

# SB2114



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2114

Introduced 2/26/2021, by Sen. Robert Peters

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-8.15

Amends the evidence-based funding provisions of the School Code. Provides that funds received by the Chicago school district for low-income, English learner, and special education resources must be distributed to every school of the district in the appropriate amount specified under the Essential Elements component of the funding formula. Effective July 1, 2021.

LRB102 12938 CMG 18281 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 18-8.15 as follows:

6 (105 ILCS 5/18-8.15)

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

9 (a) General provisions.

10 (1) The purpose of this Section is to ensure that, by  
11 June 30, 2027 and beyond, this State has a kindergarten  
12 through grade 12 public education system with the capacity  
13 to ensure the educational development of all persons to  
14 the limits of their capacities in accordance with Section  
15 1 of Article X of the Constitution of the State of  
16 Illinois. To accomplish that objective, this Section  
17 creates a method of funding public education that is  
18 evidence-based; is sufficient to ensure every student  
19 receives a meaningful opportunity to learn irrespective of  
20 race, ethnicity, sexual orientation, gender, or  
21 community-income level; and is sustainable and  
22 predictable. When fully funded under this Section, every  
23 school shall have the resources, based on what the

1 evidence indicates is needed, to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9           "Adjusted Operating Tax Rate" means a tax rate for all  
10 Organizational Units, for which the State Superintendent  
11 shall calculate and subtract for the Operating Tax Rate a  
12 transportation rate based on total expenses for  
13 transportation services under this Code, as reported on  
14 the most recent Annual Financial Report in Pupil  
15 Transportation Services, function 2550 in both the  
16 Education and Transportation funds and functions 4110 and  
17 4120 in the Transportation fund, less any corresponding  
18 fiscal year State of Illinois scheduled payments excluding  
19 net adjustments for prior years for regular, vocational,  
20 or special education transportation reimbursement pursuant  
21 to Section 29-5 or subsection (b) of Section 14-13.01 of  
22 this Code divided by the Adjusted EAV. If an  
23 Organizational Unit's corresponding fiscal year State of  
24 Illinois scheduled payments excluding net adjustments for  
25 prior years for regular, vocational, or special education  
26 transportation reimbursement pursuant to Section 29-5 or

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

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

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

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

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

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

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

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

3 "Average Student Enrollment" or "ASE" for fiscal year  
4 2018 means, for an Organizational Unit, the greater of the  
5 average number of students (grades K through 12) reported  
6 to the State Board as enrolled in the Organizational Unit  
7 on October 1 in the immediately preceding school year,  
8 plus the pre-kindergarten students who receive special  
9 education services of 2 or more hours a day as reported to  
10 the State Board on December 1 in the immediately preceding  
11 school year, or the average number of students (grades K  
12 through 12) reported to the State Board as enrolled in the  
13 Organizational Unit on October 1, plus the  
14 pre-kindergarten students who receive special education  
15 services of 2 or more hours a day as reported to the State  
16 Board on December 1, for each of the immediately preceding  
17 3 school years. For fiscal year 2019 and each subsequent  
18 fiscal year, "Average Student Enrollment" or "ASE" means,  
19 for an Organizational Unit, the greater of the average  
20 number of students (grades K through 12) reported to the  
21 State Board as enrolled in the Organizational Unit on  
22 October 1 and March 1 in the immediately preceding school  
23 year, plus the pre-kindergarten students who receive  
24 special education services as reported to the State Board  
25 on October 1 and March 1 in the immediately preceding  
26 school year, or the average number of students (grades K

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



1 education pre-kindergarten students as of August 31, 2017  
2 (the effective date of Public Act 100-465), it shall  
3 establish such collection for all future years. For any  
4 year in which a count by grade level was collected only  
5 once, that count shall be used as the single count  
6 available for computing a 3-year average ASE. Funding for  
7 programs operated by a regional office of education or an  
8 intermediate service center must be calculated using the  
9 Evidence-Based Funding formula under this Section for the  
10 2019-2020 school year and each subsequent school year  
11 until separate adequacy formulas are developed and adopted  
12 for each type of program. ASE for a program operated by a  
13 regional office of education or an intermediate service  
14 center must be determined by the March 1 enrollment for  
15 the program. For the 2019-2020 school year, the ASE used  
16 in the calculation must be the first-year ASE and, in that  
17 year only, the assignment of students served by a regional  
18 office of education or intermediate service center shall  
19 not result in a reduction of the March enrollment for any  
20 school district. For the 2020-2021 school year, the ASE  
21 must be the greater of the current-year ASE or the 2-year  
22 average ASE. Beginning with the 2021-2022 school year, the  
23 ASE must be the greater of the current-year ASE or the  
24 3-year average ASE. School districts shall submit the data  
25 for the ASE calculation to the State Board within 45 days  
26 of the dates required in this Section for submission of

1 enrollment data in order for it to be included in the ASE  
2 calculation. For fiscal year 2018 only, the ASE  
3 calculation shall include only enrollment taken on October  
4 1.

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

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

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

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

16 "Bilingual Education Allocation" means the amount of  
17 an Organizational Unit's final Adequacy Target  
18 attributable to bilingual education divided by the  
19 Organizational Unit's final Adequacy Target, the product  
20 of which shall be multiplied by the amount of new funding  
21 received pursuant to this Section. An Organizational  
22 Unit's final Adequacy Target attributable to bilingual  
23 education shall include all additional investments in  
24 English learner students' adequacy elements.

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

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

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

18 "Computer technology and equipment" means computers  
19 servers, notebooks, network equipment, copiers, printers,  
20 instructional software, security software, curriculum  
21 management courseware, and other similar materials and  
22 equipment.

23 "Computer technology and equipment investment  
24 allocation" means the final Adequacy Target amount of an  
25 Organizational Unit assigned to Tier 1 or Tier 2 in the  
26 prior school year attributable to the additional \$285.50

1 per student computer technology and equipment investment  
2 grant divided by the Organizational Unit's final Adequacy  
3 Target, the result of which shall be multiplied by the  
4 amount of new funding received pursuant to this Section.  
5 An Organizational Unit assigned to a Tier 1 or Tier 2 final  
6 Adequacy Target attributable to the received computer  
7 technology and equipment investment grant shall include  
8 all additional investments in computer technology and  
9 equipment adequacy elements.

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

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

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

20 "CPPRT" means corporate personal property replacement  
21 tax funds paid to an Organizational Unit during the  
22 calendar year one year before the calendar year in which a  
23 school year begins, pursuant to "An Act in relation to the  
24 abolition of ad valorem personal property tax and the  
25 replacement of revenues lost thereby, and amending and  
26 repealing certain Acts and parts of Acts in connection

1 therewith", certified August 14, 1979, as amended (Public  
2 Act 81-1st S.S.-1).

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

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

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

15 "Employee benefits" means health, dental, and vision  
16 insurance offered to employees of an Organizational Unit,  
17 the costs associated with the statutorily required payment  
18 of the normal cost of the Organizational Unit's teacher  
19 pensions, Social Security employer contributions, and  
20 Illinois Municipal Retirement Fund employer contributions.

21 "English learner" or "EL" means a child included in  
22 the definition of "English learners" under Section 14C-2  
23 of this Code participating in a program of transitional  
24 bilingual education or a transitional program of  
25 instruction meeting the requirements and program  
26 application procedures of Article 14C of this Code. For

1 the purposes of collecting the number of EL students  
2 enrolled, the same collection and calculation methodology  
3 as defined above for "ASE" shall apply to English  
4 learners, with the exception that EL student enrollment  
5 shall include students in grades pre-kindergarten through  
6 12.

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

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

18 "Extended day" means academic and enrichment programs  
19 provided to students outside the regular school day before  
20 and after school or during non-instructional times during  
21 the school day.

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

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

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

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

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

8 "Guidance counselor" means a licensed guidance  
9 counselor who provides guidance and counseling support for  
10 students within an Organizational Unit.

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

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

16 "Instructional facilitator" means a qualified teacher  
17 or licensed teacher leader who facilitates and coaches  
18 continuous improvement in classroom instruction; provides  
19 instructional support to teachers in the elements of  
20 research-based instruction or demonstrates the alignment  
21 of instruction with curriculum standards and assessment  
22 tools; develops or coordinates instructional programs or  
23 strategies; develops and implements training; chooses  
24 standards-based instructional materials; provides  
25 teachers with an understanding of current research; serves  
26 as a mentor, site coach, curriculum specialist, or lead

1 teacher; or otherwise works with fellow teachers, in  
2 collaboration, to use data to improve instructional  
3 practice or develop model lessons.

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

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

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

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

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

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

22 "Local Capacity Ratio" is defined in subparagraph (B)  
23 of paragraph (2) of subsection (c) of this Section.

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

26 "Low-Income Count" means, for an Organizational Unit



1 in a fiscal year, the higher of the average number of  
2 students for the prior school year or the immediately  
3 preceding 3 school years who, as of July 1 of the  
4 immediately preceding fiscal year (as determined by the  
5 Department of Human Services), are eligible for at least  
6 one of the following low-income programs: Medicaid, the  
7 Children's Health Insurance Program, Temporary Assistance  
8 for Needy Families (TANF), or the Supplemental Nutrition  
9 Assistance Program, excluding pupils who are eligible for  
10 services provided by the Department of Children and Family  
11 Services. Until such time that grade level low-income  
12 populations become available, grade level low-income  
13 populations shall be determined by applying the low-income  
14 percentage to total student enrollments by grade level.  
15 The low-income percentage is determined by dividing the  
16 Low-Income Count by the Average Student Enrollment. The  
17 low-income percentage for programs operated by a regional  
18 office of education or an intermediate service center must  
19 be set to the weighted average of the low-income  
20 percentages of all of the school districts in the service  
21 region. The weighted low-income percentage is the result  
22 of multiplying the low-income percentage of each school  
23 district served by the regional office of education or  
24 intermediate service center by each school district's  
25 Average Student Enrollment, summarizing those products and  
26 dividing the total by the total Average Student Enrollment

1 for the service region.

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

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

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

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

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

20 "Nurse" means an individual licensed as a certified  
21 school nurse, in accordance with the rules established for  
22 nursing services by the State Board, who is an employee of  
23 and is available to provide health care-related services  
24 for students of an Organizational Unit.

25 "Operating Tax Rate" means the rate utilized in the  
26 previous year to extend property taxes for all purposes,

1           except Bond and Interest, Summer School, Rent, Capital  
2           Improvement, and Vocational Education Building purposes.  
3           For Hybrid Districts, the Operating Tax Rate shall be the  
4           combined elementary and high school rates utilized in the  
5           previous year to extend property taxes for all purposes,  
6           except Bond and Interest, Summer School, Rent, Capital  
7           Improvement, and Vocational Education Building purposes.

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

20          "Organizational Unit CWI" is determined by calculating  
21          the CWI in the region and original county in which an  
22          Organizational Unit's primary administrative office is  
23          located as set forth in this paragraph, provided that if  
24          the Organizational Unit CWI as calculated in accordance  
25          with this paragraph is less than 0.9, the Organizational  
26          Unit CWI shall be increased to 0.9. Each county's current

1 CWI value shall be adjusted based on the CWI value of that  
2 county's neighboring Illinois counties, to create a  
3 "weighted adjusted index value". This shall be calculated  
4 by summing the CWI values of all of a county's adjacent  
5 Illinois counties and dividing by the number of adjacent  
6 Illinois counties, then taking the weighted value of the  
7 original county's CWI value and the adjacent Illinois  
8 county average. To calculate this weighted value, if the  
9 number of adjacent Illinois counties is greater than 2,  
10 the original county's CWI value will be weighted at 0.25  
11 and the adjacent Illinois county average will be weighted  
12 at 0.75. If the number of adjacent Illinois counties is 2,  
13 the original county's CWI value will be weighted at 0.33  
14 and the adjacent Illinois county average will be weighted  
15 at 0.66. The greater of the county's current CWI value and  
16 its weighted adjusted index value shall be used as the  
17 Organizational Unit CWI.

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

20 "Preceding Tax Year's Extension" means the product of  
21 the equalized assessed valuation utilized by the county  
22 clerk in the Preceding Tax Year multiplied by the  
23 Operating Tax Rate.

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

26 "Preliminary Resources" is defined in paragraph (2) of

1 subsection (f) of this Section.

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

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

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

19 "PTELL" means the Property Tax Extension Limitation  
20 Law.

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

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

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

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

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

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

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

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

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

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

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

17           "State Board" means the State Board of Education.

18           "State Superintendent" means the State Superintendent  
19           of Education.

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

26           "Student activities" means non-credit producing

1 after-school programs, including, but not limited to,  
2 clubs, bands, sports, and other activities authorized by  
3 the school board of the Organizational Unit.

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

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

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

19 "Target Ratio" is defined in paragraph (4) of  
20 subsection (g).

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

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



1 (b) Adequacy Target calculation.

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

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

16 (A) Core class size investments. Each  
17 Organizational Unit shall receive the funding required  
18 to support that number of FTE core teacher positions  
19 as is needed to keep the respective class sizes of the  
20 Organizational Unit to the following maximum numbers:

21 (i) For grades kindergarten through 3, the  
22 Organizational Unit shall receive funding required  
23 to support one FTE core teacher position for every  
24 15 Low-Income Count students in those grades and  
25 one FTE core teacher position for every 20  
26 non-Low-Income Count students in those grades.

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

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

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

16               (i) if the Organizational Unit operates an  
17               elementary or middle school, then 20.00% of the  
18               number of the Organizational Unit's core teachers,  
19               as determined under subparagraph (A) of this  
20               paragraph (2); and

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

24          (C) Instructional facilitator investments. Each  
25          Organizational Unit shall receive the funding needed  
26          to cover one FTE instructional facilitator position

1 for every 200 combined ASE of pre-kindergarten  
2 children with disabilities and all kindergarten  
3 through grade 12 students of the Organizational Unit.

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

8 (E) Substitute teacher investments. Each  
9 Organizational Unit shall receive the funding needed  
10 to cover substitute teacher costs that is equal to  
11 5.70% of the minimum pupil attendance days required  
12 under Section 10-19 of this Code for all full-time  
13 equivalent core, specialist, and intervention  
14 teachers, school nurses, special education teachers  
15 and instructional assistants, instructional  
16 facilitators, and summer school and extended day  
17 teacher positions, as determined under this paragraph  
18 (2), at a salary rate of 33.33% of the average salary  
19 for grade K through 12 teachers and 33.33% of the  
20 average salary of each instructional assistant  
21 position.

22 (F) Core guidance counselor investments. Each  
23 Organizational Unit shall receive the funding needed  
24 to cover one FTE guidance counselor for each 450  
25 combined ASE of pre-kindergarten children with  
26 disabilities and all kindergarten through grade 5

1 students, plus one FTE guidance counselor for each 250  
2 grades 6 through 8 ASE middle school students, plus  
3 one FTE guidance counselor for each 250 grades 9  
4 through 12 ASE high school students.

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

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

18 (I) Librarian investments. Each Organizational  
19 Unit shall receive the funding needed to cover one FTE  
20 librarian for each prototypical elementary school,  
21 middle school, and high school and one FTE aide or  
22 media technician for every 300 combined ASE of  
23 pre-kindergarten children with disabilities and all  
24 kindergarten through grade 12 students.

25 (J) Principal investments. Each Organizational  
26 Unit shall receive the funding needed to cover one FTE

1 principal position for each prototypical elementary  
2 school, plus one FTE principal position for each  
3 prototypical middle school, plus one FTE principal  
4 position for each prototypical high school.

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

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

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

23 (N) Professional development investments. Each  
24 Organizational Unit shall receive \$125 per student of  
25 the combined ASE of pre-kindergarten children with  
26 disabilities and all kindergarten through grade 12

1 students for trainers and other professional  
2 development-related expenses for supplies and  
3 materials.

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

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

14 (Q) Computer technology and equipment investments.  
15 Each Organizational Unit shall receive \$285.50 per  
16 student of the combined ASE of pre-kindergarten  
17 children with disabilities and all kindergarten  
18 through grade 12 students to cover computer technology  
19 and equipment costs. For the 2018-2019 school year and  
20 subsequent school years, Organizational Units assigned  
21 to Tier 1 and Tier 2 in the prior school year shall  
22 receive an additional \$285.50 per student of the  
23 combined ASE of pre-kindergarten children with  
24 disabilities and all kindergarten through grade 12  
25 students to cover computer technology and equipment  
26 costs in the Organizational Unit's Adequacy Target.

1           The State Board may establish additional requirements  
2           for Organizational Unit expenditures of funds received  
3           pursuant to this subparagraph (Q), including a  
4           requirement that funds received pursuant to this  
5           subparagraph (Q) may be used only for serving the  
6           technology needs of the district. It is the intent of  
7           Public Act 100-465 that all Tier 1 and Tier 2 districts  
8           receive the addition to their Adequacy Target in the  
9           following year, subject to compliance with the  
10          requirements of the State Board.

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

17          (S) Maintenance and operations investments. Each  
18          Organizational Unit shall receive \$1,038 per student  
19          of the combined ASE of pre-kindergarten children with  
20          disabilities and all kindergarten through grade 12  
21          students for day-to-day maintenance and operations  
22          expenditures, including salary, supplies, and  
23          materials, as well as purchased services, but  
24          excluding employee benefits. The proportion of salary  
25          for the application of a Regionalization Factor and  
26          the calculation of benefits is equal to \$352.92.

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

12          (U)       Employee       benefit       investments.       Each  
13      Organizational Unit shall receive 30% of the total of  
14      all salary-calculated elements of the Adequacy Target,  
15      excluding substitute teachers and student activities  
16      investments, to cover benefit costs. For central  
17      office and maintenance and operations investments, the  
18      benefit calculation shall be based upon the salary  
19      proportion of each investment. If at any time the  
20      responsibility for funding the employer normal cost of  
21      teacher pensions is assigned to school districts, then  
22      that amount certified by the Teachers' Retirement  
23      System of the State of Illinois to be paid by the  
24      Organizational Unit for the preceding school year  
25      shall be added to the benefit investment. For any  
26      fiscal year in which a school district organized under



1 Article 34 of this Code is responsible for paying the  
2 employer normal cost of teacher pensions, then that  
3 amount of its employer normal cost plus the amount for  
4 retiree health insurance as certified by the Public  
5 School Teachers' Pension and Retirement Fund of  
6 Chicago to be paid by the school district for the  
7 preceding school year that is statutorily required to  
8 cover employer normal costs and the amount for retiree  
9 health insurance shall be added to the 30% specified  
10 in this subparagraph (U). The Teachers' Retirement  
11 System of the State of Illinois and the Public School  
12 Teachers' Pension and Retirement Fund of Chicago shall  
13 submit such information as the State Superintendent  
14 may require for the calculations set forth in this  
15 subparagraph (U).

16 (V) Additional investments in low-income students.  
17 In addition to and not in lieu of all other funding  
18 under this paragraph (2), each Organizational Unit  
19 shall receive funding based on the average teacher  
20 salary for grades K through 12 to cover the costs of:

21 (i) one FTE intervention teacher (tutor)  
22 position for every 125 Low-Income Count students;

23 (ii) one FTE pupil support staff position for  
24 every 125 Low-Income Count students;

25 (iii) one FTE extended day teacher position  
26 for every 120 Low-Income Count students; and

1 (iv) one FTE summer school teacher position  
2 for every 120 Low-Income Count students.

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

9 (i) one FTE intervention teacher (tutor)  
10 position for every 125 English learner students;

11 (ii) one FTE pupil support staff position for  
12 every 125 English learner students;

13 (iii) one FTE extended day teacher position  
14 for every 120 English learner students;

15 (iv) one FTE summer school teacher position  
16 for every 120 English learner students; and

17 (v) one FTE core teacher position for every  
18 100 English learner students.

19 (X) Special education investments. Each  
20 Organizational Unit shall receive funding based on the  
21 average teacher salary for grades K through 12 to  
22 cover special education as follows:

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

1           (ii) one FTE instructional assistant for every  
2           141 combined ASE of pre-kindergarten children with  
3           disabilities and all kindergarten through grade 12  
4           students; and

5           (iii) one FTE psychologist position for every  
6           1,000 combined ASE of pre-kindergarten children  
7           with disabilities and all kindergarten through  
8           grade 12 students.

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

17               (A) Teacher for grades K through 8.

18               (B) Teacher for grades 9 through 12.

19               (C) Teacher for grades K through 12.

20               (D) Guidance counselor for grades K through 8.

21               (E) Guidance counselor for grades 9 through 12.

22               (F) Guidance counselor for grades K through 12.

23               (G) Social worker.

24               (H) Psychologist.

25               (I) Librarian.

26               (J) Nurse.

1 (K) Principal.

2 (L) Assistant principal.

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

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

17 (i) school site staff, \$30,000; and

18 (ii) non-instructional assistant, instructional  
19 assistant, library aide, library media tech, or  
20 supervisory aide: \$25,000.

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

25 The salary amounts for the Essential Elements  
26 determined pursuant to subparagraphs (A) through (L), (S)

1 and (T), and (V) through (X) of paragraph (2) of  
2 subsection (b) of this Section shall be multiplied by a  
3 Regionalization Factor.

4 (c) Local Capacity calculation.

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

17 (2) "Local Capacity Target" means, for an  
18 Organizational Unit, that dollar amount that is obtained  
19 by multiplying its Adequacy Target by its Local Capacity  
20 Ratio.

21 (A) An Organizational Unit's Local Capacity  
22 Percentage is the conversion of the Organizational  
23 Unit's Local Capacity Ratio, as such ratio is  
24 determined in accordance with subparagraph (B) of this  
25 paragraph (2), into a cumulative distribution  
26 resulting in a percentile ranking to determine each

1 Organizational Unit's relative position to all other  
2 Organizational Units in this State. The calculation of  
3 Local Capacity Percentage is described in subparagraph  
4 (C) of this paragraph (2).

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

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

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

16 (iii) for Organizational Units serving grades  
17 9 through 12, the Local Capacity Ratio shall be  
18 multiplied by 4/13; and

19 (iv) for an Organizational Unit with a  
20 different grade configuration than those specified  
21 in items (i) through (iii) of this subparagraph  
22 (B), the State Superintendent shall determine a  
23 comparable adjustment based on the grades served.

24 (C) The Local Capacity Percentage is equal to the  
25 percentile ranking of the district. Local Capacity  
26 Percentage converts each Organizational Unit's Local

1 Capacity Ratio to a cumulative distribution resulting  
2 in a percentile ranking to determine each  
3 Organizational Unit's relative position to all other  
4 Organizational Units in this State. The Local Capacity  
5 Percentage cumulative distribution resulting in a  
6 percentile ranking for each Organizational Unit shall  
7 be calculated using the standard normal distribution  
8 of the score in relation to the weighted mean and  
9 weighted standard deviation and Local Capacity Ratios  
10 of all Organizational Units. If the value assigned to  
11 any Organizational Unit is in excess of 90%, the value  
12 shall be adjusted to 90%. For Laboratory Schools, the  
13 Local Capacity Percentage shall be set at 10% in  
14 recognition of the absence of EAV and resources from  
15 the public university that are allocated to the  
16 Laboratory School. For programs operated by a regional  
17 office of education or an intermediate service center,  
18 the Local Capacity Percentage must be set at 10% in  
19 recognition of the absence of EAV and resources from  
20 school districts that are allocated to the regional  
21 office of education or intermediate service center.  
22 The weighted mean for the Local Capacity Percentage  
23 shall be determined by multiplying each Organizational  
24 Unit's Local Capacity Ratio times the ASE for the unit  
25 creating a weighted value, summing the weighted values  
26 of all Organizational Units, and dividing by the total

1 ASE of all Organizational Units. The weighted standard  
2 deviation shall be determined by taking the square  
3 root of the weighted variance of all Organizational  
4 Units' Local Capacity Ratio, where the variance is  
5 calculated by squaring the difference between each  
6 unit's Local Capacity Ratio and the weighted mean,  
7 then multiplying the variance for each unit times the  
8 ASE for the unit to create a weighted variance for each  
9 unit, then summing all units' weighted variance and  
10 dividing by the total ASE of all units.

11 (D) For any Organizational Unit, the  
12 Organizational Unit's Adjusted Local Capacity Target  
13 shall be reduced by either (i) the school board's  
14 remaining contribution pursuant to paragraph (ii) of  
15 subsection (b-4) of Section 16-158 of the Illinois  
16 Pension Code in a given year or (ii) the board of  
17 education's remaining contribution pursuant to  
18 paragraph (iv) of subsection (b) of Section 17-129 of  
19 the Illinois Pension Code absent the employer normal  
20 cost portion of the required contribution and amount  
21 allowed pursuant to subdivision (3) of Section  
22 17-142.1 of the Illinois Pension Code in a given year.  
23 In the preceding sentence, item (i) shall be certified  
24 to the State Board of Education by the Teachers'  
25 Retirement System of the State of Illinois and item  
26 (ii) shall be certified to the State Board of



1 Education by the Public School Teachers' Pension and  
2 Retirement Fund of the City of Chicago.

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

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

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

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

25 (2) The State Superintendent shall calculate the  
26 equalized assessed valuation, or EAV, of all taxable

1 property of each Organizational Unit as of September 30 of  
2 the previous year in accordance with paragraph (3) of this  
3 subsection (d). The State Superintendent shall then  
4 determine the Adjusted EAV of each Organizational Unit in  
5 accordance with paragraph (4) of this subsection (d),  
6 which Adjusted EAV figure shall be used for the purposes  
7 of calculating Local Capacity.

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

17 (A) The Department of Revenue shall add to the  
18 equalized assessed value of all taxable property of  
19 each Organizational Unit situated entirely or  
20 partially within a county that is or was subject to the  
21 provisions of Section 15-176 or 15-177 of the Property  
22 Tax Code (i) an amount equal to the total amount by  
23 which the homestead exemption allowed under Section  
24 15-176 or 15-177 of the Property Tax Code for real  
25 property situated in that Organizational Unit exceeds  
26 the total amount that would have been allowed in that

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

1 homestead exemption for that parcel of property been  
2 determined under Section 15-175 of the Property Tax  
3 Code. It is further the intent of this subparagraph  
4 (A) that if additional exemptions are allowed under  
5 Section 15-175 of the Property Tax Code for owners  
6 with a household income of less than \$30,000, then the  
7 calculation of EAV shall not be affected by the  
8 difference, if any, because of those additional  
9 exemptions.

10 (B) With respect to any part of an Organizational  
11 Unit within a redevelopment project area in respect to  
12 which a municipality has adopted tax increment  
13 allocation financing pursuant to the Tax Increment  
14 Allocation Redevelopment Act, Division 74.4 of Article  
15 11 of the Illinois Municipal Code, or the Industrial  
16 Jobs Recovery Law, Division 74.6 of Article 11 of the  
17 Illinois Municipal Code, no part of the current EAV of  
18 real property located in any such project area that is  
19 attributable to an increase above the total initial  
20 EAV of such property shall be used as part of the EAV  
21 of the Organizational Unit, until such time as all  
22 redevelopment project costs have been paid, as  
23 provided in Section 11-74.4-8 of the Tax Increment  
24 Allocation Redevelopment Act or in Section 11-74.6-35  
25 of the Industrial Jobs Recovery Law. For the purpose  
26 of the EAV of the Organizational Unit, the total

1 initial EAV or the current EAV, whichever is lower,  
2 shall be used until such time as all redevelopment  
3 project costs have been paid.

4 (B-5) The real property equalized assessed  
5 valuation for a school district shall be adjusted by  
6 subtracting from the real property value, as equalized  
7 or assessed by the Department of Revenue, for the  
8 district an amount computed by dividing the amount of  
9 any abatement of taxes under Section 18-170 of the  
10 Property Tax Code by 3.00% for a district maintaining  
11 grades kindergarten through 12, by 2.30% for a  
12 district maintaining grades kindergarten through 8, or  
13 by 1.05% for a district maintaining grades 9 through  
14 12 and adjusted by an amount computed by dividing the  
15 amount of any abatement of taxes under subsection (a)  
16 of Section 18-165 of the Property Tax Code by the same  
17 percentage rates for district type as specified in  
18 this subparagraph (B-5).

19 (C) For Organizational Units that are Hybrid  
20 Districts, the State Superintendent shall use the  
21 lesser of the adjusted equalized assessed valuation  
22 for property within the partial elementary unit  
23 district for elementary purposes, as defined in  
24 Article 11E of this Code, or the adjusted equalized  
25 assessed valuation for property within the partial  
26 elementary unit district for high school purposes, as

1 defined in Article 11E of this Code.

2 (4) An Organizational Unit's Adjusted EAV shall be the  
3 average of its EAV over the immediately preceding 3 years  
4 or its EAV in the immediately preceding year if the EAV in  
5 the immediately preceding year has declined by 10% or more  
6 compared to the 3-year average. In the event of  
7 Organizational Unit reorganization, consolidation, or  
8 annexation, the Organizational Unit's Adjusted EAV for the  
9 first 3 years after such change shall be as follows: the  
10 most current EAV shall be used in the first year, the  
11 average of a 2-year EAV or its EAV in the immediately  
12 preceding year if the EAV declines by 10% or more compared  
13 to the 2-year average for the second year, and a 3-year  
14 average EAV or its EAV in the immediately preceding year  
15 if the Adjusted EAV declines by 10% or more compared to the  
16 3-year average for the third year. For any school district  
17 whose EAV in the immediately preceding year is used in  
18 calculations, in the following year, the Adjusted EAV  
19 shall be the average of its EAV over the immediately  
20 preceding 2 years or the immediately preceding year if  
21 that year represents a decline of 10% or more compared to  
22 the 2-year average.

23 "PTELL EAV" means a figure calculated by the State  
24 Board for Organizational Units subject to PTELL as  
25 described in this paragraph (4) for the purposes of  
26 calculating an Organizational Unit's Local Capacity Ratio.

1 Except as otherwise provided in this paragraph (4), the  
2 PTELL EAV of an Organizational Unit shall be equal to the  
3 product of the equalized assessed valuation last used in  
4 the calculation of general State aid under Section 18-8.05  
5 of this Code (now repealed) or Evidence-Based Funding  
6 under this Section and the Organizational Unit's Extension  
7 Limitation Ratio. If an Organizational Unit has approved  
8 or does approve an increase in its limiting rate, pursuant  
9 to Section 18-190 of the Property Tax Code, affecting the  
10 Base Tax Year, the PTELL EAV shall be equal to the product  
11 of the equalized assessed valuation last used in the  
12 calculation of general State aid under Section 18-8.05 of  
13 this Code (now repealed) or Evidence-Based Funding under  
14 this Section multiplied by an amount equal to one plus the  
15 percentage increase, if any, in the Consumer Price Index  
16 for All Urban Consumers for all items published by the  
17 United States Department of Labor for the 12-month  
18 calendar year preceding the Base Tax Year, plus the  
19 equalized assessed valuation of new property, annexed  
20 property, and recovered tax increment value and minus the  
21 equalized assessed valuation of disconnected property.

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

25 (e) Base Funding Minimum calculation.

26 (1) For the 2017-2018 school year, the Base Funding

1 Minimum of an Organizational Unit or a Specially Funded  
2 Unit shall be the amount of State funds distributed to the  
3 Organizational Unit or Specially Funded Unit during the  
4 2016-2017 school year prior to any adjustments and  
5 specified appropriation amounts described in this  
6 paragraph (1) from the following Sections, as calculated  
7 by the State Superintendent: Section 18-8.05 of this Code  
8 (now repealed); Section 5 of Article 224 of Public Act  
9 99-524 (equity grants); Section 14-7.02b of this Code  
10 (funding for children requiring special education  
11 services); Section 14-13.01 of this Code (special  
12 education facilities and staffing), except for  
13 reimbursement of the cost of transportation pursuant to  
14 Section 14-13.01; Section 14C-12 of this Code (English  
15 learners); and Section 18-4.3 of this Code (summer  
16 school), based on an appropriation level of \$13,121,600.  
17 For a school district organized under Article 34 of this  
18 Code, the Base Funding Minimum also includes (i) the funds  
19 allocated to the school district pursuant to Section 1D-1  
20 of this Code attributable to funding programs authorized  
21 by the Sections of this Code listed in the preceding  
22 sentence and (ii) the difference between (I) the funds  
23 allocated to the school district pursuant to Section 1D-1  
24 of this Code attributable to the funding programs  
25 authorized by Section 14-7.02 (non-public special  
26 education reimbursement), subsection (b) of Section



1 14-13.01 (special education transportation), Section 29-5  
2 (transportation), Section 2-3.80 (agricultural  
3 education), Section 2-3.66 (truants' alternative  
4 education), Section 2-3.62 (educational service centers),  
5 and Section 14-7.03 (special education - orphanage) of  
6 this Code and Section 15 of the Childhood Hunger Relief  
7 Act (free breakfast program) and (II) the school  
8 district's actual expenditures for its non-public special  
9 education, special education transportation,  
10 transportation programs, agricultural education, truants'  
11 alternative education, services that would otherwise be  
12 performed by a regional office of education, special  
13 education orphanage expenditures, and free breakfast, as  
14 most recently calculated and reported pursuant to  
15 subsection (f) of Section 1D-1 of this Code. The Base  
16 Funding Minimum for Glenwood Academy shall be \$625,500.  
17 For programs operated by a regional office of education or  
18 an intermediate service center, the Base Funding Minimum  
19 must be the total amount of State funds allocated to those  
20 programs in the 2018-2019 school year and amounts provided  
21 pursuant to Article 34 of Public Act 100-586 and Section  
22 3-16 of this Code. All programs established after June 5,  
23 2019 (the effective date of Public Act 101-10) and  
24 administered by a regional office of education or an  
25 intermediate service center must have an initial Base  
26 Funding Minimum set to an amount equal to the first-year

1 ASE multiplied by the amount of per pupil funding received  
2 in the previous school year by the lowest funded similar  
3 existing program type. If the enrollment for a program  
4 operated by a regional office of education or an  
5 intermediate service center is zero, then it may not  
6 receive Base Funding Minimum funds for that program in the  
7 next fiscal year, and those funds must be distributed to  
8 Organizational Units under subsection (g).

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

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

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

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

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

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

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

16          If the State Board determines that an Organizational  
17 Unit has met the criteria set forth in this paragraph (3),  
18 it must submit a report to the General Assembly, no later  
19 than January 2 of the fiscal year in which the State Board  
20 makes its determination, on the amount of District  
21 Intervention Money to add to the Organizational Unit's  
22 Base Funding Minimum. The General Assembly must review the  
23 State Board's report and may approve or disapprove, by  
24 joint resolution, the addition of District Intervention  
25 Money. If the General Assembly fails to act on the report  
26 within 40 calendar days from the receipt of the report,

1 the addition of District Intervention Money is deemed  
2 approved. If the General Assembly approves the amount of  
3 District Intervention Money to be added to the  
4 Organizational Unit's Base Funding Minimum, the District  
5 Intervention Money must be added to the Base Funding  
6 Minimum annually thereafter.

7 For the first 4 years following the initial year that  
8 the State Board determines that an Organizational Unit has  
9 met the criteria set forth in this paragraph (3) and has  
10 received funding under this Section, the Organizational  
11 Unit must annually submit to the State Board, on or before  
12 November 30, a progress report regarding its financial and  
13 strategic plan under subparagraph (C) of this paragraph  
14 (3). The plan shall include the financial data from the  
15 past 4 annual financial reports or financial audits that  
16 must be presented to the State Board by November 15 of each  
17 year and the approved budget financial data for the  
18 current year. The plan shall be developed according to the  
19 guidelines presented to the Organizational Unit by the  
20 State Board. The plan shall further include financial  
21 projections for the next 3 fiscal years and include a  
22 discussion and financial summary of the Organizational  
23 Unit's facility needs. If the Organizational Unit does not  
24 demonstrate sufficient progress toward its 5-year plan or  
25 if it has failed to file an annual financial report, an  
26 annual budget, a financial plan, a deficit reduction plan,

1 or other financial information as required by law, the  
2 State Board may establish a Financial Oversight Panel  
3 under Article 1H of this Code. However, if the  
4 Organizational Unit already has a Financial Oversight  
5 Panel, the State Board may extend the duration of the  
6 Panel.

7 (f) Percent of Adequacy and Final Resources calculation.

8 (1) The Evidence-Based Funding formula establishes a  
9 Percent of Adequacy for each Organizational Unit in order  
10 to place such units into tiers for the purposes of the  
11 funding distribution system described in subsection (g) of  
12 this Section. Initially, an Organizational Unit's  
13 Preliminary Resources and Preliminary Percent of Adequacy  
14 are calculated pursuant to paragraph (2) of this  
15 subsection (f). Then, an Organizational Unit's Final  
16 Resources and Final Percent of Adequacy are calculated to  
17 account for the Organizational Unit's poverty  
18 concentration levels pursuant to paragraphs (3) and (4) of  
19 this subsection (f).

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

25 (3) Except for Specially Funded Units, an  
26 Organizational Unit's Final Resources are equal to the sum

1 of its Local Capacity, CPPRT, and Adjusted Base Funding  
2 Minimum. The Base Funding Minimum of each Specially Funded  
3 Unit shall serve as its Final Resources, except that the  
4 Base Funding Minimum for State-approved charter schools  
5 shall not include any portion of general State aid  
6 allocated in the prior year based on the per capita  
7 tuition charge times the charter school enrollment.

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

15 (g) Evidence-Based Funding formula distribution system.

16 (1) In each school year under the Evidence-Based  
17 Funding formula, each Organizational Unit receives funding  
18 equal to the sum of its Base Funding Minimum and the unit's  
19 allocation of New State Funds determined pursuant to this  
20 subsection (g). To allocate New State Funds, the  
21 Evidence-Based Funding formula distribution system first  
22 places all Organizational Units into one of 4 tiers in  
23 accordance with paragraph (3) of this subsection (g),  
24 based on the Organizational Unit's Final Percent of  
25 Adequacy. New State Funds are allocated to each of the 4  
26 tiers as follows: Tier 1 Aggregate Funding equals 50% of

1 all New State Funds, Tier 2 Aggregate Funding equals 49%  
2 of all New State Funds, Tier 3 Aggregate Funding equals  
3 0.9% of all New State Funds, and Tier 4 Aggregate Funding  
4 equals 0.1% of all New State Funds. Each Organizational  
5 Unit within Tier 1 or Tier 2 receives an allocation of New  
6 State Funds equal to its tier Funding Gap, as defined in  
7 the following sentence, multiplied by the tier's  
8 Allocation Rate determined pursuant to paragraph (4) of  
9 this subsection (g). For Tier 1, an Organizational Unit's  
10 Funding Gap equals the tier's Target Ratio, as specified  
11 in paragraph (5) of this subsection (g), multiplied by the  
12 Organizational Unit's Adequacy Target, with the resulting  
13 amount reduced by the Organizational Unit's Final  
14 Resources. For Tier 2, an Organizational Unit's Funding  
15 Gap equals the tier's Target Ratio, as described in  
16 paragraph (5) of this subsection (g), multiplied by the  
17 Organizational Unit's Adequacy Target, with the resulting  
18 amount reduced by the Organizational Unit's Final  
19 Resources and its Tier 1 funding allocation. To determine  
20 the Organizational Unit's Funding Gap, the resulting  
21 amount is then multiplied by a factor equal to one minus  
22 the Organizational Unit's Local Capacity Target  
23 percentage. Each Organizational Unit within Tier 3 or Tier  
24 4 receives an allocation of New State Funds equal to the  
25 product of its Adequacy Target and the tier's Allocation  
26 Rate, as specified in paragraph (4) of this subsection

1 (g).

2 (2) To ensure equitable distribution of dollars for  
3 all Tier 2 Organizational Units, no Tier 2 Organizational  
4 Unit shall receive fewer dollars per ASE than any Tier 3  
5 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
6 Unit shall have its funding allocation divided by its ASE.  
7 Any Tier 2 Organizational Unit with a funding allocation  
8 per ASE below the greatest Tier 3 allocation per ASE shall  
9 get a funding allocation equal to the greatest Tier 3  
10 funding allocation per ASE multiplied by the  
11 Organizational Unit's ASE. Each Tier 2 Organizational  
12 Unit's Tier 2 funding allocation shall be multiplied by  
13 the percentage calculated by dividing the original Tier 2  
14 Aggregate Funding by the sum of all Tier 2 Organizational  
15 Units' Tier 2 funding allocation after adjusting  
16 districts' funding below Tier 3 levels.

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

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

26 (B) Tier 2 consists of all Tier 1 Units and all



1 other Organizational Units, except for Specially  
2 Funded Units, with a Percent of Adequacy of less than  
3 0.90.

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

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

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

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

12 (B) The Tier 2 Allocation Rate is the result of the  
13 following equation: Tier 2 Aggregate Funding, divided  
14 by the sum of the Funding Gaps for all Tier 2  
15 Organizational Units, unless the result of such  
16 equation is higher than 1.0. If the result of such  
17 equation is higher than 1.0, then the Tier 2  
18 Allocation Rate is 1.0.

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

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

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

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

5 (B) The Tier 2 Target Ratio is 0.90.

6 (C) The Tier 3 Target Ratio is 1.0.

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

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

15 (8) If any Specially Funded Units, excluding Glenwood  
16 Academy, recognized by the State Board do not qualify for  
17 direct funding following the implementation of Public Act  
18 100-465 from any of the funding sources included within  
19 the definition of Base Funding Minimum, the unqualified  
20 portion of the Base Funding Minimum shall be transferred  
21 to one or more appropriate Organizational Units as  
22 determined by the State Superintendent based on the prior  
23 year ASE of the Organizational Units.

24 (8.5) If a school district withdraws from a special  
25 education cooperative, the portion of the Base Funding  
26 Minimum that is attributable to the school district may be

1           redistributed to the school district upon withdrawal. The  
2           school district and the cooperative must include the  
3           amount of the Base Funding Minimum that is to be  
4           reapportioned in their withdrawal agreement and notify the  
5           State Board of the change with a copy of the agreement upon  
6           withdrawal.

7           (9) The Minimum Funding Level is intended to establish  
8           a target for State funding that will keep pace with  
9           inflation and continue to advance equity through the  
10          Evidence-Based Funding formula. The target for State  
11          funding of New Property Tax Relief Pool Funds is  
12          \$50,000,000 for State fiscal year 2019 and subsequent  
13          State fiscal years. The Minimum Funding Level is equal to  
14          \$350,000,000. In addition to any New State Funds, no more  
15          than \$50,000,000 New Property Tax Relief Pool Funds may be  
16          counted toward the Minimum Funding Level. If the sum of  
17          New State Funds and applicable New Property Tax Relief  
18          Pool Funds are less than the Minimum Funding Level, than  
19          funding for tiers shall be reduced in the following  
20          manner:

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

25                 (B) Next, Tier 3 funding shall be reduced by an  
26                 amount equal to the difference between the Minimum

1 Funding Level and New State Funds and the reduction in  
2 Tier 4 funding until such time as Tier 3 funding is  
3 exhausted.

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

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

16 (9.5) For State fiscal year 2019 and subsequent State  
17 fiscal years, if New State Funds exceed \$300,000,000, then  
18 any amount in excess of \$300,000,000 shall be dedicated  
19 for purposes of Section 2-3.170 of this Code up to a  
20 maximum of \$50,000,000.

21 (10) In the event of a decrease in the amount of the  
22 appropriation for this Section in any fiscal year after  
23 implementation of this Section, the Organizational Units  
24 receiving Tier 1 and Tier 2 funding, as determined under  
25 paragraph (3) of this subsection (g), shall be held  
26 harmless by establishing a Base Funding Guarantee equal to

1 the per pupil kindergarten through grade 12 funding  
2 received in accordance with this Section in the prior  
3 fiscal year. Reductions shall be made to the Base Funding  
4 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
5 per pupil basis equivalent to the total number of the ASE  
6 in Tier 3-funded and Tier 4-funded Organizational Units  
7 divided by the total reduction in State funding. The Base  
8 Funding Minimum as reduced shall continue to be applied to  
9 Tier 3 and Tier 4 Organizational Units and adjusted by the  
10 relative formula when increases in appropriations for this  
11 Section resume. In no event may State funding reductions  
12 to Organizational Units in Tier 3 or Tier 4 exceed an  
13 amount that would be less than the Base Funding Minimum  
14 established in the first year of implementation of this  
15 Section. If additional reductions are required, all school  
16 districts shall receive a reduction by a per pupil amount  
17 equal to the aggregate additional appropriation reduction  
18 divided by the total ASE of all Organizational Units.

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

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

26 (1) The State Superintendent shall, in accordance with

1 appropriations made by the General Assembly, meet the  
2 funding obligations created under this Section.

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

9 (3) Annually, the State Superintendent shall calculate  
10 and report to each Organizational Unit the unit's  
11 aggregate financial adequacy amount, which shall be the  
12 sum of the Adequacy Target for each Organizational Unit.  
13 The State Superintendent shall calculate and report  
14 separately for each Organizational Unit the unit's total  
15 State funds allocated for its students with disabilities.  
16 The State Superintendent shall calculate and report  
17 separately for each Organizational Unit the amount of  
18 funding and applicable FTE calculated for each Essential  
19 Element of the unit's Adequacy Target.

20 (4) Annually, the State Superintendent shall calculate  
21 and report to each Organizational Unit the amount the unit  
22 must expend on special education and bilingual education  
23 and computer technology and equipment for Organizational  
24 Units assigned to Tier 1 or Tier 2 that received an  
25 additional \$285.50 per student computer technology and  
26 equipment investment grant to their Adequacy Target

1           pursuant to the unit's Base Funding Minimum, Special  
2           Education Allocation, Bilingual Education Allocation, and  
3           computer technology and equipment investment allocation.

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

14          (6) Any school district that fails, for any given  
15          school year, to maintain school as required by law or to  
16          maintain a recognized school is not eligible to receive  
17          Evidence-Based Funding. In case of non-recognition of one  
18          or more attendance centers in a school district otherwise  
19          operating recognized schools, the claim of the district  
20          shall be reduced in the proportion that the enrollment in  
21          the attendance center or centers bears to the enrollment  
22          of the school district. "Recognized school" means any  
23          public school that meets the standards for recognition by  
24          the State Board. A school district or attendance center  
25          not having recognition status at the end of a school term  
26          is entitled to receive State aid payments due upon a legal

1 claim that was filed while it was recognized.

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

5 (8) Each fiscal year, the State Superintendent shall  
6 calculate for each Organizational Unit an amount of its  
7 Base Funding Minimum and Evidence-Based Funding that shall  
8 be deemed attributable to the provision of special  
9 educational facilities and services, as defined in Section  
10 14-1.08 of this Code, in a manner that ensures compliance  
11 with maintenance of State financial support requirements  
12 under the federal Individuals with Disabilities Education  
13 Act. An Organizational Unit must use such funds only for  
14 the provision of special educational facilities and  
15 services, as defined in Section 14-1.08 of this Code, and  
16 must comply with any expenditure verification procedures  
17 adopted by the State Board.

18 (9) All Organizational Units in this State must submit  
19 annual spending plans by the end of September of each year  
20 to the State Board as part of the annual budget process,  
21 which shall describe how each Organizational Unit will  
22 utilize the Base Funding Minimum and Evidence-Based  
23 Funding it receives from this State under this Section  
24 with specific identification of the intended utilization  
25 of Low-Income, English learner, and special education  
26 resources. Funds received under this Section by a school



1 district organized under Article 34 of this Code for  
2 Low-Income, English learner, and special education  
3 resources must be distributed to every school of the  
4 district in the appropriate amount specified in  
5 subparagraphs (V), (W), and (X) of paragraph (2) of  
6 subsection (b) of this Section. Additionally, the annual  
7 spending plans of each Organizational Unit shall describe  
8 how the Organizational Unit expects to achieve student  
9 growth and how the Organizational Unit will achieve State  
10 education goals, as defined by the State Board. The State  
11 Superintendent may, from time to time, identify additional  
12 requisites for Organizational Units to satisfy when  
13 compiling the annual spending plans required under this  
14 subsection (h). The format and scope of annual spending  
15 plans shall be developed by the State Superintendent and  
16 the State Board of Education. School districts that serve  
17 students under Article 14C of this Code shall continue to  
18 submit information as required under Section 14C-12 of  
19 this Code.

20 (10) No later than January 1, 2018, the State  
21 Superintendent shall develop a 5-year strategic plan for  
22 all Organizational Units to help in planning for adequacy  
23 funding under this Section. The State Superintendent shall  
24 submit the plan to the Governor and the General Assembly,  
25 as provided in Section 3.1 of the General Assembly  
26 Organization Act. The plan shall include recommendations

1 for:

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

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

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

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

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

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

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

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

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

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

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

7 (i) Professional Review Panel.

8 (1) A Professional Review Panel is created to study  
9 and review topics related to the implementation and effect  
10 of Evidence-Based Funding, as assigned by a joint  
11 resolution or Public Act of the General Assembly or a  
12 motion passed by the State Board of Education. The Panel  
13 must provide recommendations to and serve the Governor,  
14 the General Assembly, and the State Board. The State  
15 Superintendent or his or her designee must serve as a  
16 voting member and chairperson of the Panel. The State  
17 Superintendent must appoint a vice chairperson from the  
18 membership of the Panel. The Panel must advance  
19 recommendations based on a three-fifths majority vote of  
20 Panel members present and voting. A minority opinion may  
21 also accompany any recommendation of the Panel. The Panel  
22 shall be appointed by the State Superintendent, except as  
23 otherwise provided in paragraph (2) of this subsection (i)  
24 and include the following members:

25 (A) Two appointees that represent district  
26 superintendents, recommended by a statewide

1 organization that represents district superintendents.

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

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

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

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

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

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

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

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

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

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

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

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

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

19          (2) In addition to those Panel members appointed by  
20          the State Superintendent, 4 members of the General  
21          Assembly shall be appointed as follows: one member of the  
22          House of Representatives appointed by the Speaker of the  
23          House of Representatives, one member of the Senate  
24          appointed by the President of the Senate, one member of  
25          the House of Representatives appointed by the Minority  
26          Leader of the House of Representatives, and one member of

1 the Senate appointed by the Minority Leader of the Senate.  
2 There shall be one additional member appointed by the  
3 Governor. All members appointed by legislative leaders or  
4 the Governor shall be non-voting, ex officio members.

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

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

12 (B) The Comparable Wage Index under this Section.

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

15 (D) "At-risk student" definition.

16 (E) Benefits.

17 (F) Technology.

18 (G) Local Capacity Target.

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

22 (I) Funding for college and career acceleration  
23 strategies.

24 (J) Special education investments.

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

1 (4) (Blank).

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

9 (6) (Blank).

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

15 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;  
16 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.  
17 6-14-19; 101-643, eff. 6-18-20; revised 8-21-20.)

18 Section 99. Effective date. This Act takes effect July 1,  
19 2021.