

# HB2348



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2348

by Rep. Keith R. Wheeler

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-8.05

Amends the State aid formula provisions of the School Code. Requires the General Assembly to make appropriations for general State financial aid each fiscal year to fully fund the amount as calculated under the formula. Requires the State Comptroller to prioritize the payment of general State financial aid claims to ensure the timely delivery of funds to school districts. Effective July 1, 2017.

LRB100 08320 MLM 18428 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section  
5 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

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

10 (A) General Provisions.

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

1 in general, varies in inverse relation to Available Local  
2 Resources. Per pupil amounts are based upon each school  
3 district's Average Daily Attendance as that term is defined in  
4 this Section.

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

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

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

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

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

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

15 (d) (Blank).

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

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

23 (4.5) The General Assembly is required to make  
24 appropriations for general State financial aid each fiscal year  
25 to fully fund the amount as calculated under this Section. The  
26 State Comptroller shall prioritize the payment of general State

1 financial aid claims to ensure the timely delivery of funds to  
2 school districts.

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

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

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

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

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

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

1 (B) Foundation Level.

2 (1) The Foundation Level is a figure established by the  
3 State representing the minimum level of per pupil financial  
4 support that should be available to provide for the basic  
5 education of each pupil in Average Daily Attendance. As set  
6 forth in this Section, each school district is assumed to exert  
7 a sufficient local taxing effort such that, in combination with  
8 the aggregate of general State financial aid provided the  
9 district, an aggregate of State and local resources are  
10 available to meet the basic education needs of pupils in the  
11 district.

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

25 (3) For the 2009-2010 school year and each school year  
26 thereafter, the Foundation Level of support is \$6,119 or such

1 greater amount as may be established by law by the General  
2 Assembly.

3 (C) Average Daily Attendance.

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

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

24 (D) Available Local Resources.

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

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

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



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

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

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

1 (E) Computation of General State Aid.

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

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

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

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

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

16           (F) Compilation of Average Daily Attendance.

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

1 (1).

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

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

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

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

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

9 Days of attendance by tuition pupils shall be accredited  
10 only to the districts that pay the tuition to a recognized  
11 school.

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

15 (a) Pupils regularly enrolled in a public school for  
16 only a part of the school day may be counted on the basis  
17 of  $1/6$  day for every class hour of instruction of 40  
18 minutes or more attended pursuant to such enrollment,  
19 unless a pupil is enrolled in a block-schedule format of 80  
20 minutes or more of instruction, in which case the pupil may  
21 be counted on the basis of the proportion of minutes of  
22 school work completed each day to the minimum number of  
23 minutes that school work is required to be held that day.

24 (b) (Blank).

25 (c) A session of 4 or more clock hours may be counted  
26 as a day of attendance upon certification by the regional

1 superintendent, and approved by the State Superintendent  
2 of Education to the extent that the district has been  
3 forced to use daily multiple sessions.

4 (d) A session of 3 or more clock hours may be counted  
5 as a day of attendance (1) when the remainder of the school  
6 day or at least 2 hours in the evening of that day is  
7 utilized for an in-service training program for teachers,  
8 up to a maximum of 5 days per school year, provided a  
9 district conducts an in-service training program for  
10 teachers in accordance with Section 10-22.39 of this Code;  
11 or, in lieu of 4 such days, 2 full days may be used, in  
12 which event each such day may be counted as a day required  
13 for a legal school calendar pursuant to Section 10-19 of  
14 this Code; (1.5) when, of the 5 days allowed under item  
15 (1), a maximum of 4 days are used for parent-teacher  
16 conferences, or, in lieu of 4 such days, 2 full days are  
17 used, in which case each such day may be counted as a  
18 calendar day required under Section 10-19 of this Code,  
19 provided that the full-day, parent-teacher conference  
20 consists of (i) a minimum of 5 clock hours of  
21 parent-teacher conferences, (ii) both a minimum of 2 clock  
22 hours of parent-teacher conferences held in the evening  
23 following a full day of student attendance, as specified in  
24 subsection (F)(1)(c), and a minimum of 3 clock hours of  
25 parent-teacher conferences held on the day immediately  
26 following evening parent-teacher conferences, or (iii)

1 multiple parent-teacher conferences held in the evenings  
2 following full days of student attendance, as specified in  
3 subsection (F)(1)(c), in which the time used for the  
4 parent-teacher conferences is equivalent to a minimum of 5  
5 clock hours; and (2) when days in addition to those  
6 provided in items (1) and (1.5) are scheduled by a school  
7 pursuant to its school improvement plan adopted under  
8 Article 34 or its revised or amended school improvement  
9 plan adopted under Article 2, provided that (i) such  
10 sessions of 3 or more clock hours are scheduled to occur at  
11 regular intervals, (ii) the remainder of the school days in  
12 which such sessions occur are utilized for in-service  
13 training programs or other staff development activities  
14 for teachers, and (iii) a sufficient number of minutes of  
15 school work under the direct supervision of teachers are  
16 added to the school days between such regularly scheduled  
17 sessions to accumulate not less than the number of minutes  
18 by which such sessions of 3 or more clock hours fall short  
19 of 5 clock hours. Any full days used for the purposes of  
20 this paragraph shall not be considered for computing  
21 average daily attendance. Days scheduled for in-service  
22 training programs, staff development activities, or  
23 parent-teacher conferences may be scheduled separately for  
24 different grade levels and different attendance centers of  
25 the district.

26 (e) A session of not less than one clock hour of

1 teaching hospitalized or homebound pupils on-site or by  
2 telephone to the classroom may be counted as 1/2 day of  
3 attendance, however these pupils must receive 4 or more  
4 clock hours of instruction to be counted for a full day of  
5 attendance.

6 (f) A session of at least 4 clock hours may be counted  
7 as a day of attendance for first grade pupils, and pupils  
8 in full day kindergartens, and a session of 2 or more hours  
9 may be counted as 1/2 day of attendance by pupils in  
10 kindergartens which provide only 1/2 day of attendance.

11 (g) For children with disabilities who are below the  
12 age of 6 years and who cannot attend 2 or more clock hours  
13 because of their disability or immaturity, a session of not  
14 less than one clock hour may be counted as 1/2 day of  
15 attendance; however for such children whose educational  
16 needs so require a session of 4 or more clock hours may be  
17 counted as a full day of attendance.

18 (h) A recognized kindergarten which provides for only  
19 1/2 day of attendance by each pupil shall not have more  
20 than 1/2 day of attendance counted in any one day. However,  
21 kindergartens may count 2 1/2 days of attendance in any 5  
22 consecutive school days. When a pupil attends such a  
23 kindergarten for 2 half days on any one school day, the  
24 pupil shall have the following day as a day absent from  
25 school, unless the school district obtains permission in  
26 writing from the State Superintendent of Education.



1 Attendance at kindergartens which provide for a full day of  
2 attendance by each pupil shall be counted the same as  
3 attendance by first grade pupils. Only the first year of  
4 attendance in one kindergarten shall be counted, except in  
5 case of children who entered the kindergarten in their  
6 fifth year whose educational development requires a second  
7 year of kindergarten as determined under the rules and  
8 regulations of the State Board of Education.

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

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

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

9 (G) Equalized Assessed Valuation Data.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 If a school district is subject to property tax extension

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

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

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

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



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

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

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

7 (H) Supplemental General State Aid.

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

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

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

1 affected by any other funding.

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

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

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

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

1 multiplied by the low income eligible pupil count.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

17 (I) (Blank).

18 (J) (Blank).

19 (K) Grants to Laboratory and Alternative Schools.

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

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

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

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

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

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

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

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

1 Article.

2 (2) (Blank).

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

5 (M) Education Funding Advisory Board.

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

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

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

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



1 its responsibilities.

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

16 (N) (Blank).

17 (O) References.

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

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

1 provided under subsection (H) of this Section.

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

8 (Q) State Fiscal Year 2015 Payments.

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

1 (R) State Fiscal Year 2016 Payments.

2 For payments made for State fiscal year 2016, the State  
3 Board of Education shall, for each school district, calculate  
4 that district's pro rata share of a minimum sum of \$1 or  
5 additional amounts as needed from the total net General State  
6 Aid funding as calculated under this Section that shall be  
7 deemed attributable to the provision of special educational  
8 facilities and services, as defined in Section 14-1.08 of this  
9 Code, in a manner that ensures compliance with maintenance of  
10 State financial support requirements under the federal  
11 Individuals with Disabilities Education Act. Each school  
12 district must use such funds only for the provision of special  
13 educational facilities and services, as defined in Section  
14 14-1.08 of this Code, and must comply with any expenditure  
15 verification procedures adopted by the State Board of  
16 Education.

17 (Source: P.A. 98-972, eff. 8-15-14; 99-2, eff. 3-26-15; 99-194,  
18 eff. 7-30-15; 99-523, eff. 6-30-16.)

19 Section 99. Effective date. This Act takes effect July 1,  
20 2017.