



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2013

Introduced 2/26/2007, by Rep. Michael K. Smith

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-13.01

from Ch. 122, par. 14-13.01

Amends the Children with Disabilities Article of the School Code. In a Section concerning personnel reimbursement, provides that when a school district operates a school or program for a number of days in excess of the adopted school calendar but not to exceed 235 school days, reimbursement shall be increased by 1/180 (instead of 1/185) of the amount or rate paid under the reimbursement provisions for each day the school is operated in excess of 180 (instead of 185) days per calendar year. Effective July 1, 2007.

LRB095 04825 NHT 24885 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 14-13.01 as follows:

6 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

7 Sec. 14-13.01. Reimbursement payable by State; Amounts.
8 Reimbursement for furnishing special educational facilities in
9 a recognized school to the type of children defined in Section
10 14-1.02 shall be paid to the school districts in accordance
11 with Section 14-12.01 for each school year ending June 30 by
12 the State Comptroller out of any money in the treasury
13 appropriated for such purposes on the presentation of vouchers
14 by the State Board of Education.

15 The reimbursement shall be limited to funds expended for
16 construction and maintenance of special education facilities
17 designed and utilized to house instructional programs,
18 diagnostic services, other special education services for
19 children with disabilities and reimbursement as provided in
20 Section 14-13.01. There shall be no reimbursement for
21 construction and maintenance of any administrative facility
22 separated from special education facilities designed and
23 utilized to house instructional programs, diagnostic services

1 and other special education services for children with
2 disabilities.

3 (a) For children who have not been identified as eligible
4 for special education and for eligible children with physical
5 disabilities, including all eligible children whose placement
6 has been determined under Section 14-8.02 in hospital or home
7 instruction, 1/2 of the teacher's salary but not more than
8 \$1,000 annually per child or \$8,000 per teacher for the
9 1985-1986 school year and thereafter, whichever is less.
10 Children to be included in any reimbursement under this
11 paragraph must regularly receive a minimum of one hour of
12 instruction each school day, or in lieu thereof of a minimum of
13 5 hours of instruction in each school week in order to qualify
14 for full reimbursement under this Section. If the attending
15 physician for such a child has certified that the child should
16 not receive as many as 5 hours of instruction in a school week,
17 however, reimbursement under this paragraph on account of that
18 child shall be computed proportionate to the actual hours of
19 instruction per week for that child divided by 5.

20 (b) For children described in Section 14-1.02, 4/5 of the
21 cost of transportation for each such child, whom the State
22 Superintendent of Education determined in advance requires
23 special transportation service in order to take advantage of
24 special educational facilities. Transportation costs shall be
25 determined in the same fashion as provided in Section 29-5. For
26 purposes of this subsection (b), the dates for processing

1 claims specified in Section 29-5 shall apply.

2 (c) For each professional worker excluding those included
3 in subparagraphs (a), (d), (e), and (f) of this Section, the
4 annual sum of \$8,000 for the 1985-1986 school year and
5 thereafter.

6 (d) For one full time qualified director of the special
7 education program of each school district which maintains a
8 fully approved program of special education the annual sum of
9 \$8,000 for the 1985-1986 school year and thereafter. Districts
10 participating in a joint agreement special education program
11 shall not receive such reimbursement if reimbursement is made
12 for a director of the joint agreement program.

13 (e) For each school psychologist as defined in Section
14 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
15 and thereafter.

16 (f) For each qualified teacher working in a fully approved
17 program for children of preschool age who are deaf or
18 hard-of-hearing the annual sum of \$8,000 for the 1985-1986
19 school year and thereafter.

20 (g) For readers, working with blind or partially seeing
21 children 1/2 of their salary but not more than \$400 annually
22 per child. Readers may be employed to assist such children and
23 shall not be required to be certified but prior to employment
24 shall meet standards set up by the State Board of Education.

25 (h) For necessary non-certified employees working in any
26 class or program for children defined in this Article, 1/2 of

1 the salary paid or \$2,800 annually per employee, whichever is
2 less.

3 The State Board of Education shall set standards and
4 prescribe rules for determining the allocation of
5 reimbursement under this section on less than a full time basis
6 and for less than a school year.

7 When any school district eligible for reimbursement under
8 this Section operates a school or program approved by the State
9 Superintendent of Education for a number of days in excess of
10 the adopted school calendar but not to exceed 235 school days,
11 such reimbursement shall be increased by 1/180 ~~1/185~~ of the
12 amount or rate paid hereunder for each day such school is
13 operated in excess of 180 ~~185~~ days per calendar year.

14 Notwithstanding any other provision of law, any school
15 district receiving a payment under this Section or under
16 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
17 all or a portion of the funds that it receives in a particular
18 fiscal year or from general State aid pursuant to Section
19 18-8.05 of this Code as funds received in connection with any
20 funding program for which it is entitled to receive funds from
21 the State in that fiscal year (including, without limitation,
22 any funding program referenced in this Section), regardless of
23 the source or timing of the receipt. The district may not
24 classify more funds as funds received in connection with the
25 funding program than the district is entitled to receive in
26 that fiscal year for that program. Any classification by a

1 district must be made by a resolution of its board of
2 education. The resolution must identify the amount of any
3 payments or general State aid to be classified under this
4 paragraph and must specify the funding program to which the
5 funds are to be treated as received in connection therewith.
6 This resolution is controlling as to the classification of
7 funds referenced therein. A certified copy of the resolution
8 must be sent to the State Superintendent of Education. The
9 resolution shall still take effect even though a copy of the
10 resolution has not been sent to the State Superintendent of
11 Education in a timely manner. No classification under this
12 paragraph by a district shall affect the total amount or timing
13 of money the district is entitled to receive under this Code.
14 No classification under this paragraph by a district shall in
15 any way relieve the district from or affect any requirements
16 that otherwise would apply with respect to that funding
17 program, including any accounting of funds by source, reporting
18 expenditures by original source and purpose, reporting
19 requirements, or requirements of providing services.

20 (Source: P.A. 92-568, eff. 6-26-02; 93-1022, eff. 8-24-04.)

21 Section 99. Effective date. This Act takes effect July 1,
22 2007.