organizational Unit's Adjusted EAV shall be the average of its EAV over the immediately preceding 3 years or the lesser of its EAV in the immediately preceding year or the average of its EAV over the immediately preceding 3 years if the EAV in the immediately preceding year has declined by 10% or more when comparing the 2 most recent years ~~compared to the 3-year average~~. In the event of Organizational Unit reorganization, consolidation, or annexation, the Organizational Unit's Adjusted EAV for the first 3 years after such change shall be as follows: the most current EAV shall be used in the first year, the average of a 2-year EAV or its EAV in the immediately preceding year if the EAV declines by 10% or more when comparing the 2 most recent years ~~compared to the 2-year average~~ for the second year, and the lesser of a 3-year average EAV or its EAV in the immediately preceding year if the Adjusted EAV declines by 10% or more when comparing the 2 most recent years ~~compared to the 3-year average~~ for

the third year. For any school district whose EAV in the immediately preceding year is used in calculations, in the following year, the Adjusted EAV shall be the average of its EAV over the immediately preceding 2 years or the immediately preceding year if that year represents a decline of 10% or more when comparing the 2 most recent years ~~compared to the 2-year average.~~

"PTELL EAV" means a figure calculated by the State Board for Organizational Units subject to PTELL as described in this paragraph (4) for the purposes of calculating an Organizational Unit's Local Capacity Ratio. Except as otherwise provided in this paragraph (4), the PTELL EAV of an Organizational Unit shall be equal to the product of the equalized assessed valuation last used in the calculation of general State aid under Section 18-8.05 of this Code (now repealed) or Evidence-Based Funding under this Section and the Organizational Unit's Extension Limitation Ratio. If an Organizational Unit has approved or does approve an increase in its limiting rate, pursuant to Section 18-190 of the Property Tax Code, affecting the Base Tax Year, the PTELL EAV shall be equal to the product of the equalized assessed valuation last used in the calculation of general State aid under Section 18-8.05 of this Code (now repealed) or Evidence-Based Funding under this Section multiplied by an amount equal to one plus the percentage increase, if any, in the Consumer Price Index

for All Urban Consumers for all items published by the United States Department of Labor for the 12-month calendar year preceding the Base Tax Year, plus the equalized assessed valuation of new property, annexed property, and recovered tax increment value and minus the equalized assessed valuation of disconnected property.

As used in this paragraph (4), "new property" and "recovered tax increment value" shall have the meanings set forth in the Property Tax Extension Limitation Law.

(e) Base Funding Minimum calculation.

(1) For the 2017-2018 school year, the Base Funding Minimum of an Organizational Unit or a Specially Funded Unit shall be the amount of State funds distributed to the Organizational Unit or Specially Funded Unit during the 2016-2017 school year prior to any adjustments and specified appropriation amounts described in this paragraph (1) from the following Sections, as calculated by the State Superintendent: Section 18-8.05 of this Code (now repealed); Section 5 of Article 224 of Public Act 99-524 (equity grants); Section 14-7.02b of this Code (funding for children requiring special education services); Section 14-13.01 of this Code (special education facilities and staffing), except for reimbursement of the cost of transportation pursuant to Section 14-13.01; Section 14C-12 of this Code (English learners); and Section 18-4.3 of this Code (summer

school), based on an appropriation level of \$13,121,600. For a school district organized under Article 34 of this Code, the Base Funding Minimum also includes (i) the funds allocated to the school district pursuant to Section 1D-1 of this Code attributable to funding programs authorized by the Sections of this Code listed in the preceding sentence and (ii) the difference between (I) the funds allocated to the school district pursuant to Section 1D-1 of this Code attributable to the funding programs authorized by Section 14-7.02 (non-public special education reimbursement), subsection (b) of Section 14-13.01 (special education transportation), Section 29-5 (transportation), Section 2-3.80 (agricultural education), Section 2-3.66 (truants' alternative education), Section 2-3.62 (educational service centers), and Section 14-7.03 (special education - orphanage) of this Code and Section 15 of the Childhood Hunger Relief Act (free breakfast program) and (II) the school district's actual expenditures for its non-public special education, special education transportation, transportation programs, agricultural education, truants' alternative education, services that would otherwise be performed by a regional office of education, special education orphanage expenditures, and free breakfast, as most recently calculated and reported pursuant to subsection (f) of Section 1D-1 of this Code. The Base

Funding Minimum for Glenwood Academy shall be \$625,500. For programs operated by a regional office of education or an intermediate service center, the Base Funding Minimum must be the total amount of State funds allocated to those programs in the 2018-2019 school year and amounts provided pursuant to Article 34 of Public Act 100-586 and Section 3-16 of this Code. All programs established after June 5, 2019 (the effective date of Public Act 101-10) and administered by a regional office of education or an intermediate service center must have an initial Base Funding Minimum set to an amount equal to the first-year ASE multiplied by the amount of per pupil funding received in the previous school year by the lowest funded similar existing program type. If the enrollment for a program operated by a regional office of education or an intermediate service center is zero, then it may not receive Base Funding Minimum funds for that program in the next fiscal year, and those funds must be distributed to Organizational Units under subsection (g).

(2) For the 2018-2019 and subsequent school years, the Base Funding Minimum of Organizational Units and Specially Funded Units shall be the sum of (i) the amount of Evidence-Based Funding for the prior school year, (ii) the Base Funding Minimum for the prior school year, and (iii) any amount received by a school district pursuant to Section 7 of Article 97 of Public Act 100-21.

(3) Subject to approval by the General Assembly as provided in this paragraph (3), an Organizational Unit that meets all of the following criteria, as determined by the State Board, shall have District Intervention Money added to its Base Funding Minimum at the time the Base Funding Minimum is calculated by the State Board:

(A) The Organizational Unit is operating under an Independent Authority under Section 2-3.25f-5 of this Code for a minimum of 4 school years or is subject to the control of the State Board pursuant to a court order for a minimum of 4 school years.

(B) The Organizational Unit was designated as a Tier 1 or Tier 2 Organizational Unit in the previous school year under paragraph (3) of subsection (g) of this Section.

(C) The Organizational Unit demonstrates sustainability through a 5-year financial and strategic plan.

(D) The Organizational Unit has made sufficient progress and achieved sufficient stability in the areas of governance, academic growth, and finances.

As part of its determination under this paragraph (3), the State Board may consider the Organizational Unit's summative designation, any accreditations of the Organizational Unit, or the Organizational Unit's financial profile, as calculated by the State Board.

If the State Board determines that an Organizational Unit has met the criteria set forth in this paragraph (3), it must submit a report to the General Assembly, no later than January 2 of the fiscal year in which the State Board makes its determination, on the amount of District Intervention Money to add to the Organizational Unit's Base Funding Minimum. The General Assembly must review the State Board's report and may approve or disapprove, by joint resolution, the addition of District Intervention Money. If the General Assembly fails to act on the report within 40 calendar days from the receipt of the report, the addition of District Intervention Money is deemed approved. If the General Assembly approves the amount of District Intervention Money to be added to the Organizational Unit's Base Funding Minimum, the District Intervention Money must be added to the Base Funding Minimum annually thereafter.

For the first 4 years following the initial year that the State Board determines that an Organizational Unit has met the criteria set forth in this paragraph (3) and has received funding under this Section, the Organizational Unit must annually submit to the State Board, on or before November 30, a progress report regarding its financial and strategic plan under subparagraph (C) of this paragraph (3). The plan shall include the financial data from the past 4 annual financial reports or financial audits that

must be presented to the State Board by November 15 of each year and the approved budget financial data for the current year. The plan shall be developed according to the guidelines presented to the Organizational Unit by the State Board. The plan shall further include financial projections for the next 3 fiscal years and include a discussion and financial summary of the Organizational Unit's facility needs. If the Organizational Unit does not demonstrate sufficient progress toward its 5-year plan or if it has failed to file an annual financial report, an annual budget, a financial plan, a deficit reduction plan, or other financial information as required by law, the State Board may establish a Financial Oversight Panel under Article 1H of this Code. However, if the Organizational Unit already has a Financial Oversight Panel, the State Board may extend the duration of the Panel.

(f) Percent of Adequacy and Final Resources calculation.

(1) The Evidence-Based Funding formula establishes a Percent of Adequacy for each Organizational Unit in order to place such units into tiers for the purposes of the funding distribution system described in subsection (g) of this Section. Initially, an Organizational Unit's Preliminary Resources and Preliminary Percent of Adequacy are calculated pursuant to paragraph (2) of this subsection (f). Then, an Organizational Unit's Final

Resources and Final Percent of Adequacy are calculated to account for the Organizational Unit's poverty concentration levels pursuant to paragraphs (3) and (4) of this subsection (f).

(2) An Organizational Unit's Preliminary Resources are equal to the sum of its Local Capacity Target, CPPRT, and Base Funding Minimum. An Organizational Unit's Preliminary Percent of Adequacy is the lesser of (i) its Preliminary Resources divided by its Adequacy Target or (ii) 100%.

(3) Except for Specially Funded Units, an Organizational Unit's Final Resources are equal to the sum of its Local Capacity, CPPRT, and Adjusted Base Funding Minimum. The Base Funding Minimum of each Specially Funded Unit shall serve as its Final Resources, except that the Base Funding Minimum for State-approved charter schools shall not include any portion of general State aid allocated in the prior year based on the per capita tuition charge times the charter school enrollment.

(4) An Organizational Unit's Final Percent of Adequacy is its Final Resources divided by its Adequacy Target. An Organizational Unit's Adjusted Base Funding Minimum is equal to its Base Funding Minimum less its Supplemental Grant Funding, with the resulting figure added to the product of its Supplemental Grant Funding and Preliminary Percent of Adequacy.

(g) Evidence-Based Funding formula distribution system.

(1) In each school year under the Evidence-Based Funding formula, each Organizational Unit receives funding equal to the sum of its Base Funding Minimum and the unit's allocation of New State Funds determined pursuant to this subsection (g). To allocate New State Funds, the Evidence-Based Funding formula distribution system first places all Organizational Units into one of 4 tiers in accordance with paragraph (3) of this subsection (g), based on the Organizational Unit's Final Percent of Adequacy. New State Funds are allocated to each of the 4 tiers as follows: Tier 1 Aggregate Funding equals 50% of all New State Funds, Tier 2 Aggregate Funding equals 49% of all New State Funds, Tier 3 Aggregate Funding equals 0.9% of all New State Funds, and Tier 4 Aggregate Funding equals 0.1% of all New State Funds. Each Organizational Unit within Tier 1 or Tier 2 receives an allocation of New State Funds equal to its tier Funding Gap, as defined in the following sentence, multiplied by the tier's Allocation Rate determined pursuant to paragraph (4) of this subsection (g). For Tier 1, an Organizational Unit's Funding Gap equals the tier's Target Ratio, as specified in paragraph (5) of this subsection (g), multiplied by the Organizational Unit's Adequacy Target, with the resulting amount reduced by the Organizational Unit's Final Resources. For Tier 2, an Organizational Unit's Funding Gap equals the tier's Target Ratio, as described in

paragraph (5) of this subsection (g), multiplied by the Organizational Unit's Adequacy Target, with the resulting amount reduced by the Organizational Unit's Final Resources and its Tier 1 funding allocation. To determine the Organizational Unit's Funding Gap, the resulting amount is then multiplied by a factor equal to one minus the Organizational Unit's Local Capacity Target percentage. Each Organizational Unit within Tier 3 or Tier 4 receives an allocation of New State Funds equal to the product of its Adequacy Target and the tier's Allocation Rate, as specified in paragraph (4) of this subsection (g).

(2) To ensure equitable distribution of dollars for all Tier 2 Organizational Units, no Tier 2 Organizational Unit shall receive fewer dollars per ASE than any Tier 3 Organizational Unit. Each Tier 2 and Tier 3 Organizational Unit shall have its funding allocation divided by its ASE. Any Tier 2 Organizational Unit with a funding allocation per ASE below the greatest Tier 3 allocation per ASE shall get a funding allocation equal to the greatest Tier 3 funding allocation per ASE multiplied by the Organizational Unit's ASE. Each Tier 2 Organizational Unit's Tier 2 funding allocation shall be multiplied by the percentage calculated by dividing the original Tier 2 Aggregate Funding by the sum of all Tier 2 Organizational Units' Tier 2 funding allocation after adjusting

districts' funding below Tier 3 levels.

(3) Organizational Units are placed into one of 4 tiers as follows:

(A) Tier 1 consists of all Organizational Units, except for Specially Funded Units, with a Percent of Adequacy less than the Tier 1 Target Ratio. The Tier 1 Target Ratio is the ratio level that allows for Tier 1 Aggregate Funding to be distributed, with the Tier 1 Allocation Rate determined pursuant to paragraph (4) of this subsection (g).

(B) Tier 2 consists of all Tier 1 Units and all other Organizational Units, except for Specially Funded Units, with a Percent of Adequacy of less than 0.90.

(C) Tier 3 consists of all Organizational Units, except for Specially Funded Units, with a Percent of Adequacy of at least 0.90 and less than 1.0.

(D) Tier 4 consists of all Organizational Units with a Percent of Adequacy of at least 1.0.

(4) The Allocation Rates for Tiers 1 through 4 are determined as follows:

(A) The Tier 1 Allocation Rate is 30%.

(B) The Tier 2 Allocation Rate is the result of the following equation: Tier 2 Aggregate Funding, divided by the sum of the Funding Gaps for all Tier 2 Organizational Units, unless the result of such

equation is higher than 1.0. If the result of such equation is higher than 1.0, then the Tier 2 Allocation Rate is 1.0.

(C) The Tier 3 Allocation Rate is the result of the following equation: Tier 3 Aggregate Funding, divided by the sum of the Adequacy Targets of all Tier 3 Organizational Units.

(D) The Tier 4 Allocation Rate is the result of the following equation: Tier 4 Aggregate Funding, divided by the sum of the Adequacy Targets of all Tier 4 Organizational Units.

(5) A tier's Target Ratio is determined as follows:

(A) The Tier 1 Target Ratio is the ratio level that allows for Tier 1 Aggregate Funding to be distributed with the Tier 1 Allocation Rate.

(B) The Tier 2 Target Ratio is 0.90.

(C) The Tier 3 Target Ratio is 1.0.

(6) If, at any point, the Tier 1 Target Ratio is greater than 90%, then all Tier 1 funding shall be allocated to Tier 2 and no Tier 1 Organizational Unit's funding may be identified.

(7) In the event that all Tier 2 Organizational Units receive funding at the Tier 2 Target Ratio level, any remaining New State Funds shall be allocated to Tier 3 and Tier 4 Organizational Units.

(8) If any Specially Funded Units, excluding Glenwood

Academy, recognized by the State Board do not qualify for direct funding following the implementation of Public Act 100-465 from any of the funding sources included within the definition of Base Funding Minimum, the unqualified portion of the Base Funding Minimum shall be transferred to one or more appropriate Organizational Units as determined by the State Superintendent based on the prior year ASE of the Organizational Units.

(8.5) If a school district withdraws from a special education cooperative, the portion of the Base Funding Minimum that is attributable to the school district may be redistributed to the school district upon withdrawal. The school district and the cooperative must include the amount of the Base Funding Minimum that is to be reapportioned in their withdrawal agreement and notify the State Board of the change with a copy of the agreement upon withdrawal.

(9) The Minimum Funding Level is intended to establish a target for State funding that will keep pace with inflation and continue to advance equity through the Evidence-Based Funding formula. The target for State funding of New Property Tax Relief Pool Funds is \$50,000,000 for State fiscal year 2019 and subsequent State fiscal years. The Minimum Funding Level is equal to \$350,000,000. In addition to any New State Funds, no more than \$50,000,000 New Property Tax Relief Pool Funds may be

counted toward the Minimum Funding Level. If the sum of New State Funds and applicable New Property Tax Relief Pool Funds are less than the Minimum Funding Level, than funding for tiers shall be reduced in the following manner:

(A) First, Tier 4 funding shall be reduced by an amount equal to the difference between the Minimum Funding Level and New State Funds until such time as Tier 4 funding is exhausted.

(B) Next, Tier 3 funding shall be reduced by an amount equal to the difference between the Minimum Funding Level and New State Funds and the reduction in Tier 4 funding until such time as Tier 3 funding is exhausted.

(C) Next, Tier 2 funding shall be reduced by an amount equal to the difference between the Minimum Funding Level and New State Funds and the reduction in Tier 4 and Tier 3.

(D) Finally, Tier 1 funding shall be reduced by an amount equal to the difference between the Minimum Funding level and New State Funds and the reduction in Tier 2, 3, and 4 funding. In addition, the Allocation Rate for Tier 1 shall be reduced to a percentage equal to the Tier 1 Allocation Rate set by paragraph (4) of this subsection (g), multiplied by the result of New State Funds divided by the Minimum Funding Level.

(9.5) For State fiscal year 2019 and subsequent State fiscal years, if New State Funds exceed \$300,000,000, then any amount in excess of \$300,000,000 shall be dedicated for purposes of Section 2-3.170 of this Code up to a maximum of \$50,000,000.

(10) In the event of a decrease in the amount of the appropriation for this Section in any fiscal year after implementation of this Section, the Organizational Units receiving Tier 1 and Tier 2 funding, as determined under paragraph (3) of this subsection (g), shall be held harmless by establishing a Base Funding Guarantee equal to the per pupil kindergarten through grade 12 funding received in accordance with this Section in the prior fiscal year. Reductions shall be made to the Base Funding Minimum of Organizational Units in Tier 3 and Tier 4 on a per pupil basis equivalent to the total number of the ASE in Tier 3-funded and Tier 4-funded Organizational Units divided by the total reduction in State funding. The Base Funding Minimum as reduced shall continue to be applied to Tier 3 and Tier 4 Organizational Units and adjusted by the relative formula when increases in appropriations for this Section resume. In no event may State funding reductions to Organizational Units in Tier 3 or Tier 4 exceed an amount that would be less than the Base Funding Minimum established in the first year of implementation of this Section. If additional reductions are required, all school

districts shall receive a reduction by a per pupil amount equal to the aggregate additional appropriation reduction divided by the total ASE of all Organizational Units.

(11) The State Superintendent shall make minor adjustments to the distribution formula set forth in this subsection (g) to account for the rounding of percentages to the nearest tenth of a percentage and dollar amounts to the nearest whole dollar.

(h) State Superintendent administration of funding and district submission requirements.

(1) The State Superintendent shall, in accordance with appropriations made by the General Assembly, meet the funding obligations created under this Section.

(2) The State Superintendent shall calculate the Adequacy Target for each Organizational Unit and Net State Contribution Target for each Organizational Unit under this Section. No Evidence-Based Funding shall be distributed within an Organizational Unit without the approval of the unit's school board.

(3) Annually, the State Superintendent shall calculate and report to each Organizational Unit the unit's aggregate financial adequacy amount, which shall be the sum of the Adequacy Target for each Organizational Unit. The State Superintendent shall calculate and report separately for each Organizational Unit the unit's total State funds allocated for its students with disabilities.

The State Superintendent shall calculate and report separately for each Organizational Unit the amount of funding and applicable FTE calculated for each Essential Element of the unit's Adequacy Target.

(4) Annually, the State Superintendent shall calculate and report to each Organizational Unit the amount the unit must expend on special education and bilingual education and computer technology and equipment for Organizational Units assigned to Tier 1 or Tier 2 that received an additional \$285.50 per student computer technology and equipment investment grant to their Adequacy Target pursuant to the unit's Base Funding Minimum, Special Education Allocation, Bilingual Education Allocation, and computer technology and equipment investment allocation.

(5) Moneys distributed under this Section shall be calculated on a school year basis, but paid on a fiscal year basis, with payments beginning in August and extending through June. Unless otherwise provided, the moneys appropriated for each fiscal year shall be distributed in 22 equal payments at least 2 times monthly to each Organizational Unit. If moneys appropriated for any fiscal year are distributed other than monthly, the distribution shall be on the same basis for each Organizational Unit.

(6) Any school district that fails, for any given school year, to maintain school as required by law or to

maintain a recognized school is not eligible to receive Evidence-Based Funding. In case of non-recognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion that the enrollment in the attendance center or centers bears to the enrollment of the school district. "Recognized school" means any public school that meets the standards for recognition by the State Board. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim that was filed while it was recognized.

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

(8) Each fiscal year, the State Superintendent shall calculate for each Organizational Unit an amount of its Base Funding Minimum and Evidence-Based Funding that shall be deemed attributable to the provision of special educational facilities and services, as defined in Section 14-1.08 of this Code, in a manner that ensures compliance with maintenance of State financial support requirements under the federal Individuals with Disabilities Education Act. An Organizational Unit must use such funds only for the provision of special educational facilities and services, as defined in Section 14-1.08 of this Code, and

must comply with any expenditure verification procedures adopted by the State Board.

(9) All Organizational Units in this State must submit annual spending plans by the end of September of each year to the State Board as part of the annual budget process, which shall describe how each Organizational Unit will utilize the Base Funding Minimum and Evidence-Based Funding it receives from this State under this Section with specific identification of the intended utilization of Low-Income, English learner, and special education resources. Additionally, the annual spending plans of each Organizational Unit shall describe how the Organizational Unit expects to achieve student growth and how the Organizational Unit will achieve State education goals, as defined by the State Board. The State Superintendent may, from time to time, identify additional requisites for Organizational Units to satisfy when compiling the annual spending plans required under this subsection (h). The format and scope of annual spending plans shall be developed by the State Superintendent and the State Board of Education. School districts that serve students under Article 14C of this Code shall continue to submit information as required under Section 14C-12 of this Code.

(10) No later than January 1, 2018, the State Superintendent shall develop a 5-year strategic plan for all Organizational Units to help in planning for adequacy

funding under this Section. The State Superintendent shall submit the plan to the Governor and the General Assembly, as provided in Section 3.1 of the General Assembly Organization Act. The plan shall include recommendations for:

(A) a framework for collaborative, professional, innovative, and 21st century learning environments using the Evidence-Based Funding model;

(B) ways to prepare and support this State's educators for successful instructional careers;

(C) application and enhancement of the current financial accountability measures, the approved State plan to comply with the federal Every Student Succeeds Act, and the Illinois Balanced Accountability Measures in relation to student growth and elements of the Evidence-Based Funding model; and

(D) implementation of an effective school adequacy funding system based on projected and recommended funding levels from the General Assembly.

(11) On an annual basis, the State Superintendent must recalibrate all of the following per pupil elements of the Adequacy Target and applied to the formulas, based on the study of average expenses and as reported in the most recent annual financial report:

(A) Gifted under subparagraph (M) of paragraph (2) of subsection (b).

(B) Instructional materials under subparagraph (O) of paragraph (2) of subsection (b).

(C) Assessment under subparagraph (P) of paragraph (2) of subsection (b).

(D) Student activities under subparagraph (R) of paragraph (2) of subsection (b).

(E) Maintenance and operations under subparagraph (S) of paragraph (2) of subsection (b).

(F) Central office under subparagraph (T) of paragraph (2) of subsection (b).

(i) Professional Review Panel.

(1) A Professional Review Panel is created to study and review topics related to the implementation and effect of Evidence-Based Funding, as assigned by a joint resolution or Public Act of the General Assembly or a motion passed by the State Board of Education. The Panel must provide recommendations to and serve the Governor, the General Assembly, and the State Board. The State Superintendent or his or her designee must serve as a voting member and chairperson of the Panel. The State Superintendent must appoint a vice chairperson from the membership of the Panel. The Panel must advance recommendations based on a three-fifths majority vote of Panel members present and voting. A minority opinion may also accompany any recommendation of the Panel. The Panel shall be appointed by the State Superintendent, except as

otherwise provided in paragraph (2) of this subsection (i) and include the following members:

(A) Two appointees that represent district superintendents, recommended by a statewide organization that represents district superintendents.

(B) Two appointees that represent school boards, recommended by a statewide organization that represents school boards.

(C) Two appointees from districts that represent school business officials, recommended by a statewide organization that represents school business officials.

(D) Two appointees that represent school principals, recommended by a statewide organization that represents school principals.

(E) Two appointees that represent teachers, recommended by a statewide organization that represents teachers.

(F) Two appointees that represent teachers, recommended by another statewide organization that represents teachers.

(G) Two appointees that represent regional superintendents of schools, recommended by organizations that represent regional superintendents.

(H) Two independent experts selected solely by the State Superintendent.

(I) Two independent experts recommended by public universities in this State.

(J) One member recommended by a statewide organization that represents parents.

(K) Two representatives recommended by collective impact organizations that represent major metropolitan areas or geographic areas in Illinois.

(L) One member from a statewide organization focused on research-based education policy to support a school system that prepares all students for college, a career, and democratic citizenship.

(M) One representative from a school district organized under Article 34 of this Code.

The State Superintendent shall ensure that the membership of the Panel includes representatives from school districts and communities reflecting the geographic, socio-economic, racial, and ethnic diversity of this State. The State Superintendent shall additionally ensure that the membership of the Panel includes representatives with expertise in bilingual education and special education. Staff from the State Board shall staff the Panel.

(2) In addition to those Panel members appointed by the State Superintendent, 4 members of the General Assembly shall be appointed as follows: one member of the House of Representatives appointed by the Speaker of the

House of Representatives, one member of the Senate appointed by the President of the Senate, one member of the House of Representatives appointed by the Minority Leader of the House of Representatives, and one member of the Senate appointed by the Minority Leader of the Senate. There shall be one additional member appointed by the Governor. All members appointed by legislative leaders or the Governor shall be non-voting, ex officio members.

(3) The Panel must study topics at the direction of the General Assembly or State Board of Education, as provided under paragraph (1). The Panel may also study the following topics at the direction of the chairperson:

(A) The format and scope of annual spending plans referenced in paragraph (9) of subsection (h) of this Section.

(B) The Comparable Wage Index under this Section.

(C) Maintenance and operations, including capital maintenance and construction costs.

(D) "At-risk student" definition.

(E) Benefits.

(F) Technology.

(G) Local Capacity Target.

(H) Funding for Alternative Schools, Laboratory Schools, safe schools, and alternative learning opportunities programs.

(I) Funding for college and career acceleration

strategies.

(J) Special education investments.

(K) Early childhood investments, in collaboration with the Illinois Early Learning Council.

(4) (Blank).

(5) Within 5 years after the implementation of this Section, and every 5 years thereafter, the Panel shall complete an evaluative study of the entire Evidence-Based Funding model, including an assessment of whether or not the formula is achieving State goals. The Panel shall report to the State Board, the General Assembly, and the Governor on the findings of the study.

(6) (Blank).

(7) To ensure that (i) the Adequacy Target calculation under subsection (b) accurately reflects the needs of students living in poverty or attending schools located in areas of high poverty, (ii) racial equity within the Evidence-Based Funding formula is explicitly explored and advanced, and (iii) the funding goals of the formula distribution system established under this Section are sufficient to provide adequate funding for every student and to fully fund every school in this State, the Panel shall review the Essential Elements under paragraph (2) of subsection (b). The Panel shall consider all of the following in its review:

(A) The financial ability of school districts to

provide instruction in a foreign language to every student and whether an additional Essential Element should be added to the formula to ensure that every student has access to instruction in a foreign language.

(B) The adult-to-student ratio for each Essential Element in which a ratio is identified. The Panel shall consider whether the ratio accurately reflects the staffing needed to support students living in poverty or who have traumatic backgrounds.

(C) Changes to the Essential Elements that may be required to better promote racial equity and eliminate structural racism within schools.

(D) The impact of investing \$350,000,000 in additional funds each year under this Section and an estimate of when the school system will become fully funded under this level of appropriation.

(E) Provide an overview of alternative funding structures that would enable the State to become fully funded at an earlier date.

(F) The potential to increase efficiency and to find cost savings within the school system to expedite the journey to a fully funded system.

(G) The appropriate levels for reenrolling and graduating high-risk high school students who have been previously out of school. These outcomes shall

include enrollment, attendance, skill gains, credit gains, graduation or promotion to the next grade level, and the transition to college, training, or employment, with an emphasis on progressively increasing the overall attendance.

(H) The evidence-based or research-based practices that are shown to reduce the gaps and disparities experienced by African American students in academic achievement and educational performance, including practices that have been shown to reduce disparities ~~parities~~ in disciplinary rates, drop-out rates, graduation rates, college matriculation rates, and college completion rates.

On or before December 31, 2021, the Panel shall report to the State Board, the General Assembly, and the Governor on the findings of its review. This paragraph (7) is inoperative on and after July 1, 2022.

(j) References. Beginning July 1, 2017, references in other laws to general State aid funds or calculations under Section 18-8.05 of this Code (now repealed) shall be deemed to be references to evidence-based model formula funds or calculations under this Section.

(Source: P.A. 101-10, eff. 6-5-19; 101-17, eff. 6-14-19; 101-643, eff. 6-18-20; 101-654, eff. 3-8-21; 102-33, eff. 6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21; revised 10-12-21.)