

**SB0462**



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB0462**

Introduced 2/16/2005, by Sen. Edward D. Maloney

**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.

LRB094 09607 NHT 39861 b

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

1 to exceed the per capita cost of such classes.

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

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

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

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

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

35 (4) the development of standards for determining  
36 grants based upon performance as set forth in subsection

1 (d) below and a plan for the phased-in implementation of  
2 those standards.

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

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

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

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

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

31 (4) (Blank); and

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

34 (d) Upon its annual approval, the Illinois Community  
35 College Board shall provide grants to eligible programs for  
36 supplemental activities to improve or expand services under the

1 Adult Education Act. Eligible programs shall be determined  
2 based upon performance outcomes of students in the programs as  
3 set by the Illinois Community College Board.

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

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

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

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

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

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

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

34 School districts or community colleges providing classes  
35 under this Section shall submit applications to the Illinois  
36 Community College Board for preapproval in accordance with the

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

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

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

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

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

1 may also permit any other State or local governmental agency or  
2 private agency providing care for children to purchase care.

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

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

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

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