



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Kevin A. McCarthy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.20

from Ch. 122, par. 10-22.20

Amends the School Code. Makes a technical change in a Section concerning classes for adults and youths whose schooling has been interrupted.

LRB093 16265 NHT 41901 b

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 10-22.20 as follows:

6 (105 ILCS 5/10-22.20) (from Ch. 122, par. 10-22.20)

7 Sec. 10-22.20. Classes for adults and youths whose
8 schooling has been interrupted; conditions for State
9 reimbursement; use of child care facilities.

10 (a) To establish special classes for the instruction (1) of
11 persons of age 21 years or over, and (2) of persons less than
12 age 21 and not otherwise in attendance in public school, for
13 the purpose of providing adults in the community, and youths
14 whose schooling has been interrupted, with such additional
15 basic education, vocational skill training, and other
16 instruction as may be necessary to increase their
17 qualifications for employment or other means of self-support
18 and their ability to meet their responsibilities as citizens
19 including courses of instruction regularly accepted for
20 graduation from elementary or high schools and for
21 Americanization and General Educational Development Review
22 classes.

23 The board shall pay the necessary expenses of these ~~such~~
24 classes out of school funds of the district, including costs of
25 student transportation and such facilities or provision for
26 child-care as may be necessary in the judgment of the board to
27 permit maximum utilization of the courses by students with
28 children, and other special needs of the students directly
29 related to such instruction. The expenses thus incurred shall
30 be subject to State reimbursement, as provided in this Section.
31 The board may make a tuition charge for persons taking
32 instruction who are not subject to State reimbursement, such

1 tuition charge not to exceed the per capita cost of such
2 classes.

3 The cost of such instruction, including the additional
4 expenses herein authorized, incurred for recipients of
5 financial aid under the Illinois Public Aid Code, or for
6 persons for whom education and training aid has been authorized
7 under Section 9-8 of that Code, shall be assumed in its
8 entirety from funds appropriated by the State to the Illinois
9 Community College Board.

10 (b) The Illinois Community College Board shall establish
11 the standards for the courses of instruction reimbursed under
12 this Section. The Illinois Community College Board shall
13 supervise the administration of the programs. The Illinois
14 Community College Board shall determine the cost of instruction
15 in accordance with standards established by the the Illinois
16 Community College Board, including therein other incidental
17 costs as herein authorized, which shall serve as the basis of
18 State reimbursement in accordance with the provisions of this
19 Section. In the approval of programs and the determination of
20 the cost of instruction, the Illinois Community College Board
21 shall provide for the maximum utilization of federal funds for
22 such programs. The Illinois Community College Board shall also
23 provide for:

24 (1) the development of an index of need for program
25 planning and for area funding allocations, as defined by
26 the Illinois Community College Board;

27 (2) the method for calculating hours of instruction, as
28 defined by the Illinois Community College Board, claimable
29 for reimbursement and a method to phase in the calculation
30 and for adjusting the calculations in cases where the
31 services of a program are interrupted due to circumstances
32 beyond the control of the program provider;

33 (3) a plan for the reallocation of funds to increase
34 the amount allocated for grants based upon program
35 performance as set forth in subsection (d) below; and

36 (4) the development of standards for determining

1 grants based upon performance as set forth in subsection
2 (d) below and a plan for the phased-in implementation of
3 those standards.

4 For instruction provided by school districts and community
5 college districts beginning July 1, 1996 and thereafter,
6 reimbursement provided by the Illinois Community College Board
7 for classes authorized by this Section shall be provided from
8 funds appropriated for the reimbursement criteria set forth in
9 subsection (c) below.

10 (c) Upon the annual approval of the Illinois Community
11 College Board, reimbursement shall be first provided for
12 transportation, child care services, and other special needs of
13 the students directly related to instruction and then from the
14 funds remaining an amount equal to the product of the total
15 credit hours or units of instruction approved by the Illinois
16 Community College Board, multiplied by the following:

17 (1) For adult basic education, the maximum
18 reimbursement per credit hour or per unit of instruction
19 shall be equal to the general state aid per pupil
20 foundation level established in subsection (B) of Section
21 18-8.05, divided by 60;

22 (2) The maximum reimbursement per credit hour or per
23 unit of instruction in subparagraph (1) above shall be
24 weighted for students enrolled in classes defined as
25 vocational skills and approved by the Illinois Community
26 College Board by 1.25;

27 (3) The maximum reimbursement per credit hour or per
28 unit of instruction in subparagraph (1) above shall be
29 multiplied by .90 for students enrolled in classes defined
30 as adult secondary education programs and approved by the
31 Illinois Community College Board;

32 (4) (Blank); and

33 (5) Funding for program years after 1999-2000 shall be
34 determined by the Illinois Community College Board.

35 (d) Upon its annual approval, the Illinois Community
36 College Board shall provide grants to eligible programs for

1 supplemental activities to improve or expand services under the
2 Adult Education Act. Eligible programs shall be determined
3 based upon performance outcomes of students in the programs as
4 set by the Illinois Community College Board.

5 (e) Reimbursement under this Section shall not exceed the
6 actual costs of the approved program.

7 If the amount appropriated to the Illinois Community
8 College Board for reimbursement under this Section is less than
9 the amount required under this Act, the apportionment shall be
10 proportionately reduced.

11 School districts and community college districts may
12 assess students up to \$3.00 per credit hour, for classes other
13 than Adult Basic Education level programs, if needed to meet
14 program costs.

15 (f) An education plan shall be established for each adult
16 or youth whose schooling has been interrupted and who is
17 participating in the instructional programs provided under
18 this Section.

19 Each school board and community college shall keep an
20 accurate and detailed account of the students assigned to and
21 receiving instruction under this Section who are subject to
22 State reimbursement and shall submit reports of services
23 provided commencing with fiscal year 1997 as required by the
24 Illinois Community College Board.

25 For classes authorized under this Section, a credit hour or
26 unit of instruction is equal to 15 hours of direct instruction
27 for students enrolled in approved adult education programs at
28 midterm and making satisfactory progress, in accordance with
29 standards established by the Illinois Community College Board.

30 (g) Upon proof submitted to the Illinois Department of
31 Human Services of the payment of all claims submitted under
32 this Section, that Department shall apply for federal funds
33 made available therefor and any federal funds so received shall
34 be paid into the General Revenue Fund in the State Treasury.

35 School districts or community colleges providing classes
36 under this Section shall submit applications to the Illinois

1 Community College Board for preapproval in accordance with the
2 standards established by the Illinois Community College Board.
3 Payments shall be made by the Illinois Community College Board
4 based upon approved programs. Interim expenditure reports may
5 be required by the Illinois Community College Board. Final
6 claims for the school year shall be submitted to the regional
7 superintendents for transmittal to the Illinois Community
8 College Board. Final adjusted payments shall be made by
9 September 30.

10 If a school district or community college district fails to
11 provide, or is providing unsatisfactory or insufficient
12 classes under this Section, the Illinois Community College
13 Board may enter into agreements with public or private
14 educational or other agencies other than the public schools for
15 the establishment of such classes.

16 (h) If a school district or community college district
17 establishes child-care facilities for the children of
18 participants in classes established under this Section, it may
19 extend the use of these facilities to students who have
20 obtained employment and to other persons in the community whose
21 children require care and supervision while the parent or other
22 person in charge of the children is employed or otherwise
23 absent from the home during all or part of the day. It may make
24 the facilities available before and after as well as during
25 regular school hours to school age and preschool age children
26 who may benefit thereby, including children who require care
27 and supervision pending the return of their parent or other
28 person in charge of their care from employment or other
29 activity requiring absence from the home.

30 The Illinois Community College Board shall pay to the board
31 the cost of care in the facilities for any child who is a
32 recipient of financial aid under the Illinois Public Aid Code.

33 The board may charge for care of children for whom it
34 cannot make claim under the provisions of this Section. The
35 charge shall not exceed per capita cost, and to the extent
36 feasible, shall be fixed at a level which will permit

1 utilization by employed parents of low or moderate income. It
2 may also permit any other State or local governmental agency or
3 private agency providing care for children to purchase care.

4 After July 1, 1970 when the provisions of Section 10-20.20
5 become operative in the district, children in a child-care
6 facility shall be transferred to the kindergarten established
7 under that Section for such portion of the day as may be
8 required for the kindergarten program, and only the prorated
9 costs of care and training provided in the Center for the
10 remaining period shall be charged to the Illinois Department of
11 Human Services or other persons or agencies paying for such
12 care.

13 (i) The provisions of this Section shall also apply to
14 school districts having a population exceeding 500,000.

15 (j) In addition to claiming reimbursement under this
16 Section, a school district may claim general State aid under
17 Section 18-8.05 for any student under age 21 who is enrolled in
18 courses accepted for graduation from elementary or high school
19 and who otherwise meets the requirements of Section 18-8.05.

20 (Source: P.A. 93-21, eff. 7-1-03.)