



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3765

Introduced 2/25/2009, by Rep. Elizabeth Coulson

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. With respect to the special education reimbursement to school districts for teachers, provides that the reimbursement is for staff working on behalf of certain children (instead of for those children), and provides for a specified increase in the reimbursement from the 2008-2009 school year through the 2012-2013 school year. For each school year thereafter, provides that the reimbursement amount shall equal the amount from the previous school year increased by a percentage increase equal to the percentage increase, if any, in the Consumer Price Index for All Urban Consumers for all items. Increases the reimbursement to school districts for certificated employees who work with or on behalf of students with disabilities full time (instead of teachers, professional workers, directors, and school psychologists) and non-certified employees (instead of necessary non-certified employees) by a specified amount from the 2008-2009 school year through the 2012-2013 school year. For each school year thereafter, provides that the reimbursement amount shall equal the amount from the previous school year increased by a percentage increase equal to the percentage increase, if any, in the Consumer Price Index for All Urban Consumers for all items. Increases the reimbursement amount for readers. Effective immediately.

LRB096 09621 NHT 21933 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

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

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

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

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

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

3 (a) For staff working on behalf of children who have not
4 been identified as eligible for special education and for
5 eligible children with physical disabilities, including all
6 eligible children whose placement has been determined under
7 Section 14-8.02 in hospital or home instruction, 1/2 of the
8 teacher's salary but not more than \$1,000 annually per child or
9 \$8,000 per teacher for the 1985-1986 school year through the
10 2005-2006 school year, ~~and~~ \$1,000 per child or \$9,000 per
11 teacher for the 2006-2007 school year and the 2007-2008 school
12 year, \$3,800 per child or \$10,000 per teacher for the 2008-2009
13 school year, \$4,300 per child or \$11,000 per teacher for the
14 2009-2010 school year, \$4,800 per child or \$12,000 per teacher
15 for the 2010-2011 school year, \$5,300 per child or \$13,000 per
16 teacher for the 2011-2012 school year, \$5,800 per child or
17 \$14,000 per teacher for the 2012-2013 school year, and for each
18 school year thereafter, the amount from the previous school
19 year increased by a percentage increase equal to the percentage
20 increase, if any, in the Consumer Price Index for All Urban
21 Consumers for all items published by the United States
22 Department of Labor for the 12 months ending on the previous
23 December 31 ~~and for each school year thereafter~~, whichever is
24 less. Children to be included in any reimbursement under this
25 paragraph must regularly receive a minimum of one hour of
26 instruction each school day, or in lieu thereof of a minimum of

1 5 hours of instruction in each school week in order to qualify
2 for full reimbursement under this Section. If the attending
3 physician for such a child has certified that the child should
4 not receive as many as 5 hours of instruction in a school week,
5 however, reimbursement under this paragraph on account of that
6 child shall be computed proportionate to the actual hours of
7 instruction per week for that child divided by 5.

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

16 (c) (Blank). ~~For each professional worker excluding those~~
17 ~~included in subparagraphs (a), (d), (e), and (f) of this~~
18 ~~Section, the annual sum of \$8,000 for the 1985-1986 school year~~
19 ~~through the 2005-2006 school year and \$9,000 for the 2006-2007~~
20 ~~school year and for each school year thereafter.~~

21 (d) (Blank). ~~For one full time qualified director of the~~
22 ~~special education program of each school district which~~
23 ~~maintains a fully approved program of special education the~~
24 ~~annual sum of \$8,000 for the 1985-1986 school year through the~~
25 ~~2005-2006 school year and \$9,000 for the 2006-2007 school year~~
26 ~~and for each school year thereafter. Districts participating in~~

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

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

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

13 (g) For readers, working with blind or partially seeing
14 children 1/2 of their salary but not more than \$600 ~~\$400~~
15 annually per child. Readers may be employed to assist such
16 children and shall not be required to be certified but prior to
17 employment shall meet standards set up by the State Board of
18 Education.

19 (g-5) For each certificated employee who works with or on
20 behalf of students with disabilities full time, \$8,000 for each
21 school year through the 2005-2006 school year, \$9,000 for the
22 2006-2007 school year and the 2007-2008 school year, \$10,000
23 for the 2008-2009 school year, \$11,000 for the 2009-2010 school
24 year, \$12,000 for the 2010-2011 school year, \$13,000 for the
25 2011-2012 school year, \$14,000 for the 2012-2013 school year,
26 and for each school year thereafter, the amount from the

1 previous school year increased by a percentage increase equal
2 to the percentage increase, if any, in the Consumer Price Index
3 for All Urban Consumers for all items published by the United
4 States Department of Labor for the 12 months ending on the
5 previous December 31.

6 (h) For ~~necessary~~ non-certified employees working in any
7 class or program for children defined in this Article, 1/2 of
8 the salary paid or \$2,800 annually per employee through the
9 2005-2006 school year, ~~and~~ \$3,500 per employee for the
10 2006-2007 school year and the 2007-2008 school year, \$3,800 per
11 employee for the 2008-2009 school year, \$4,300 per employee for
12 the 2009-2010 school year, \$4,800 per employee for the
13 2010-2011 school year, \$5,300 per employee for the 2011-2012
14 school year, \$5,800 per employee for the 2012-2013 school year,
15 and for each school year thereafter, the amount per employee
16 from the previous school year increased by a percentage
17 increase equal to the percentage increase, if any, in the
18 Consumer Price Index for All Urban Consumers for all items
19 published by the United States Department of Labor for the 12
20 months ending on the previous December 31 ~~and for each school~~
21 ~~year thereafter~~, whichever is less.

22 The State Board of Education shall set standards and
23 prescribe rules for determining the allocation of
24 reimbursement under this section on less than a full time basis
25 and for less than a school year.

26 When any school district eligible for reimbursement under

1 this Section operates a school or program approved by the State
2 Superintendent of Education for a number of days in excess of
3 the adopted school calendar but not to exceed 235 school days,
4 such reimbursement shall be increased by 1/180 of the amount or
5 rate paid hereunder for each day such school is operated in
6 excess of 180 days per calendar year.

7 Notwithstanding any other provision of law, any school
8 district receiving a payment under this Section or under
9 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
10 all or a portion of the funds that it receives in a particular
11 fiscal year or from general State aid pursuant to Section
12 18-8.05 of this Code as funds received in connection with any
13 funding program for which it is entitled to receive funds from
14 the State in that fiscal year (including, without limitation,
15 any funding program referenced in this Section), regardless of
16 the source or timing of the receipt. The district may not
17 classify more funds as funds received in connection with the
18 funding program than the district is entitled to receive in
19 that fiscal year for that program. Any classification by a
20 district must be made by a resolution of its board of
21 education. The resolution must identify the amount of any
22 payments or general State aid to be classified under this
23 paragraph and must specify the funding program to which the
24 funds are to be treated as received in connection therewith.
25 This resolution is controlling as to the classification of
26 funds referenced therein. A certified copy of the resolution

1 must be sent to the State Superintendent of Education. The
2 resolution shall still take effect even though a copy of the
3 resolution has not been sent to the State Superintendent of
4 Education in a timely manner. No classification under this
5 paragraph by a district shall affect the total amount or timing
6 of money the district is entitled to receive under this Code.
7 No classification under this paragraph by a district shall in
8 any way relieve the district from or affect any requirements
9 that otherwise would apply with respect to that funding
10 program, including any accounting of funds by source, reporting
11 expenditures by original source and purpose, reporting
12 requirements, or requirements of providing services.

13 (Source: P.A. 95-415, eff. 8-24-07; 95-707, eff. 1-11-08.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.