



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5466

Introduced 2/5/2010, 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 and other personnel, provides for, subject to appropriation, graduated increases in the reimbursement rates through specified school years; 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. Effective immediately.

LRB096 16471 MJR 35698 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 for
8 personnel and transportation.

9 (a) For staff working on behalf of children who have not
10 been identified as eligible for special education and for
11 eligible children with physical disabilities, including all
12 eligible children whose placement has been determined under
13 Section 14-8.02 in hospital or home instruction, 1/2 of the
14 teacher's salary but not more than \$1,000 annually per child or
15 \$9,000 per teacher through the 2009-2010 school year and,
16 subject to appropriation, \$3,800 per child or \$10,000 per
17 teacher for the 2010-2011 school year, \$4,300 per child or
18 \$11,000 per teacher for the 2011-2012 school year, \$4,800 per
19 child or \$12,000 per teacher for the 2012-2013 school year,
20 \$5,300 per child or \$13,000 per teacher for the 2013-2014
21 school year, \$5,800 per child or \$14,000 per teacher for the
22 2014-2015 school year, and for each school year thereafter, the
23 amount from the previous school year increased by a percentage

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

5 To qualify for home or hospital instruction, a child must, due
6 to a medical condition, be unable to attend school, and instead
7 must be instructed at home or in the hospital, for a period of
8 2 or more consecutive weeks or on an ongoing intermittent
9 basis. In order to establish eligibility for home or hospital
10 services, a student's parent or guardian must submit to the
11 child's school district of residence a written statement from a
12 physician licensed to practice medicine in all of its branches
13 stating the existence of such medical condition, the impact on
14 the child's ability to participate in education, and the
15 anticipated duration or nature of the child's absence from
16 school. Eligible children to be included in any reimbursement
17 under this paragraph must regularly receive a minimum of one
18 hour of instruction each school day, or in lieu thereof of a
19 minimum of 5 hours of instruction in each school week in order
20 to qualify for full reimbursement under this Section. If the
21 attending physician for such a child has certified that the
22 child should not receive as many as 5 hours of instruction in a
23 school week, however, reimbursement under this paragraph on
24 account of that child shall be computed proportionate to the
25 actual hours of instruction per week for that child divided by
26 5. The State Board of Education shall establish rules governing

1 the required qualifications of staff providing home or hospital
2 instruction.

3 (b) For children described in Section 14-1.02, 80% of the
4 cost of transportation approved as a related service in the
5 Individualized Education Program for each student in order to
6 take advantage of special educational facilities.
7 Transportation costs shall be determined in the same fashion as
8 provided in Section 29-5. For purposes of this subsection (b),
9 the dates for processing claims specified in Section 29-5 shall
10 apply.

11 (c) (Blank) ~~For each qualified worker, the annual sum of~~
12 ~~\$9,000.~~

13 (d) (Blank). ~~For one full time qualified director of the~~
14 ~~special education program of each school district which~~
15 ~~maintains a fully approved program of special education the~~
16 ~~annual sum of \$9,000. Districts participating in a joint~~
17 ~~agreement special education program shall not receive such~~
18 ~~reimbursement if reimbursement is made for a director of the~~
19 ~~joint agreement program.~~

20 (e) (Blank).

21 (f) (Blank).

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

1 (g-5) For each certificated employee who works with or on
2 behalf of students with disabilities full time, \$8,000 for each
3 school year through the 2010-2011 school year and, subject to
4 appropriation, \$9,000 for the 2011-2012 school year and the
5 2012-2013 school year, \$10,000 for the 2013-2014 school year,
6 \$11,000 for the 2014-2015 school year, \$12,000 for the
7 2015-2016 school year, \$13,000 for the 2016-2017 school year,
8 \$14,000 for the 2017-2018 school year, and for each school year
9 thereafter, the amount from the previous school year increased
10 by a percentage increase equal to the percentage increase, if
11 any, in the Consumer Price Index for All Urban Consumers for
12 all items published by the United States Department of Labor
13 for the 12 months ending on the previous December 31.

14 (h) For non-certified employees, as defined by rules
15 promulgated by the State Board of Education, who deliver
16 services to students with IEPs, 1/2 of the salary paid or
17 \$3,500 per employee through the 2009-2010 school year and,
18 subject to appropriation, \$3,800 per employee for the 2010-2011
19 school year, \$4,300 per employee for the 2011-2012 school year,
20 \$4,800 per employee for the 2012-2013 school year, \$5,300 per
21 employee for the 2013-2014 school year, \$5,800 per employee for
22 the 2014-2015 school year, and for each school year thereafter,
23 the amount per employee from the previous school year increased
24 by a percentage increase equal to the percentage increase, if
25 any, in the Consumer Price Index for All Urban Consumers for
26 all items published by the United States Department of Labor

1 for the 12 months ending on the previous December 31, whichever
2 is less.

3 The State Board of Education shall set standards and
4 prescribe rules for determining the allocation of
5 reimbursement under this section on less than a full time basis
6 and for less than a school year.

7 When any school district eligible for reimbursement under
8 this Section operates a school or program approved by the State
9 Superintendent of Education for a number of days in excess of
10 the adopted school calendar but not to exceed 235 school days,
11 such reimbursement shall be increased by 1/180 of the amount or
12 rate paid hereunder for each day such school is operated in
13 excess of 180 days per calendar year.

14 Notwithstanding any other provision of law, any school
15 district receiving a payment under this Section or under
16 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
17 all or a portion of the funds that it receives in a particular
18 fiscal year or from general State aid pursuant to Section
19 18-8.05 of this Code as funds received in connection with any
20 funding program for which it is entitled to receive funds from
21 the State in that fiscal year (including, without limitation,
22 any funding program referenced in this Section), regardless of
23 the source or timing of the receipt. The district may not
24 classify more funds as funds received in connection with the
25 funding program than the district is entitled to receive in
26 that fiscal year for that program. Any classification by a

1 district must be made by a resolution of its board of
2 education. The resolution must identify the amount of any
3 payments or general State aid to be classified under this
4 paragraph and must specify the funding program to which the
5 funds are to be treated as received in connection therewith.
6 This resolution is controlling as to the classification of
7 funds referenced therein. A certified copy of the resolution
8 must be sent to the State Superintendent of Education. The
9 resolution shall still take effect even though a copy of the
10 resolution has not been sent to the State Superintendent of
11 Education in a timely manner. No classification under this
12 paragraph by a district shall affect the total amount or timing
13 of money the district is entitled to receive under this Code.
14 No classification under this paragraph by a district shall in
15 any way relieve the district from or affect any requirements
16 that otherwise would apply with respect to that funding
17 program, including any accounting of funds by source, reporting
18 expenditures by original source and purpose, reporting
19 requirements, or requirements of providing services.

20 (Source: P.A. 95-415, eff. 8-24-07; 95-707, eff. 1-11-08;
21 96-257, eff. 8-11-09.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.