



Sen. Annazette R. Collins

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1 AMENDMENT TO SENATE BILL 628

2 AMENDMENT NO. _____. Amend Senate Bill 628 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 10-19, 10-19.1, 18-8.05, and 34-18 as follows:

6 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

7 Sec. 10-19. Length of school term - experimental programs.
8 Each school board shall annually prepare a calendar for the
9 school term, specifying the opening and closing dates and
10 providing a minimum term of at least 192 ~~185~~ days to insure 183
11 ~~176~~ days of actual pupil attendance, computable under Section
12 18-8.05, except that for the 1980-1981 school year only 175
13 days of actual pupil attendance shall be required because of
14 the closing of schools pursuant to Section 24-2 on January 29,
15 1981 upon the appointment by the President of that day as a day
16 of thanksgiving for the freedom of the Americans who had been

1 held hostage in Iran. Any days allowed by law for teachers'
2 institute but not used as such or used as parental institutes
3 as provided in Section 10-22.18d shall increase the minimum
4 term by the school days not so used. Except as provided in
5 Section 10-19.1, the board may not extend the school term
6 beyond such closing date unless that extension of term is
7 necessary to provide the minimum number of computable days. In
8 case of such necessary extension school employees shall be paid
9 for such additional time on the basis of their regular
10 contracts. A school board may specify a closing date earlier
11 than that set on the annual calendar when the schools of the
12 district have provided the minimum number of computable days
13 under this Section. Nothing in this Section prevents the board
14 from employing superintendents of schools, principals and
15 other nonteaching personnel for a period of 12 months, or in
16 the case of superintendents for a period in accordance with
17 Section 10-23.8, or prevents the board from employing other
18 personnel before or after the regular school term with payment
19 of salary proportionate to that received for comparable work
20 during the school term.

21 A school board may make such changes in its calendar for
22 the school term as may be required by any changes in the legal
23 school holidays prescribed in Section 24-2. A school board may
24 make changes in its calendar for the school term as may be
25 necessary to reflect the utilization of teachers' institute
26 days as parental institute days as provided in Section

1 10-22.18d.

2 The calendar for the school term and any changes must be
3 submitted to and approved by the regional superintendent of
4 schools before the calendar or changes may take effect.

5 With the prior approval of the State Board of Education and
6 subject to review by the State Board of Education every 3
7 years, any school board may, by resolution of its board and in
8 agreement with affected exclusive collective bargaining
9 agents, establish experimental educational programs, including
10 but not limited to programs for self-directed learning or
11 outside of formal class periods, which programs when so
12 approved shall be considered to comply with the requirements of
13 this Section as respects numbers of days of actual pupil
14 attendance and with the other requirements of this Act as
15 respects courses of instruction.

16 (Source: P.A. 93-1036, eff. 9-14-04.)

17 (105 ILCS 5/10-19.1) (from Ch. 122, par. 10-19.1)

18 Sec. 10-19.1. Full year school plan. Any school district
19 may, by resolution of its board, operate one or more schools
20 within the district on a full year school plan approved by the
21 State Board of Education. Any board which operates under this
22 Section shall devise a plan so that a student's required
23 attendance in school during a 12-month period shall be for not
24 less than the a minimum number of days ~~term of 180 days~~ of
25 actual pupil attendance required by Section 10-19 of this Code

1 for the school year during which that 12-month period
2 commences, plus ~~including~~ not more than 4 institute days,
3 provided that during that a 12 month period a student's
4 required attendance in school, but shall not exceed, nor shall
5 any teacher be required to teach more than, the number of days
6 that is equal to the minimum term required to be provided by
7 Section 10-19 of this Code for the school year during which
8 that 12-month period commences 185 days. Under such plan, no
9 teacher shall be required to teach more than 185 days. A
10 calendar of 180 days may be established with the approval of
11 the State Board of Education.

12 (Source: P.A. 81-1508.)

13 (105 ILCS 5/18-8.05)

14 Sec. 18-8.05. Basis for apportionment of general State
15 financial aid and supplemental general State aid to the common
16 schools for the 1998-1999 and subsequent school years.

17 (A) General Provisions.

18 (1) The provisions of this Section apply to the 1998-1999
19 and subsequent school years. The system of general State
20 financial aid provided for in this Section is designed to
21 assure that, through a combination of State financial aid and
22 required local resources, the financial support provided each
23 pupil in Average Daily Attendance equals or exceeds a
24 prescribed per pupil Foundation Level. This formula approach

1 imputes a level of per pupil Available Local Resources and
2 provides for the basis to calculate a per pupil level of
3 general State financial aid that, when added to Available Local
4 Resources, equals or exceeds the Foundation Level. The amount
5 of per pupil general State financial aid for school districts,
6 in general, varies in inverse relation to Available Local
7 Resources. Per pupil amounts are based upon each school
8 district's Average Daily Attendance as that term is defined in
9 this Section.

10 (2) In addition to general State financial aid, school
11 districts with specified levels or concentrations of pupils
12 from low income households are eligible to receive supplemental
13 general State financial aid grants as provided pursuant to
14 subsection (H). The supplemental State aid grants provided for
15 school districts under subsection (H) shall be appropriated for
16 distribution to school districts as part of the same line item
17 in which the general State financial aid of school districts is
18 appropriated under this Section.

19 (3) To receive financial assistance under this Section,
20 school districts are required to file claims with the State
21 Board of Education, subject to the following requirements:

22 (a) Any school district which fails for any given
23 school year to maintain school as required by law, or to
24 maintain a recognized school is not eligible to file for
25 such school year any claim upon the Common School Fund. In
26 case of nonrecognition of one or more attendance centers in

1 a school district otherwise operating recognized schools,
2 the claim of the district shall be reduced in the
3 proportion which the Average Daily Attendance in the
4 attendance center or centers bear to the Average Daily
5 Attendance in the school district. A "recognized school"
6 means any public school which meets the standards as
7 established for recognition by the State Board of
8 Education. A school district or attendance center not
9 having recognition status at the end of a school term is
10 entitled to receive State aid payments due upon a legal
11 claim which was filed while it was recognized.

12 (b) School district claims filed under this Section are
13 subject to Sections 18-9 and 18-12, except as otherwise
14 provided in this Section.

15 (c) If a school district operates a full year school
16 under Section 10-19.1, the general State aid to the school
17 district shall be determined by the State Board of
18 Education in accordance with this Section as near as may be
19 applicable.

20 (d) (Blank).

21 (4) Except as provided in subsections (H) and (L), the
22 board of any district receiving any of the grants provided for
23 in this Section may apply those funds to any fund so received
24 for which that board is authorized to make expenditures by law.

25 School districts are not required to exert a minimum
26 Operating Tax Rate in order to qualify for assistance under

1 this Section.

2 (5) As used in this Section the following terms, when
3 capitalized, shall have the meaning ascribed herein:

4 (a) "Average Daily Attendance": A count of pupil
5 attendance in school, averaged as provided for in
6 subsection (C) and utilized in deriving per pupil financial
7 support levels.

8 (b) "Available Local Resources": A computation of
9 local financial support, calculated on the basis of Average
10 Daily Attendance and derived as provided pursuant to
11 subsection (D).

12 (c) "Corporate Personal Property Replacement Taxes":
13 Funds paid to local school districts pursuant to "An Act in
14 relation to the abolition of ad valorem personal property
15 tax and the replacement of revenues lost thereby, and
16 amending and repealing certain Acts and parts of Acts in
17 connection therewith", certified August 14, 1979, as
18 amended (Public Act 81-1st S.S.-1).

19 (d) "Foundation Level": A prescribed level of per pupil
20 financial support as provided for in subsection (B).

21 (e) "Operating Tax Rate": All school district property
22 taxes extended for all purposes, except Bond and Interest,
23 Summer School, Rent, Capital Improvement, and Vocational
24 Education Building purposes.

25 (B) Foundation Level.

1 (1) The Foundation Level is a figure established by the
2 State representing the minimum level of per pupil financial
3 support that should be available to provide for the basic
4 education of each pupil in Average Daily Attendance. As set
5 forth in this Section, each school district is assumed to exert
6 a sufficient local taxing effort such that, in combination with
7 the aggregate of general State financial aid provided the
8 district, an aggregate of State and local resources are
9 available to meet the basic education needs of pupils in the
10 district.

11 (2) For the 1998-1999 school year, the Foundation Level of
12 support is \$4,225. For the 1999-2000 school year, the
13 Foundation Level of support is \$4,325. For the 2000-2001 school
14 year, the Foundation Level of support is \$4,425. For the
15 2001-2002 school year and 2002-2003 school year, the Foundation
16 Level of support is \$4,560. For the 2003-2004 school year, the
17 Foundation Level of support is \$4,810. For the 2004-2005 school
18 year, the Foundation Level of support is \$4,964. For the
19 2005-2006 school year, the Foundation Level of support is
20 \$5,164. For the 2006-2007 school year, the Foundation Level of
21 support is \$5,334. For the 2007-2008 school year, the
22 Foundation Level of support is \$5,734. For the 2008-2009 school
23 year, the Foundation Level of support is \$5,959.

24 (3) For the 2009-2010 school year and each school year
25 thereafter, the Foundation Level of support is \$6,119 or such
26 greater amount as may be established by law by the General

1 Assembly.

2 (C) Average Daily Attendance.

3 (1) For purposes of calculating general State aid pursuant
4 to subsection (E), an Average Daily Attendance figure shall be
5 utilized. The Average Daily Attendance figure for formula
6 calculation purposes shall be the monthly average of the actual
7 number of pupils in attendance of each school district, as
8 further averaged for the best 3 months of pupil attendance for
9 each school district. In compiling the figures for the number
10 of pupils in attendance, school districts and the State Board
11 of Education shall, for purposes of general State aid funding,
12 conform attendance figures to the requirements of subsection
13 (F).

14 (2) The Average Daily Attendance figures utilized in
15 subsection (E) shall be the requisite attendance data for the
16 school year immediately preceding the school year for which
17 general State aid is being calculated or the average of the
18 attendance data for the 3 preceding school years, whichever is
19 greater. The Average Daily Attendance figures utilized in
20 subsection (H) shall be the requisite attendance data for the
21 school year immediately preceding the school year for which
22 general State aid is being calculated.

23 (D) Available Local Resources.

24 (1) For purposes of calculating general State aid pursuant

1 to subsection (E), a representation of Available Local
2 Resources per pupil, as that term is defined and determined in
3 this subsection, shall be utilized. Available Local Resources
4 per pupil shall include a calculated dollar amount representing
5 local school district revenues from local property taxes and
6 from Corporate Personal Property Replacement Taxes, expressed
7 on the basis of pupils in Average Daily Attendance. Calculation
8 of Available Local Resources shall exclude any tax amnesty
9 funds received as a result of Public Act 93-26.

10 (2) In determining a school district's revenue from local
11 property taxes, the State Board of Education shall utilize the
12 equalized assessed valuation of all taxable property of each
13 school district as of September 30 of the previous year. The
14 equalized assessed valuation utilized shall be obtained and
15 determined as provided in subsection (G).

16 (3) For school districts maintaining grades kindergarten
17 through 12, local property tax revenues per pupil shall be
18 calculated as the product of the applicable equalized assessed
19 valuation for the district multiplied by 3.00%, and divided by
20 the district's Average Daily Attendance figure. For school
21 districts maintaining grades kindergarten through 8, local
22 property tax revenues per pupil shall be calculated as the
23 product of the applicable equalized assessed valuation for the
24 district multiplied by 2.30%, and divided by the district's
25 Average Daily Attendance figure. For school districts
26 maintaining grades 9 through 12, local property tax revenues

1 per pupil shall be the applicable equalized assessed valuation
2 of the district multiplied by 1.05%, and divided by the
3 district's Average Daily Attendance figure.

4 For partial elementary unit districts created pursuant to
5 Article 11E of this Code, local property tax revenues per pupil
6 shall be calculated as the product of the equalized assessed
7 valuation for property within the partial elementary unit
8 district for elementary purposes, as defined in Article 11E of
9 this Code, multiplied by 2.06% and divided by the district's
10 Average Daily Attendance figure, plus the product of the
11 equalized assessed valuation for property within the partial
12 elementary unit district for high school purposes, as defined
13 in Article 11E of this Code, multiplied by 0.94% and divided by
14 the district's Average Daily Attendance figure.

15 (4) The Corporate Personal Property Replacement Taxes paid
16 to each school district during the calendar year one year
17 before the calendar year in which a school year begins, divided
18 by the Average Daily Attendance figure for that district, shall
19 be added to the local property tax revenues per pupil as
20 derived by the application of the immediately preceding
21 paragraph (3). The sum of these per pupil figures for each
22 school district shall constitute Available Local Resources as
23 that term is utilized in subsection (E) in the calculation of
24 general State aid.

25 (E) Computation of General State Aid.

1 (1) For each school year, the amount of general State aid
2 allotted to a school district shall be computed by the State
3 Board of Education as provided in this subsection.

4 (2) For any school district for which Available Local
5 Resources per pupil is less than the product of 0.93 times the
6 Foundation Level, general State aid for that district shall be
7 calculated as an amount equal to the Foundation Level minus
8 Available Local Resources, multiplied by the Average Daily
9 Attendance of the school district.

10 (3) For any school district for which Available Local
11 Resources per pupil is equal to or greater than the product of
12 0.93 times the Foundation Level and less than the product of
13 1.75 times the Foundation Level, the general State aid per
14 pupil shall be a decimal proportion of the Foundation Level
15 derived using a linear algorithm. Under this linear algorithm,
16 the calculated general State aid per pupil shall decline in
17 direct linear fashion from 0.07 times the Foundation Level for
18 a school district with Available Local Resources equal to the
19 product of 0.93 times the Foundation Level, to 0.05 times the
20 Foundation Level for a school district with Available Local
21 Resources equal to the product of 1.75 times the Foundation
22 Level. The allocation of general State aid for school districts
23 subject to this paragraph 3 shall be the calculated general
24 State aid per pupil figure multiplied by the Average Daily
25 Attendance of the school district.

26 (4) For any school district for which Available Local

1 Resources per pupil equals or exceeds the product of 1.75 times
2 the Foundation Level, the general State aid for the school
3 district shall be calculated as the product of \$218 multiplied
4 by the Average Daily Attendance of the school district.

5 (5) The amount of general State aid allocated to a school
6 district for the 1999-2000 school year meeting the requirements
7 set forth in paragraph (4) of subsection (G) shall be increased
8 by an amount equal to the general State aid that would have
9 been received by the district for the 1998-1999 school year by
10 utilizing the Extension Limitation Equalized Assessed
11 Valuation as calculated in paragraph (4) of subsection (G) less
12 the general State aid allotted for the 1998-1999 school year.
13 This amount shall be deemed a one time increase, and shall not
14 affect any future general State aid allocations.

15 (F) Compilation of Average Daily Attendance.

16 (1) Each school district shall, by July 1 of each year,
17 submit to the State Board of Education, on forms prescribed by
18 the State Board of Education, attendance figures for the school
19 year that began in the preceding calendar year. The attendance
20 information so transmitted shall identify the average daily
21 attendance figures for each month of the school year. Beginning
22 with the general State aid claim form for the 2002-2003 school
23 year, districts shall calculate Average Daily Attendance as
24 provided in subdivisions (a), (b), and (c) of this paragraph
25 (1).

1 (a) In districts that do not hold year-round classes,
2 days of attendance in August shall be added to the month of
3 September and any days of attendance in June shall be added
4 to the month of May.

5 (b) In districts in which all buildings hold year-round
6 classes, days of attendance in July and August shall be
7 added to the month of September and any days of attendance
8 in June shall be added to the month of May.

9 (c) In districts in which some buildings, but not all,
10 hold year-round classes, for the non-year-round buildings,
11 days of attendance in August shall be added to the month of
12 September and any days of attendance in June shall be added
13 to the month of May. The average daily attendance for the
14 year-round buildings shall be computed as provided in
15 subdivision (b) of this paragraph (1). To calculate the
16 Average Daily Attendance for the district, the average
17 daily attendance for the year-round buildings shall be
18 multiplied by the days in session for the non-year-round
19 buildings for each month and added to the monthly
20 attendance of the non-year-round buildings.

21 Except as otherwise provided in this Section, days of
22 attendance by pupils shall be counted only for sessions of not
23 less than 6 ~~5~~ clock hours of school work per day under direct
24 supervision of: (i) teachers, or (ii) non-teaching personnel or
25 volunteer personnel when engaging in non-teaching duties and
26 supervising in those instances specified in subsection (a) of

1 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
2 of legal school age and in kindergarten and grades 1 through
3 12.

4 Days of attendance by tuition pupils shall be accredited
5 only to the districts that pay the tuition to a recognized
6 school.

7 (2) Days of attendance by pupils of less than 6 ~~5~~ clock
8 hours of school shall be subject to the following provisions in
9 the compilation of Average Daily Attendance.

10 (a) Pupils regularly enrolled in a public school for
11 only a part of the school day may be counted on the basis
12 of 1/6 day for every class hour of instruction of 40
13 minutes or more attended pursuant to such enrollment,
14 unless a pupil is enrolled in a block-schedule format of 80
15 minutes or more of instruction, in which case the pupil may
16 be counted on the basis of the proportion of minutes of
17 school work completed each day to the minimum number of
18 minutes that school work is required to be held that day.

19 (b) Days of attendance may be less than 6 ~~5~~ clock hours
20 on the opening and closing of the school term, and upon the
21 first day of pupil attendance, if preceded by a day or days
22 utilized as an institute or teachers' workshop.

23 (c) A session of 4 or more clock hours may be counted
24 as a day of attendance upon certification by the regional
25 superintendent, and approved by the State Superintendent
26 of Education to the extent that the district has been

1 forced to use daily multiple sessions.

2 (d) A session of 3 or more clock hours may be counted
3 as a day of attendance (1) when the remainder of the school
4 day or at least 2 hours in the evening of that day is
5 utilized for an in-service training program for teachers,
6 up to a maximum of 5 days per school year, provided a
7 district conducts an in-service training program for
8 teachers in accordance with Section 10-22.39 of this Code;
9 or, in lieu of 4 such days, 2 full days may be used, in
10 which event each such day may be counted as a day required
11 for a legal school calendar pursuant to Section 10-19 of
12 this Code; (1.5) when, of the 5 days allowed under item
13 (1), a maximum of 4 days are used for parent-teacher
14 conferences, or, in lieu of 4 such days, 2 full days are
15 used, in which case each such day may be counted as a
16 calendar day required under Section 10-19 of this Code,
17 provided that the full-day, parent-teacher conference
18 consists of (i) a minimum of 6 ~~5~~ clock hours of
19 parent-teacher conferences, (ii) both a minimum of 2 clock
20 hours of parent-teacher conferences held in the evening
21 following a full day of student attendance, as specified in
22 subsection (F)(1)(c), and a minimum of 3 clock hours of
23 parent-teacher conferences held on the day immediately
24 following evening parent-teacher conferences, or (iii)
25 multiple parent-teacher conferences held in the evenings
26 following full days of student attendance, as specified in

1 subsection (F)(1)(c), in which the time used for the
2 parent-teacher conferences is equivalent to a minimum of 6
3 ~~5~~ clock hours; and (2) when days in addition to those
4 provided in items (1) and (1.5) are scheduled by a school
5 pursuant to its school improvement plan adopted under
6 Article 34 or its revised or amended school improvement
7 plan adopted under Article 2, provided that (i) such
8 sessions of 3 or more clock hours are scheduled to occur at
9 regular intervals, (ii) the remainder of the school days in
10 which such sessions occur are utilized for in-service
11 training programs or other staff development activities
12 for teachers, and (iii) a sufficient number of minutes of
13 school work under the direct supervision of teachers are
14 added to the school days between such regularly scheduled
15 sessions to accumulate not less than the number of minutes
16 by which such sessions of 3 or more clock hours fall short
17 of 6 ~~5~~ clock hours. Any full days used for the purposes of
18 this paragraph shall not be considered for computing
19 average daily attendance. Days scheduled for in-service
20 training programs, staff development activities, or
21 parent-teacher conferences may be scheduled separately for
22 different grade levels and different attendance centers of
23 the district.

24 (e) A session of not less than one clock hour of
25 teaching hospitalized or homebound pupils on-site or by
26 telephone to the classroom may be counted as 1/2 day of

1 attendance, however these pupils must receive 4 or more
2 clock hours of instruction to be counted for a full day of
3 attendance.

4 (f) A session of at least 4 clock hours may be counted
5 as a day of attendance for first grade pupils, and pupils
6 in full day kindergartens, and a session of 2 or more hours
7 may be counted as 1/2 day of attendance by pupils in
8 kindergartens which provide only 1/2 day of attendance.

9 (g) For children with disabilities who are below the
10 age of 6 years and who cannot attend 2 or more clock hours
11 because of their disability or immaturity, a session of not
12 less than one clock hour may be counted as 1/2 day of
13 attendance; however for such children whose educational
14 needs so require a session of 4 or more clock hours may be
15 counted as a full day of attendance.

16 (h) A recognized kindergarten which provides for only
17 1/2 day of attendance by each pupil shall not have more
18 than 1/2 day of attendance counted in any one day. However,
19 kindergartens may count 2 1/2 days of attendance in any 5
20 consecutive school days. When a pupil attends such a
21 kindergarten for 2 half days on any one school day, the
22 pupil shall have the following day as a day absent from
23 school, unless the school district obtains permission in
24 writing from the State Superintendent of Education.
25 Attendance at kindergartens which provide for a full day of
26 attendance by each pupil shall be counted the same as

1 attendance by first grade pupils. Only the first year of
2 attendance in one kindergarten shall be counted, except in
3 case of children who entered the kindergarten in their
4 fifth year whose educational development requires a second
5 year of kindergarten as determined under the rules and
6 regulations of the State Board of Education.

7 (i) On the days when the Prairie State Achievement
8 Examination is administered under subsection (c) of
9 Section 2-3.64 of this Code, the day of attendance for a
10 pupil whose school day must be shortened to accommodate
11 required testing procedures may be less than 6 ~~5~~ clock
12 hours and shall be counted towards the 176 days of actual
13 pupil attendance required under Section 10-19 of this Code,
14 provided that a sufficient number of minutes of school work
15 in excess of 6 ~~5~~ clock hours are first completed on other
16 school days to compensate for the loss of school work on
17 the examination days.

18 (G) Equalized Assessed Valuation Data.

19 (1) For purposes of the calculation of Available Local
20 Resources required pursuant to subsection (D), the State Board
21 of Education shall secure from the Department of Revenue the
22 value as equalized or assessed by the Department of Revenue of
23 all taxable property of every school district, together with
24 (i) the applicable tax rate used in extending taxes for the
25 funds of the district as of September 30 of the previous year

1 and (ii) the limiting rate for all school districts subject to
2 property tax extension limitations as imposed under the
3 Property Tax Extension Limitation Law.

4 The Department of Revenue shall add to the equalized
5 assessed value of all taxable property of each school district
6 situated entirely or partially within a county that is or was
7 subject to the provisions of Section 15-176 or 15-177 of the
8 Property Tax Code (a) an amount equal to the total amount by
9 which the homestead exemption allowed under Section 15-176 or
10 15-177 of the Property Tax Code for real property situated in
11 that school district exceeds the total amount that would have
12 been allowed in that school district if the maximum reduction
13 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
14 all other counties in tax year 2003 or (ii) \$5,000 in all
15 counties in tax year 2004 and thereafter and (b) an amount
16 equal to the aggregate amount for the taxable year of all
17 additional exemptions under Section 15-175 of the Property Tax
18 Code for owners with a household income of \$30,000 or less. The
19 county clerk of any county that is or was subject to the
20 provisions of Section 15-176 or 15-177 of the Property Tax Code
21 shall annually calculate and certify to the Department of
22 Revenue for each school district all homestead exemption
23 amounts under Section 15-176 or 15-177 of the Property Tax Code
24 and all amounts of additional exemptions under Section 15-175
25 of the Property Tax Code for owners with a household income of
26 \$30,000 or less. It is the intent of this paragraph that if the

1 general homestead exemption for a parcel of property is
2 determined under Section 15-176 or 15-177 of the Property Tax
3 Code rather than Section 15-175, then the calculation of
4 Available Local Resources shall not be affected by the
5 difference, if any, between the amount of the general homestead
6 exemption allowed for that parcel of property under Section
7 15-176 or 15-177 of the Property Tax Code and the amount that
8 would have been allowed had the general homestead exemption for
9 that parcel of property been determined under Section 15-175 of
10 the Property Tax Code. It is further the intent of this
11 paragraph that if additional exemptions are allowed under
12 Section 15-175 of the Property Tax Code for owners with a
13 household income of less than \$30,000, then the calculation of
14 Available Local Resources shall not be affected by the
15 difference, if any, because of those additional exemptions.

16 This equalized assessed valuation, as adjusted further by
17 the requirements of this subsection, shall be utilized in the
18 calculation of Available Local Resources.

19 (2) The equalized assessed valuation in paragraph (1) shall
20 be adjusted, as applicable, in the following manner:

21 (a) For the purposes of calculating State aid under
22 this Section, with respect to any part of a school district
23 within a redevelopment project area in respect to which a
24 municipality has adopted tax increment allocation
25 financing pursuant to the Tax Increment Allocation
26 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11

1 of the Illinois Municipal Code or the Industrial Jobs
2 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
3 Illinois Municipal Code, no part of the current equalized
4 assessed valuation of real property located in any such
5 project area which is attributable to an increase above the
6 total initial equalized assessed valuation of such
7 property shall be used as part of the equalized assessed
8 valuation of the district, until such time as all
9 redevelopment project costs have been paid, as provided in
10 Section 11-74.4-8 of the Tax Increment Allocation
11 Redevelopment Act or in Section 11-74.6-35 of the
12 Industrial Jobs Recovery Law. For the purpose of the
13 equalized assessed valuation of the district, the total
14 initial equalized assessed valuation or the current
15 equalized assessed valuation, whichever is lower, shall be
16 used until such time as all redevelopment project costs
17 have been paid.

18 (b) The real property equalized assessed valuation for
19 a school district shall be adjusted by subtracting from the
20 real property value as equalized or assessed by the
21 Department of Revenue for the district an amount computed
22 by dividing the amount of any abatement of taxes under
23 Section 18-170 of the Property Tax Code by 3.00% for a
24 district maintaining grades kindergarten through 12, by
25 2.30% for a district maintaining grades kindergarten
26 through 8, or by 1.05% for a district maintaining grades 9

1 through 12 and adjusted by an amount computed by dividing
2 the amount of any abatement of taxes under subsection (a)
3 of Section 18-165 of the Property Tax Code by the same
4 percentage rates for district type as specified in this
5 subparagraph (b).

6 (3) For the 1999-2000 school year and each school year
7 thereafter, if a school district meets all of the criteria of
8 this subsection (G) (3), the school district's Available Local
9 Resources shall be calculated under subsection (D) using the
10 district's Extension Limitation Equalized Assessed Valuation
11 as calculated under this subsection (G) (3).

12 For purposes of this subsection (G) (3) the following terms
13 shall have the following meanings:

14 "Budget Year": The school year for which general State
15 aid is calculated and awarded under subsection (E).

16 "Base Tax Year": The property tax levy year used to
17 calculate the Budget Year allocation of general State aid.

18 "Preceding Tax Year": The property tax levy year
19 immediately preceding the Base Tax Year.

20 "Base Tax Year's Tax Extension": The product of the
21 equalized assessed valuation utilized by the County Clerk
22 in the Base Tax Year multiplied by the limiting rate as
23 calculated by the County Clerk and defined in the Property
24 Tax Extension Limitation Law.

25 "Preceding Tax Year's Tax Extension": The product of
26 the equalized assessed valuation utilized by the County

1 Clerk in the Preceding Tax Year multiplied by the Operating
2 Tax Rate as defined in subsection (A).

3 "Extension Limitation Ratio": A numerical ratio,
4 certified by the County Clerk, in which the numerator is
5 the Base Tax Year's Tax Extension and the denominator is
6 the Preceding Tax Year's Tax Extension.

7 "Operating Tax Rate": The operating tax rate as defined
8 in subsection (A).

9 If a school district is subject to property tax extension
10 limitations as imposed under the Property Tax Extension
11 Limitation Law, the State Board of Education shall calculate
12 the Extension Limitation Equalized Assessed Valuation of that
13 district. For the 1999-2000 school year, the Extension
14 Limitation Equalized Assessed Valuation of a school district as
15 calculated by the State Board of Education shall be equal to
16 the product of the district's 1996 Equalized Assessed Valuation
17 and the district's Extension Limitation Ratio. Except as
18 otherwise provided in this paragraph for a school district that
19 has approved or does approve an increase in its limiting rate,
20 for the 2000-2001 school year and each school year thereafter,
21 the Extension Limitation Equalized Assessed Valuation of a
22 school district as calculated by the State Board of Education
23 shall be equal to the product of the Equalized Assessed
24 Valuation last used in the calculation of general State aid and
25 the district's Extension Limitation Ratio. If the Extension
26 Limitation Equalized Assessed Valuation of a school district as

1 calculated under this subsection (G)(3) is less than the
2 district's equalized assessed valuation as calculated pursuant
3 to subsections (G)(1) and (G)(2), then for purposes of
4 calculating the district's general State aid for the Budget
5 Year pursuant to subsection (E), that Extension Limitation
6 Equalized Assessed Valuation shall be utilized to calculate the
7 district's Available Local Resources under subsection (D). For
8 the 2009-2010 school year and each school year thereafter, if a
9 school district has approved or does approve an increase in its
10 limiting rate, pursuant to Section 18-190 of the Property Tax
11 Code, affecting the Base Tax Year, the Extension Limitation
12 Equalized Assessed Valuation of the school district, as
13 calculated by the State Board of Education, shall be equal to
14 the product of the Equalized Assessed Valuation last used in
15 the calculation of general State aid times an amount equal to
16 one plus the percentage increase, if any, in the Consumer Price
17 Index for all Urban Consumers for all items published by the
18 United States Department of Labor for the 12-month calendar
19 year preceding the Base Tax Year, plus the Equalized Assessed
20 Valuation of new property, annexed property, and recovered tax
21 increment value and minus the Equalized Assessed Valuation of
22 disconnected property. New property and recovered tax
23 increment value shall have the meanings set forth in the
24 Property Tax Extension Limitation Law.

25 Partial elementary unit districts created in accordance
26 with Article 11E of this Code shall not be eligible for the

1 adjustment in this subsection (G)(3) until the fifth year
2 following the effective date of the reorganization.

3 (3.5) For the 2010-2011 school year and each school year
4 thereafter, if a school district's boundaries span multiple
5 counties, then the Department of Revenue shall send to the
6 State Board of Education, for the purpose of calculating
7 general State aid, the limiting rate and individual rates by
8 purpose for the county that contains the majority of the school
9 district's Equalized Assessed Valuation.

10 (4) For the purposes of calculating general State aid for
11 the 1999-2000 school year only, if a school district
12 experienced a triennial reassessment on the equalized assessed
13 valuation used in calculating its general State financial aid
14 apportionment for the 1998-1999 school year, the State Board of
15 Education shall calculate the Extension Limitation Equalized
16 Assessed Valuation that would have been used to calculate the
17 district's 1998-1999 general State aid. This amount shall equal
18 the product of the equalized assessed valuation used to
19 calculate general State aid for the 1997-1998 school year and
20 the district's Extension Limitation Ratio. If the Extension
21 Limitation Equalized Assessed Valuation of the school district
22 as calculated under this paragraph (4) is less than the
23 district's equalized assessed valuation utilized in
24 calculating the district's 1998-1999 general State aid
25 allocation, then for purposes of calculating the district's
26 general State aid pursuant to paragraph (5) of subsection (E),

1 that Extension Limitation Equalized Assessed Valuation shall
2 be utilized to calculate the district's Available Local
3 Resources.

4 (5) For school districts having a majority of their
5 equalized assessed valuation in any county except Cook, DuPage,
6 Kane, Lake, McHenry, or Will, if the amount of general State
7 aid allocated to the school district for the 1999-2000 school
8 year under the provisions of subsection (E), (H), and (J) of
9 this Section is less than the amount of general State aid
10 allocated to the district for the 1998-1999 school year under
11 these subsections, then the general State aid of the district
12 for the 1999-2000 school year only shall be increased by the
13 difference between these amounts. The total payments made under
14 this paragraph (5) shall not exceed \$14,000,000. Claims shall
15 be prorated if they exceed \$14,000,000.

16 (H) Supplemental General State Aid.

17 (1) In addition to the general State aid a school district
18 is allotted pursuant to subsection (E), qualifying school
19 districts shall receive a grant, paid in conjunction with a
20 district's payments of general State aid, for supplemental
21 general State aid based upon the concentration level of
22 children from low-income households within the school
23 district. Supplemental State aid grants provided for school
24 districts under this subsection shall be appropriated for
25 distribution to school districts as part of the same line item

1 in which the general State financial aid of school districts is
2 appropriated under this Section.

3 (1.5) This paragraph (1.5) applies only to those school
4 years preceding the 2003-2004 school year. For purposes of this
5 subsection (H), the term "Low-Income Concentration Level"
6 shall be the low-income eligible pupil count from the most
7 recently available federal census divided by the Average Daily
8 Attendance of the school district. If, however, (i) the
9 percentage decrease from the 2 most recent federal censuses in
10 the low-income eligible pupil count of a high school district
11 with fewer than 400 students exceeds by 75% or more the
12 percentage change in the total low-income eligible pupil count
13 of contiguous elementary school districts, whose boundaries
14 are coterminous with the high school district, or (ii) a high
15 school district within 2 counties and serving 5 elementary
16 school districts, whose boundaries are coterminous with the
17 high school district, has a percentage decrease from the 2 most
18 recent federal censuses in the low-income eligible pupil count
19 and there is a percentage increase in the total low-income
20 eligible pupil count of a majority of the elementary school
21 districts in excess of 50% from the 2 most recent federal
22 censuses, then the high school district's low-income eligible
23 pupil count from the earlier federal census shall be the number
24 used as the low-income eligible pupil count for the high school
25 district, for purposes of this subsection (H). The changes made
26 to this paragraph (1) by Public Act 92-28 shall apply to

1 supplemental general State aid grants for school years
2 preceding the 2003-2004 school year that are paid in fiscal
3 year 1999 or thereafter and to any State aid payments made in
4 fiscal year 1994 through fiscal year 1998 pursuant to
5 subsection 1(n) of Section 18-8 of this Code (which was
6 repealed on July 1, 1998), and any high school district that is
7 affected by Public Act 92-28 is entitled to a recomputation of
8 its supplemental general State aid grant or State aid paid in
9 any of those fiscal years. This recomputation shall not be
10 affected by any other funding.

11 (1.10) This paragraph (1.10) applies to the 2003-2004
12 school year and each school year thereafter. For purposes of
13 this subsection (H), the term "Low-Income Concentration Level"
14 shall, for each fiscal year, be the low-income eligible pupil
15 count as of July 1 of the immediately preceding fiscal year (as
16 determined by the Department of Human Services based on the
17 number of pupils who are eligible for at least one of the
18 following low income programs: Medicaid, the Children's Health
19 Insurance Program, TANF, or Food Stamps, excluding pupils who
20 are eligible for services provided by the Department of
21 Children and Family Services, averaged over the 2 immediately
22 preceding fiscal years for fiscal year 2004 and over the 3
23 immediately preceding fiscal years for each fiscal year
24 thereafter) divided by the Average Daily Attendance of the
25 school district.

26 (2) Supplemental general State aid pursuant to this

1 subsection (H) shall be provided as follows for the 1998-1999,
2 1999-2000, and 2000-2001 school years only:

3 (a) For any school district with a Low Income
4 Concentration Level of at least 20% and less than 35%, the
5 grant for any school year shall be \$800 multiplied by the
6 low income eligible pupil count.

7 (b) For any school district with a Low Income
8 Concentration Level of at least 35% and less than 50%, the
9 grant for the 1998-1999 school year shall be \$1,100
10 multiplied by the low income eligible pupil count.

11 (c) For any school district with a Low Income
12 Concentration Level of at least 50% and less than 60%, the
13 grant for the 1998-99 school year shall be \$1,500
14 multiplied by the low income eligible pupil count.

15 (d) For any school district with a Low Income
16 Concentration Level of 60% or more, the grant for the
17 1998-99 school year shall be \$1,900 multiplied by the low
18 income eligible pupil count.

19 (e) For the 1999-2000 school year, the per pupil amount
20 specified in subparagraphs (b), (c), and (d) immediately
21 above shall be increased to \$1,243, \$1,600, and \$2,000,
22 respectively.

23 (f) For the 2000-2001 school year, the per pupil
24 amounts specified in subparagraphs (b), (c), and (d)
25 immediately above shall be \$1,273, \$1,640, and \$2,050,
26 respectively.

1 (2.5) Supplemental general State aid pursuant to this
2 subsection (H) shall be provided as follows for the 2002-2003
3 school year:

4 (a) For any school district with a Low Income
5 Concentration Level of less than 10%, the grant for each
6 school year shall be \$355 multiplied by the low income
7 eligible pupil count.

8 (b) For any school district with a Low Income
9 Concentration Level of at least 10% and less than 20%, the
10 grant for each school year shall be \$675 multiplied by the
11 low income eligible pupil count.

12 (c) For any school district with a Low Income
13 Concentration Level of at least 20% and less than 35%, the
14 grant for each school year shall be \$1,330 multiplied by
15 the low income eligible pupil count.

16 (d) For any school district with a Low Income
17 Concentration Level of at least 35% and less than 50%, the
18 grant for each school year shall be \$1,362 multiplied by
19 the low income eligible pupil count.

20 (e) For any school district with a Low Income
21 Concentration Level of at least 50% and less than 60%, the
22 grant for each school year shall be \$1,680 multiplied by
23 the low income eligible pupil count.

24 (f) For any school district with a Low Income
25 Concentration Level of 60% or more, the grant for each
26 school year shall be \$2,080 multiplied by the low income

1 eligible pupil count.

2 (2.10) Except as otherwise provided, supplemental general
3 State aid pursuant to this subsection (H) shall be provided as
4 follows for the 2003-2004 school year and each school year
5 thereafter:

6 (a) For any school district with a Low Income
7 Concentration Level of 15% or less, the grant for each
8 school year shall be \$355 multiplied by the low income
9 eligible pupil count.

10 (b) For any school district with a Low Income
11 Concentration Level greater than 15%, the grant for each
12 school year shall be \$294.25 added to the product of \$2,700
13 and the square of the Low Income Concentration Level, all
14 multiplied by the low income eligible pupil count.

15 For the 2003-2004 school year and each school year
16 thereafter through the 2008-2009 school year only, the grant
17 shall be no less than the grant for the 2002-2003 school year.
18 For the 2009-2010 school year only, the grant shall be no less
19 than the grant for the 2002-2003 school year multiplied by
20 0.66. For the 2010-2011 school year only, the grant shall be no
21 less than the grant for the 2002-2003 school year multiplied by
22 0.33. Notwithstanding the provisions of this paragraph to the
23 contrary, if for any school year supplemental general State aid
24 grants are prorated as provided in paragraph (1) of this
25 subsection (H), then the grants under this paragraph shall be
26 prorated.

1 For the 2003-2004 school year only, the grant shall be no
2 greater than the grant received during the 2002-2003 school
3 year added to the product of 0.25 multiplied by the difference
4 between the grant amount calculated under subsection (a) or (b)
5 of this paragraph (2.10), whichever is applicable, and the
6 grant received during the 2002-2003 school year. For the
7 2004-2005 school year only, the grant shall be no greater than
8 the grant received during the 2002-2003 school year added to
9 the product of 0.50 multiplied by the difference between the
10 grant amount calculated under subsection (a) or (b) of this
11 paragraph (2.10), whichever is applicable, and the grant
12 received during the 2002-2003 school year. For the 2005-2006
13 school year only, the grant shall be no greater than the grant
14 received during the 2002-2003 school year added to the product
15 of 0.75 multiplied by the difference between the grant amount
16 calculated under subsection (a) or (b) of this paragraph
17 (2.10), whichever is applicable, and the grant received during
18 the 2002-2003 school year.

19 (3) School districts with an Average Daily Attendance of
20 more than 1,000 and less than 50,000 that qualify for
21 supplemental general State aid pursuant to this subsection
22 shall submit a plan to the State Board of Education prior to
23 October 30 of each year for the use of the funds resulting from
24 this grant of supplemental general State aid for the
25 improvement of instruction in which priority is given to
26 meeting the education needs of disadvantaged children. Such

1 plan shall be submitted in accordance with rules and
2 regulations promulgated by the State Board of Education.

3 (4) School districts with an Average Daily Attendance of
4 50,000 or more that qualify for supplemental general State aid
5 pursuant to this subsection shall be required to distribute
6 from funds available pursuant to this Section, no less than
7 \$261,000,000 in accordance with the following requirements:

8 (a) The required amounts shall be distributed to the
9 attendance centers within the district in proportion to the
10 number of pupils enrolled at each attendance center who are
11 eligible to receive free or reduced-price lunches or
12 breakfasts under the federal Child Nutrition Act of 1966
13 and under the National School Lunch Act during the
14 immediately preceding school year.

15 (b) The distribution of these portions of supplemental
16 and general State aid among attendance centers according to
17 these requirements shall not be compensated for or
18 contravened by adjustments of the total of other funds
19 appropriated to any attendance centers, and the Board of
20 Education shall utilize funding from one or several sources
21 in order to fully implement this provision annually prior
22 to the opening of school.

23 (c) Each attendance center shall be provided by the
24 school district a distribution of noncategorical funds and
25 other categorical funds to which an attendance center is
26 entitled under law in order that the general State aid and

1 supplemental general State aid provided by application of
2 this subsection supplements rather than supplants the
3 noncategorical funds and other categorical funds provided
4 by the school district to the attendance centers.

5 (d) Any funds made available under this subsection that
6 by reason of the provisions of this subsection are not
7 required to be allocated and provided to attendance centers
8 may be used and appropriated by the board of the district
9 for any lawful school purpose.

10 (e) Funds received by an attendance center pursuant to
11 this subsection shall be used by the attendance center at
12 the discretion of the principal and local school council
13 for programs to improve educational opportunities at
14 qualifying schools through the following programs and
15 services: early childhood education, reduced class size or
16 improved adult to student classroom ratio, enrichment
17 programs, remedial assistance, attendance improvement, and
18 other educationally beneficial expenditures which
19 supplement the regular and basic programs as determined by
20 the State Board of Education. Funds provided shall not be
21 expended for any political or lobbying purposes as defined
22 by board rule.

23 (f) Each district subject to the provisions of this
24 subdivision (H) (4) shall submit an acceptable plan to meet
25 the educational needs of disadvantaged children, in
26 compliance with the requirements of this paragraph, to the

1 State Board of Education prior to July 15 of each year.
2 This plan shall be consistent with the decisions of local
3 school councils concerning the school expenditure plans
4 developed in accordance with part 4 of Section 34-2.3. The
5 State Board shall approve or reject the plan within 60 days
6 after its submission. If the plan is rejected, the district
7 shall give written notice of intent to modify the plan
8 within 15 days of the notification of rejection and then
9 submit a modified plan within 30 days after the date of the
10 written notice of intent to modify. Districts may amend
11 approved plans pursuant to rules promulgated by the State
12 Board of Education.

13 Upon notification by the State Board of Education that
14 the district has not submitted a plan prior to July 15 or a
15 modified plan within the time period specified herein, the
16 State aid funds affected by that plan or modified plan
17 shall be withheld by the State Board of Education until a
18 plan or modified plan is submitted.

19 If the district fails to distribute State aid to
20 attendance centers in accordance with an approved plan, the
21 plan for the following year shall allocate funds, in
22 addition to the funds otherwise required by this
23 subsection, to those attendance centers which were
24 underfunded during the previous year in amounts equal to
25 such underfunding.

26 For purposes of determining compliance with this

1 subsection in relation to the requirements of attendance
2 center funding, each district subject to the provisions of
3 this subsection shall submit as a separate document by
4 December 1 of each year a report of expenditure data for
5 the prior year in addition to any modification of its
6 current plan. If it is determined that there has been a
7 failure to comply with the expenditure provisions of this
8 subsection regarding contravention or supplanting, the
9 State Superintendent of Education shall, within 60 days of
10 receipt of the report, notify the district and any affected
11 local school council. The district shall within 45 days of
12 receipt of that notification inform the State
13 Superintendent of Education of the remedial or corrective
14 action to be taken, whether by amendment of the current
15 plan, if feasible, or by adjustment in the plan for the
16 following year. Failure to provide the expenditure report
17 or the notification of remedial or corrective action in a
18 timely manner shall result in a withholding of the affected
19 funds.

20 The State Board of Education shall promulgate rules and
21 regulations to implement the provisions of this
22 subsection. No funds shall be released under this
23 subdivision (H) (4) to any district that has not submitted a
24 plan that has been approved by the State Board of
25 Education.

1 (I) (Blank).

2 (J) Supplementary Grants in Aid.

3 (1) Notwithstanding any other provisions of this Section,
4 the amount of the aggregate general State aid in combination
5 with supplemental general State aid under this Section for
6 which each school district is eligible shall be no less than
7 the amount of the aggregate general State aid entitlement that
8 was received by the district under Section 18-8 (exclusive of
9 amounts received under subsections 5(p) and 5(p-5) of that
10 Section) for the 1997-98 school year, pursuant to the
11 provisions of that Section as it was then in effect. If a
12 school district qualifies to receive a supplementary payment
13 made under this subsection (J), the amount of the aggregate
14 general State aid in combination with supplemental general
15 State aid under this Section which that district is eligible to
16 receive for each school year shall be no less than the amount
17 of the aggregate general State aid entitlement that was
18 received by the district under Section 18-8 (exclusive of
19 amounts received under subsections 5(p) and 5(p-5) of that
20 Section) for the 1997-1998 school year, pursuant to the
21 provisions of that Section as it was then in effect.

22 (2) If, as provided in paragraph (1) of this subsection
23 (J), a school district is to receive aggregate general State
24 aid in combination with supplemental general State aid under
25 this Section for the 1998-99 school year and any subsequent

1 school year that in any such school year is less than the
2 amount of the aggregate general State aid entitlement that the
3 district received for the 1997-98 school year, the school
4 district shall also receive, from a separate appropriation made
5 for purposes of this subsection (J), a supplementary payment
6 that is equal to the amount of the difference in the aggregate
7 State aid figures as described in paragraph (1).

8 (3) (Blank).

9 (K) Grants to Laboratory and Alternative Schools.

10 In calculating the amount to be paid to the governing board
11 of a public university that operates a laboratory school under
12 this Section or to any alternative school that is operated by a
13 regional superintendent of schools, the State Board of
14 Education shall require by rule such reporting requirements as
15 it deems necessary.

16 As used in this Section, "laboratory school" means a public
17 school which is created and operated by a public university and
18 approved by the State Board of Education. The governing board
19 of a public university which receives funds from the State
20 Board under this subsection (K) may not increase the number of
21 students enrolled in its laboratory school from a single
22 district, if that district is already sending 50 or more
23 students, except under a mutual agreement between the school
24 board of a student's district of residence and the university
25 which operates the laboratory school. A laboratory school may

1 not have more than 1,000 students, excluding students with
2 disabilities in a special education program.

3 As used in this Section, "alternative school" means a
4 public school which is created and operated by a Regional
5 Superintendent of Schools and approved by the State Board of
6 Education. Such alternative schools may offer courses of
7 instruction for which credit is given in regular school
8 programs, courses to prepare students for the high school
9 equivalency testing program or vocational and occupational
10 training. A regional superintendent of schools may contract
11 with a school district or a public community college district
12 to operate an alternative school. An alternative school serving
13 more than one educational service region may be established by
14 the regional superintendents of schools of the affected
15 educational service regions. An alternative school serving
16 more than one educational service region may be operated under
17 such terms as the regional superintendents of schools of those
18 educational service regions may agree.

19 Each laboratory and alternative school shall file, on forms
20 provided by the State Superintendent of Education, an annual
21 State aid claim which states the Average Daily Attendance of
22 the school's students by month. The best 3 months' Average
23 Daily Attendance shall be computed for each school. The general
24 State aid entitlement shall be computed by multiplying the
25 applicable Average Daily Attendance by the Foundation Level as
26 determined under this Section.

1 (L) Payments, Additional Grants in Aid and Other Requirements.

2 (1) For a school district operating under the financial
3 supervision of an Authority created under Article 34A, the
4 general State aid otherwise payable to that district under this
5 Section, but not the supplemental general State aid, shall be
6 reduced by an amount equal to the budget for the operations of
7 the Authority as certified by the Authority to the State Board
8 of Education, and an amount equal to such reduction shall be
9 paid to the Authority created for such district for its
10 operating expenses in the manner provided in Section 18-11. The
11 remainder of general State school aid for any such district
12 shall be paid in accordance with Article 34A when that Article
13 provides for a disposition other than that provided by this
14 Article.

15 (2) (Blank).

16 (3) Summer school. Summer school payments shall be made as
17 provided in Section 18-4.3.

18 (M) Education Funding Advisory Board.

19 The Education Funding Advisory Board, hereinafter in this
20 subsection (M) referred to as the "Board", is hereby created.
21 The Board shall consist of 5 members who are appointed by the
22 Governor, by and with the advice and consent of the Senate. The
23 members appointed shall include representatives of education,
24 business, and the general public. One of the members so

1 appointed shall be designated by the Governor at the time the
2 appointment is made as the chairperson of the Board. The
3 initial members of the Board may be appointed any time after
4 the effective date of this amendatory Act of 1997. The regular
5 term of each member of the Board shall be for 4 years from the
6 third Monday of January of the year in which the term of the
7 member's appointment is to commence, except that of the 5
8 initial members appointed to serve on the Board, the member who
9 is appointed as the chairperson shall serve for a term that
10 commences on the date of his or her appointment and expires on
11 the third Monday of January, 2002, and the remaining 4 members,
12 by lots drawn at the first meeting of the Board that is held
13 after all 5 members are appointed, shall determine 2 of their
14 number to serve for terms that commence on the date of their
15 respective appointments and expire on the third Monday of
16 January, 2001, and 2 of their number to serve for terms that
17 commence on the date of their respective appointments and
18 expire on the third Monday of January, 2000. All members
19 appointed to serve on the Board shall serve until their
20 respective successors are appointed and confirmed. Vacancies
21 shall be filled in the same manner as original appointments. If
22 a vacancy in membership occurs at a time when the Senate is not
23 in session, the Governor shall make a temporary appointment
24 until the next meeting of the Senate, when he or she shall
25 appoint, by and with the advice and consent of the Senate, a
26 person to fill that membership for the unexpired term. If the

1 Senate is not in session when the initial appointments are
2 made, those appointments shall be made as in the case of
3 vacancies.

4 The Education Funding Advisory Board shall be deemed
5 established, and the initial members appointed by the Governor
6 to serve as members of the Board shall take office, on the date
7 that the Governor makes his or her appointment of the fifth
8 initial member of the Board, whether those initial members are
9 then serving pursuant to appointment and confirmation or
10 pursuant to temporary appointments that are made by the
11 Governor as in the case of vacancies.

12 The State Board of Education shall provide such staff
13 assistance to the Education Funding Advisory Board as is
14 reasonably required for the proper performance by the Board of
15 its responsibilities.

16 For school years after the 2000-2001 school year, the
17 Education Funding Advisory Board, in consultation with the
18 State Board of Education, shall make recommendations as
19 provided in this subsection (M) to the General Assembly for the
20 foundation level under subdivision (B)(3) of this Section and
21 for the supplemental general State aid grant level under
22 subsection (H) of this Section for districts with high
23 concentrations of children from poverty. The recommended
24 foundation level shall be determined based on a methodology
25 which incorporates the basic education expenditures of
26 low-spending schools exhibiting high academic performance. The

1 Education Funding Advisory Board shall make such
2 recommendations to the General Assembly on January 1 of odd
3 numbered years, beginning January 1, 2001.

4 (N) (Blank).

5 (O) References.

6 (1) References in other laws to the various subdivisions of
7 Section 18-8 as that Section existed before its repeal and
8 replacement by this Section 18-8.05 shall be deemed to refer to
9 the corresponding provisions of this Section 18-8.05, to the
10 extent that those references remain applicable.

11 (2) References in other laws to State Chapter 1 funds shall
12 be deemed to refer to the supplemental general State aid
13 provided under subsection (H) of this Section.

14 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
15 changes to this Section. Under Section 6 of the Statute on
16 Statutes there is an irreconcilable conflict between Public Act
17 93-808 and Public Act 93-838. Public Act 93-838, being the last
18 acted upon, is controlling. The text of Public Act 93-838 is
19 the law regardless of the text of Public Act 93-808.

20 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
21 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
22 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
23 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,

1 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff. 11-18-10;
2 revised 11-24-10.)

3 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

4 Sec. 34-18. Powers of the board. The board shall exercise
5 general supervision and jurisdiction over the public education
6 and the public school system of the city, and, except as
7 otherwise provided by this Article, shall have power:

8 1. To make suitable provision for the establishment and
9 maintenance throughout the year or for such portion thereof
10 as it may direct, but for not less than the minimum term
11 required by Section 10-19 of this Code in order to ensure
12 the minimum number of days of actual pupil attendance as
13 required by Section 10-19 ~~9 months~~, of schools of all
14 grades and kinds, including normal schools, high schools,
15 night schools, schools for defectives and delinquents,
16 parental and truant schools, schools for the blind, the
17 deaf and the crippled, schools or classes in manual
18 training, constructural and vocational teaching, domestic
19 arts and physical culture, vocation and extension schools
20 and lecture courses, and all other educational courses and
21 facilities, including establishing, equipping, maintaining
22 and operating playgrounds and recreational programs, when
23 such programs are conducted in, adjacent to, or connected
24 with any public school under the general supervision and
25 jurisdiction of the board; provided that the calendar for

1 the school term and any changes must be submitted to and
2 approved by the State Board of Education before the
3 calendar or changes may take effect, and provided that in
4 allocating funds from year to year for the operation of all
5 attendance centers within the district, the board shall
6 ensure that supplemental general State aid funds are
7 allocated and applied in accordance with Section 18-8 or
8 18-8.05. To admit to such schools without charge foreign
9 exchange students who are participants in an organized
10 exchange student program which is authorized by the board.
11 The board shall permit all students to enroll in
12 apprenticeship programs in trade schools operated by the
13 board, whether those programs are union-sponsored or not.
14 No student shall be refused admission into or be excluded
15 from any course of instruction offered in the common
16 schools by reason of that student's sex. No student shall
17 be denied equal access to physical education and
18 interscholastic athletic programs supported from school
19 district funds or denied participation in comparable
20 physical education and athletic programs solely by reason
21 of the student's sex. Equal access to programs supported
22 from school district funds and comparable programs will be
23 defined in rules promulgated by the State Board of
24 Education in consultation with the Illinois High School
25 Association. Notwithstanding any other provision of this
26 Article, neither the board of education nor any local

1 school council or other school official shall recommend
2 that children with disabilities be placed into regular
3 education classrooms unless those children with
4 disabilities are provided with supplementary services to
5 assist them so that they benefit from the regular classroom
6 instruction and are included on the teacher's regular
7 education class register;

8 2. To furnish lunches to pupils, to make a reasonable
9 charge therefor, and to use school funds for the payment of
10 such expenses as the board may determine are necessary in
11 conducting the school lunch program;

12 3. To co-operate with the circuit court;

13 4. To make arrangements with the public or quasi-public
14 libraries and museums for the use of their facilities by
15 teachers and pupils of the public schools;

16 5. To employ dentists and prescribe their duties for
17 the purpose of treating the pupils in the schools, but
18 accepting such treatment shall be optional with parents or
19 guardians;

20 6. To grant the use of assembly halls and classrooms
21 when not otherwise needed, including light, heat, and
22 attendants, for free public lectures, concerts, and other
23 educational and social interests, free of charge, under
24 such provisions and control as the principal of the
25 affected attendance center may prescribe;

26 7. To apportion the pupils to the several schools;

1 provided that no pupil shall be excluded from or segregated
2 in any such school on account of his color, race, sex, or
3 nationality. The board shall take into consideration the
4 prevention of segregation and the elimination of
5 separation of children in public schools because of color,
6 race, sex, or nationality. Except that children may be
7 committed to or attend parental and social adjustment
8 schools established and maintained either for boys or girls
9 only. All records pertaining to the creation, alteration or
10 revision of attendance areas shall be open to the public.
11 Nothing herein shall limit the board's authority to
12 establish multi-area attendance centers or other student
13 assignment systems for desegregation purposes or
14 otherwise, and to apportion the pupils to the several
15 schools. Furthermore, beginning in school year 1994-95,
16 pursuant to a board plan adopted by October 1, 1993, the
17 board shall offer, commencing on a phased-in basis, the
18 opportunity for families within the school district to
19 apply for enrollment of their children in any attendance
20 center within the school district which does not have
21 selective admission requirements approved by the board.
22 The appropriate geographical area in which such open
23 enrollment may be exercised shall be determined by the
24 board of education. Such children may be admitted to any
25 such attendance center on a space available basis after all
26 children residing within such attendance center's area

1 have been accommodated. If the number of applicants from
2 outside the attendance area exceed the space available,
3 then successful applicants shall be selected by lottery.
4 The board of education's open enrollment plan must include
5 provisions that allow low income students to have access to
6 transportation needed to exercise school choice. Open
7 enrollment shall be in compliance with the provisions of
8 the Consent Decree and Desegregation Plan cited in Section
9 34-1.01;

10 8. To approve programs and policies for providing
11 transportation services to students. Nothing herein shall
12 be construed to permit or empower the State Board of
13 Education to order, mandate, or require busing or other
14 transportation of pupils for the purpose of achieving
15 racial balance in any school;

16 9. Subject to the limitations in this Article, to
17 establish and approve system-wide curriculum objectives
18 and standards, including graduation standards, which
19 reflect the multi-cultural diversity in the city and are
20 consistent with State law, provided that for all purposes
21 of this Article courses or proficiency in American Sign
22 Language shall be deemed to constitute courses or
23 proficiency in a foreign language; and to employ principals
24 and teachers, appointed as provided in this Article, and
25 fix their compensation. The board shall prepare such
26 reports related to minimal competency testing as may be

1 requested by the State Board of Education, and in addition
2 shall monitor and approve special education and bilingual
3 education programs and policies within the district to
4 assure that appropriate services are provided in
5 accordance with applicable State and federal laws to
6 children requiring services and education in those areas;

7 10. To employ non-teaching personnel or utilize
8 volunteer personnel for: (i) non-teaching duties not
9 requiring instructional judgment or evaluation of pupils,
10 including library duties; and (ii) supervising study
11 halls, long distance teaching reception areas used
12 incident to instructional programs transmitted by
13 electronic media such as computers, video, and audio,
14 detention and discipline areas, and school-sponsored
15 extracurricular activities. The board may further utilize
16 volunteer non-certificated personnel or employ
17 non-certificated personnel to assist in the instruction of
18 pupils under the immediate supervision of a teacher holding
19 a valid certificate, directly engaged in teaching subject
20 matter or conducting activities; provided that the teacher
21 shall be continuously aware of the non-certificated
22 persons' activities and shall be able to control or modify
23 them. The general superintendent shall determine
24 qualifications of such personnel and shall prescribe rules
25 for determining the duties and activities to be assigned to
26 such personnel;

1 10.5. To utilize volunteer personnel from a regional
2 School Crisis Assistance Team (S.C.A.T.), created as part
3 of the Safe to Learn Program established pursuant to
4 Section 25 of the Illinois Violence Prevention Act of 1995,
5 to provide assistance to schools in times of violence or
6 other traumatic incidents within a school community by
7 providing crisis intervention services to lessen the
8 effects of emotional trauma on individuals and the
9 community; the School Crisis Assistance Team Steering
10 Committee shall determine the qualifications for
11 volunteers;

12 11. To provide television studio facilities in not to
13 exceed one school building and to provide programs for
14 educational purposes, provided, however, that the board
15 shall not construct, acquire, operate, or maintain a
16 television transmitter; to grant the use of its studio
17 facilities to a licensed television station located in the
18 school district; and to maintain and operate not to exceed
19 one school radio transmitting station and provide programs
20 for educational purposes;

21 12. To offer, if deemed appropriate, outdoor education
22 courses, including field trips within the State of
23 Illinois, or adjacent states, and to use school educational
24 funds for the expense of the said outdoor educational
25 programs, whether within the school district or not;

26 13. During that period of the calendar year not

1 embraced within the regular school term, to provide and
2 conduct courses in subject matters normally embraced in the
3 program of the schools during the regular school term and
4 to give regular school credit for satisfactory completion
5 by the student of such courses as may be approved for
6 credit by the State Board of Education;

7 14. To insure against any loss or liability of the
8 board, the former School Board Nominating Commission,
9 Local School Councils, the Chicago Schools Academic
10 Accountability Council, or the former Subdistrict Councils
11 or of any member, officer, agent or employee thereof,
12 resulting from alleged violations of civil rights arising
13 from incidents occurring on or after September 5, 1967 or
14 from the wrongful or negligent act or omission of any such
15 person whether occurring within or without the school
16 premises, provided the officer, agent or employee was, at
17 the time of the alleged violation of civil rights or
18 wrongful act or omission, acting within the scope of his
19 employment or under direction of the board, the former
20 School Board Nominating Commission, the Chicago Schools
21 Academic Accountability Council, Local School Councils, or
22 the former Subdistrict Councils; and to provide for or
23 participate in insurance plans for its officers and
24 employees, including but not limited to retirement
25 annuities, medical, surgical and hospitalization benefits
26 in such types and amounts as may be determined by the

1 board; provided, however, that the board shall contract for
2 such insurance only with an insurance company authorized to
3 do business in this State. Such insurance may include
4 provision for employees who rely on treatment by prayer or
5 spiritual means alone for healing, in accordance with the
6 tenets and practice of a recognized religious
7 denomination;

8 15. To contract with the corporate authorities of any
9 municipality or the county board of any county, as the case
10 may be, to provide for the regulation of traffic in parking
11 areas of property used for school purposes, in such manner
12 as is provided by Section 11-209 of The Illinois Vehicle
13 Code, approved September 29, 1969, as amended;

14 16. (a) To provide, on an equal basis, access to a high
15 school campus and student directory information to the
16 official recruiting representatives of the armed forces of
17 Illinois and the United States for the purposes of
18 informing students of the educational and career
19 opportunities available in the military if the board has
20 provided such access to persons or groups whose purpose is
21 to acquaint students with educational or occupational
22 opportunities available to them. The board is not required
23 to give greater notice regarding the right of access to
24 recruiting representatives than is given to other persons
25 and groups. In this paragraph 16, "directory information"
26 means a high school student's name, address, and telephone

1 number.

2 (b) If a student or his or her parent or guardian
3 submits a signed, written request to the high school before
4 the end of the student's sophomore year (or if the student
5 is a transfer student, by another time set by the high
6 school) that indicates that the student or his or her
7 parent or guardian does not want the student's directory
8 information to be provided to official recruiting
9 representatives under subsection (a) of this Section, the
10 high school may not provide access to the student's
11 directory information to these recruiting representatives.
12 The high school shall notify its students and their parents
13 or guardians of the provisions of this subsection (b).

14 (c) A high school may require official recruiting
15 representatives of the armed forces of Illinois and the
16 United States to pay a fee for copying and mailing a
17 student's directory information in an amount that is not
18 more than the actual costs incurred by the high school.

19 (d) Information received by an official recruiting
20 representative under this Section may be used only to
21 provide information to students concerning educational and
22 career opportunities available in the military and may not
23 be released to a person who is not involved in recruiting
24 students for the armed forces of Illinois or the United
25 States;

26 17. (a) To sell or market any computer program

1 developed by an employee of the school district, provided
2 that such employee developed the computer program as a
3 direct result of his or her duties with the school district
4 or through the utilization of the school district resources
5 or facilities. The employee who developed the computer
6 program shall be entitled to share in the proceeds of such
7 sale or marketing of the computer program. The distribution
8 of such proceeds between the employee and the school
9 district shall be as agreed upon by the employee and the
10 school district, except that neither the employee nor the
11 school district may receive more than 90% of such proceeds.
12 The negotiation for an employee who is represented by an
13 exclusive bargaining representative may be conducted by
14 such bargaining representative at the employee's request.

15 (b) For the purpose of this paragraph 17:

16 (1) "Computer" means an internally programmed,
17 general purpose digital device capable of
18 automatically accepting data, processing data and
19 supplying the results of the operation.

20 (2) "Computer program" means a series of coded
21 instructions or statements in a form acceptable to a
22 computer, which causes the computer to process data in
23 order to achieve a certain result.

24 (3) "Proceeds" means profits derived from
25 marketing or sale of a product after deducting the
26 expenses of developing and marketing such product;

1 18. To delegate to the general superintendent of
2 schools, by resolution, the authority to approve contracts
3 and expenditures in amounts of \$10,000 or less;

4 19. Upon the written request of an employee, to
5 withhold from the compensation of that employee any dues,
6 payments or contributions payable by such employee to any
7 labor organization as defined in the Illinois Educational
8 Labor Relations Act. Under such arrangement, an amount
9 shall be withheld from each regular payroll period which is
10 equal to the pro rata share of the annual dues plus any
11 payments or contributions, and the board shall transmit
12 such withholdings to the specified labor organization
13 within 10 working days from the time of the withholding;

14 19a. Upon receipt of notice from the comptroller of a
15 municipality with a population of 500,000 or more, a county
16 with a population of 3,000,000 or more, the Cook County
17 Forest Preserve District, the Chicago Park District, the
18 Metropolitan Water Reclamation District, the Chicago
19 Transit Authority, or a housing authority of a municipality
20 with a population of 500,000 or more that a debt is due and
21 owing the municipality, the county, the Cook County Forest
22 Preserve District, the Chicago Park District, the
23 Metropolitan Water Reclamation District, the Chicago
24 Transit Authority, or the housing authority by an employee
25 of the Chicago Board of Education, to withhold, from the
26 compensation of that employee, the amount of the debt that

1 is due and owing and pay the amount withheld to the
2 municipality, the county, the Cook County Forest Preserve
3 District, the Chicago Park District, the Metropolitan
4 Water Reclamation District, the Chicago Transit Authority,
5 or the housing authority; provided, however, that the
6 amount deducted from any one salary or wage payment shall
7 not exceed 25% of the net amount of the payment. Before the
8 Board deducts any amount from any salary or wage of an
9 employee under this paragraph, the municipality, the
10 county, the Cook County Forest Preserve District, the
11 Chicago Park District, the Metropolitan Water Reclamation
12 District, the Chicago Transit Authority, or the housing
13 authority shall certify that (i) the employee has been
14 afforded an opportunity for a hearing to dispute the debt
15 that is due and owing the municipality, the county, the
16 Cook County Forest Preserve District, the Chicago Park
17 District, the Metropolitan Water Reclamation District, the
18 Chicago Transit Authority, or the housing authority and
19 (ii) the employee has received notice of a wage deduction
20 order and has been afforded an opportunity for a hearing to
21 object to the order. For purposes of this paragraph, "net
22 amount" means that part of the salary or wage payment
23 remaining after the deduction of any amounts required by
24 law to be deducted and "debt due and owing" means (i) a
25 specified sum of money owed to the municipality, the
26 county, the Cook County Forest Preserve District, the

1 Chicago Park District, the Metropolitan Water Reclamation
2 District, the Chicago Transit Authority, or the housing
3 authority for services, work, or goods, after the period
4 granted for payment has expired, or (ii) a specified sum of
5 money owed to the municipality, the county, the Cook County
6 Forest Preserve District, the Chicago Park District, the
7 Metropolitan Water Reclamation District, the Chicago
8 Transit Authority, or the housing authority pursuant to a
9 court order or order of an administrative hearing officer
10 after the exhaustion of, or the failure to exhaust,
11 judicial review;

12 20. The board is encouraged to employ a sufficient
13 number of certified school counselors to maintain a
14 student/counselor ratio of 250 to 1 by July 1, 1990. Each
15 counselor shall spend at least 75% of his work time in
16 direct contact with students and shall maintain a record of
17 such time;

18 21. To make available to students vocational and career
19 counseling and to establish 5 special career counseling
20 days for students and parents. On these days
21 representatives of local businesses and industries shall
22 be invited to the school campus and shall inform students
23 of career opportunities available to them in the various
24 businesses and industries. Special consideration shall be
25 given to counseling minority students as to career
26 opportunities available to them in various fields. For the

1 purposes of this paragraph, minority student means a person
2 who is:

3 (a) Black (a person having origins in any of the
4 black racial groups in Africa);

5 (b) Hispanic (a person of Spanish or Portuguese
6 culture with origins in Mexico, South or Central
7 America, or the Caribbean islands, regardless of
8 race);

9 (c) Asian American (a person having origins in any
10 of the original peoples of the Far East, Southeast
11 Asia, the Indian Subcontinent or the Pacific Islands);
12 or

13 (d) American Indian or Alaskan Native (a person
14 having origins in any of the original peoples of North
15 America).

16 Counseling days shall not be in lieu of regular school
17 days;

18 22. To report to the State Board of Education the
19 annual student dropout rate and number of students who
20 graduate from, transfer from or otherwise leave bilingual
21 programs;

22 23. Except as otherwise provided in the Abused and
23 Neglected Child Reporting Act or other applicable State or
24 federal law, to permit school officials to withhold, from
25 any person, information on the whereabouts of any child
26 removed from school premises when the child has been taken

1 into protective custody as a victim of suspected child
2 abuse. School officials shall direct such person to the
3 Department of Children and Family Services, or to the local
4 law enforcement agency if appropriate;

5 24. To develop a policy, based on the current state of
6 existing school facilities, projected enrollment and
7 efficient utilization of available resources, for capital
8 improvement of schools and school buildings within the
9 district, addressing in that policy both the relative
10 priority for major repairs, renovations and additions to
11 school facilities, and the advisability or necessity of
12 building new school facilities or closing existing schools
13 to meet current or projected demographic patterns within
14 the district;

15 25. To make available to the students in every high
16 school attendance center the ability to take all courses
17 necessary to comply with the Board of Higher Education's
18 college entrance criteria effective in 1993;

19 26. To encourage mid-career changes into the teaching
20 profession, whereby qualified professionals become
21 certified teachers, by allowing credit for professional
22 employment in related fields when determining point of
23 entry on teacher pay scale;

24 27. To provide or contract out training programs for
25 administrative personnel and principals with revised or
26 expanded duties pursuant to this Act in order to assure

1 they have the knowledge and skills to perform their duties;

2 28. To establish a fund for the prioritized special
3 needs programs, and to allocate such funds and other lump
4 sum amounts to each attendance center in a manner
5 consistent with the provisions of part 4 of Section 34-2.3.
6 Nothing in this paragraph shall be construed to require any
7 additional appropriations of State funds for this purpose;

8 29. (Blank);

9 30. Notwithstanding any other provision of this Act or
10 any other law to the contrary, to contract with third
11 parties for services otherwise performed by employees,
12 including those in a bargaining unit, and to layoff those
13 employees upon 14 days written notice to the affected
14 employees. Those contracts may be for a period not to
15 exceed 5 years and may be awarded on a system-wide basis.
16 The board may not operate more than 30 contract schools,
17 provided that the board may operate an additional 5
18 contract turnaround schools pursuant to item (5.5) of
19 subsection (d) of Section 34-8.3 of this Code;

20 31. To promulgate rules establishing procedures
21 governing the layoff or reduction in force of employees and
22 the recall of such employees, including, but not limited
23 to, criteria for such layoffs, reductions in force or
24 recall rights of such employees and the weight to be given
25 to any particular criterion. Such criteria shall take into
26 account factors including, but not be limited to,

1 qualifications, certifications, experience, performance
2 ratings or evaluations, and any other factors relating to
3 an employee's job performance;

4 32. To develop a policy to prevent nepotism in the
5 hiring of personnel or the selection of contractors;

6 33. To enter into a partnership agreement, as required
7 by Section 34-3.5 of this Code, and, notwithstanding any
8 other provision of law to the contrary, to promulgate
9 policies, enter into contracts, and take any other action
10 necessary to accomplish the objectives and implement the
11 requirements of that agreement; and

12 34. To establish a Labor Management Council to the
13 board comprised of representatives of the board, the chief
14 executive officer, and those labor organizations that are
15 the exclusive representatives of employees of the board and
16 to promulgate policies and procedures for the operation of
17 the Council.

18 The specifications of the powers herein granted are not to
19 be construed as exclusive but the board shall also exercise all
20 other powers that they may be requisite or proper for the
21 maintenance and the development of a public school system, not
22 inconsistent with the other provisions of this Article or
23 provisions of this Code which apply to all school districts.

24 In addition to the powers herein granted and authorized to
25 be exercised by the board, it shall be the duty of the board to
26 review or to direct independent reviews of special education

1 expenditures and services. The board shall file a report of
2 such review with the General Assembly on or before May 1, 1990.
3 (Source: P.A. 96-105, eff. 7-30-09.)

4 Section 99. Effective date. This Act takes effect July 1,
5 2011."