

SB0295



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0295

Introduced 2/3/2005, by Sen. Wendell E. Jones

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-13.01

from Ch. 122, par. 14-13.01

Amends the Children with Disabilities Article of the School Code. Increases the reimbursement amount to school districts for teachers, professional workers, directors, school psychologists, readers, and non-certified employees. Effective immediately.

LRB094 08340 NHT 38533 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 14-13.01 as follows:

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

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

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

26 (a) For children who have not been identified as eligible
27 for special education and for eligible children with physical
28 disabilities, including all eligible children whose placement
29 has been determined under Section 14-8.02 in hospital or home
30 instruction, 1/2 of the teacher's salary but not more than
31 \$1,000 annually per child or \$8,000 per teacher for the
32 1985-1986 school year through the 2004-2005 school year, \$9,000

1 per teacher for the 2005-2006 school year, \$10,000 per teacher
2 for the 2006-2007 school year, \$11,000 per teacher for the
3 2007-2008 school year, and \$12,000 per teacher for the
4 2008-2009 school year and thereafter, whichever is less.

5 Children to be included in any reimbursement under this
6 paragraph must regularly receive a minimum of one hour of
7 instruction each school day, or in lieu thereof of a minimum of
8 5 hours of instruction in each school week in order to qualify
9 for full reimbursement under this Section. If the attending
10 physician for such a child has certified that the child should
11 not receive as many as 5 hours of instruction in a school week,
12 however, reimbursement under this paragraph on account of that
13 child shall be computed proportionate to the actual hours of
14 instruction per week for that child divided by 5.

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

23 (c) For each professional worker excluding those included
24 in subparagraphs (a), (d), (e), and (f) of this Section, the
25 annual sum of \$8,000 for the 1985-1986 school year through the
26 2004-2005 school year, \$9,000 for the 2005-2006 school year,
27 \$10,000 for the 2006-2007 school year, \$11,000 for the
28 2007-2008 school year, and \$12,000 for the 2008-2009 school
29 year and thereafter.

30 (d) For one full time qualified director of the special
31 education program of each school district which maintains a
32 fully approved program of special education the annual sum of
33 \$8,000 for the 1985-1986 school year through the 2004-2005
34 school year, \$9,000 for the 2005-2006 school year, \$10,000 for
35 the 2006-2007 school year, \$11,000 for the 2007-2008 school
36 year, and \$12,000 for the 2008-2009 school year and thereafter.

1 Districts participating in a joint agreement special education
2 program shall not receive such reimbursement if reimbursement
3 is made for a director of the joint agreement program.

4 (e) For each school psychologist as defined in Section
5 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
6 through the 2004-2005 school year, \$9,000 for the 2005-2006
7 school year, \$10,000 for the 2006-2007 school year, \$11,000 for
8 the 2007-2008 school year, and \$12,000 for the 2008-2009 school
9 year and thereafter.

10 (f) For each qualified teacher working in a fully approved
11 program for children of preschool age who are deaf or
12 hard-of-hearing the annual sum of \$8,000 for the 1985-1986
13 school year through the 2004-2005 school year, \$9,000 for the
14 2005-2006 school year, \$10,000 for the 2006-2007 school year,
15 \$11,000 for the 2007-2008 school year, and \$12,000 for the
16 2008-2009 school year and thereafter.

17 (g) For readers, working with blind or partially seeing
18 children 1/2 of their salary but not more than \$400 annually
19 per child through the 2004-2005 school year, \$600 per child for
20 the 2005-2006 school year, \$800 per child for the 2006-2007
21 school year, and \$1,000 annually per child for the 2007-2008
22 school year and thereafter. Readers may be employed to assist
23 such children and shall not be required to be certified but
24 prior to employment shall meet standards set up by the State
25 Board of Education.

26 (h) For necessary non-certified employees working in any
27 class or program for children defined in this Article, 1/2 of
28 the salary paid or \$2,800 annually per employee through the
29 2004-2005 school year, \$3,300 per employee for the 2005-2006
30 school year, \$3,800 per employee for the 2006-2007 school year,
31 \$4,300 per employee for the 2007-2008 school year, and \$4,800
32 annually per employee for the 2008-2009 school year and
33 thereafter, whichever is less.

34 The State Board of Education shall set standards and
35 prescribe rules for determining the allocation of
36 reimbursement under this section on less than a full time basis

1 and for less than a school year.

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

9 Notwithstanding any other provision of law, any school
10 district receiving a payment under this Section or under
11 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
12 all or a portion of the funds that it receives in a particular
13 fiscal year or from general State aid pursuant to Section
14 18-8.05 of this Code as funds received in connection with any
15 funding program for which it is entitled to receive funds from
16 the State in that fiscal year (including, without limitation,
17 any funding program referenced in this Section), regardless of
18 the source or timing of the receipt. The district may not
19 classify more funds as funds received in connection with the
20 funding program than the district is entitled to receive in
21 that fiscal year for that program. Any classification by a
22 district must be made by a resolution of its board of
23 education. The resolution must identify the amount of any
24 payments or general State aid to be classified under this
25 paragraph and must specify the funding program to which the
26 funds are to be treated as received in connection therewith.
27 This resolution is controlling as to the classification of
28 funds referenced therein. A certified copy of the resolution
29 must be sent to the State Superintendent of Education. The
30 resolution shall still take effect even though a copy of the
31 resolution has not been sent to the State Superintendent of
32 Education in a timely manner. No classification under this
33 paragraph by a district shall affect the total amount or timing
34 of money the district is entitled to receive under this Code.
35 No classification under this paragraph by a district shall in
36 any way relieve the district from or affect any requirements

1 that otherwise would apply with respect to that funding
2 program, including any accounting of funds by source, reporting
3 expenditures by original source and purpose, reporting
4 requirements, or requirements of providing services.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.