

1 AN ACT concerning average daily attendance.

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
5 Section 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

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

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the
12 1998-1999 and subsequent school years. The system of general
13 State financial aid provided for in this Section is designed
14 to assure that, through a combination of State financial aid
15 and required local resources, the financial support provided
16 each pupil in Average Daily Attendance equals or exceeds a
17 prescribed per pupil Foundation Level. This formula approach
18 imputes a level of per pupil Available Local Resources and
19 provides for the basis to calculate a per pupil level of
20 general State financial aid that, when added to Available
21 Local Resources, equals or exceeds the Foundation Level. The
22 amount of per pupil general State financial aid for school
23 districts, in general, varies in inverse relation to
24 Available Local Resources. Per pupil amounts are based upon
25 each school district's Average Daily Attendance as that term
26 is defined in this Section.

27 (2) In addition to general State financial aid, school
28 districts with specified levels or concentrations of pupils
29 from low income households are eligible to receive
30 supplemental general State financial aid grants as provided
31 pursuant to subsection (H). The supplemental State aid grants

1 provided for school districts under subsection (H) shall be
2 appropriated for distribution to school districts as part of
3 the same line item in which the general State financial aid
4 of school districts is appropriated under this Section.

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

8 (a) Any school district which fails for any given
9 school year to maintain school as required by law, or to
10 maintain a recognized school is not eligible to file for
11 such school year any claim upon the Common School Fund.
12 In case of nonrecognition of one or more attendance
13 centers in a school district otherwise operating
14 recognized schools, the claim of the district shall be
15 reduced in the proportion which the Average Daily
16 Attendance in the attendance center or centers bear to
17 the Average Daily Attendance in the school district. A
18 "recognized school" means any public school which meets
19 the standards as established for recognition by the State
20 Board of Education. A school district or attendance
21 center not having recognition status at the end of a
22 school term is entitled to receive State aid payments due
23 upon a legal claim which was filed while it was
24 recognized.

25 (b) School district claims filed under this Section
26 are subject to Sections 18-9, 18-10, and 18-12, except as
27 otherwise provided in this Section.

28 (c) If a school district operates a full year
29 school under Section 10-19.1, the general State aid to
30 the school district shall be determined by the State
31 Board of Education in accordance with this Section as
32 near as may be applicable.

33 (d) (Blank).

34 (4) Except as provided in subsections (H) and (L), the

1 board of any district receiving any of the grants provided
2 for in this Section may apply those funds to any fund so
3 received for which that board is authorized to make
4 expenditures by law.

5 School districts are not required to exert a minimum
6 Operating Tax Rate in order to qualify for assistance under
7 this Section.

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

10 (a) "Average Daily Attendance": A count of pupil
11 attendance in school, averaged as provided for in
12 subsection (C) and utilized in deriving per pupil
13 financial support levels.

14 (b) "Available Local Resources": A computation of
15 local financial support, calculated on the basis of
16 Average Daily Attendance and derived as provided pursuant
17 to subsection (D).

18 (c) "Corporate Personal Property Replacement
19 Taxes": Funds paid to local school districts pursuant to
20 "An Act in relation to the abolition of ad valorem
21 personal property tax and the replacement of revenues
22 lost thereby, and amending and repealing certain Acts and
23 parts of Acts in connection therewith", certified August
24 14, 1979, as amended (Public Act 81-1st S.S.-1).

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

28 (e) "Operating Tax Rate": All school district
29 property taxes extended for all purposes, except Bond and
30 Interest, Summer School, Rent, Capital Improvement, and
31 Vocational Education Building purposes.

32 (B) Foundation Level.

33 (1) The Foundation Level is a figure established by the
34 State representing the minimum level of per pupil financial

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

9 (2) For the 1998-1999 school year, the Foundation Level
10 of support is \$4,225. For the 1999-2000 school year, the
11 Foundation Level of support is \$4,325. For the 2000-2001
12 school year, the Foundation Level of support is \$4,425.

13 (3) For the 2001-2002 school year and each school year
14 thereafter, the Foundation Level of support is \$4,425 or such
15 greater amount as may be established by law by the General
16 Assembly.

17 (C) Average Daily Attendance.

18 (1) For purposes of calculating general State aid
19 pursuant to subsection (E), an Average Daily Attendance
20 figure shall be utilized. The Average Daily Attendance
21 figure for formula calculation purposes shall be the monthly
22 average of the actual number of pupils in attendance of each
23 school district, as further averaged for the best 3 months of
24 pupil attendance for each school district. In compiling the
25 figures for the number of pupils in attendance, school
26 districts and the State Board of Education shall, for
27 purposes of general State aid funding, conform attendance
28 figures to the requirements of subsection (F).

29 (2) The Average Daily Attendance figures utilized in
30 subsection (E) shall be the requisite attendance data for the
31 school year immediately preceding the school year for which
32 general State aid is being calculated.

33 (D) Available Local Resources.

1 (1) For purposes of calculating general State aid
2 pursuant to subsection (E), a representation of Available
3 Local Resources per pupil, as that term is defined and
4 determined in this subsection, shall be utilized. Available
5 Local Resources per pupil shall include a calculated dollar
6 amount representing local school district revenues from local
7 property taxes and from Corporate Personal Property
8 Replacement Taxes, expressed on the basis of pupils in
9 Average Daily Attendance.

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

17 (3) For school districts maintaining grades kindergarten
18 through 12, local property tax revenues per pupil shall be
19 calculated as the product of the applicable equalized
20 assessed valuation for the district multiplied by 3.00%, and
21 divided by the district's Average Daily Attendance figure.
22 For school districts maintaining grades kindergarten through
23 8, local property tax revenues per pupil shall be calculated
24 as the product of the applicable equalized assessed valuation
25 for the district multiplied by 2.30%, and divided by the
26 district's Average Daily Attendance figure. For school
27 districts maintaining grades 9 through 12, local property tax
28 revenues per pupil shall be the applicable equalized assessed
29 valuation of the district multiplied by 1.05%, and divided by
30 the district's Average Daily Attendance figure.

31 (4) The Corporate Personal Property Replacement Taxes
32 paid to each school district during the calendar year 2 years
33 before the calendar year in which a school year begins,
34 divided by the Average Daily Attendance figure for that

1 district, shall be added to the local property tax revenues
2 per pupil as derived by the application of the immediately
3 preceding paragraph (3). The sum of these per pupil figures
4 for each school district shall constitute Available Local
5 Resources as that term is utilized in subsection (E) in the
6 calculation of general State aid.

7 (E) Computation of General State Aid.

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

11 (2) For any school district for which Available Local
12 Resources per pupil is less than the product of 0.93 times
13 the Foundation Level, general State aid for that district
14 shall be calculated as an amount equal to the Foundation
15 Level minus Available Local Resources, multiplied by the
16 Average Daily Attendance of the school district.

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

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

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

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

17 (F) Compilation of Average Daily Attendance.

18 (1) Each school district shall, by July 1 of each year,
 19 submit to the State Board of Education, on forms prescribed
 20 by the State Board of Education, attendance figures for the
 21 school year that began in the preceding calendar year. The
 22 attendance information so transmitted shall identify the
 23 average daily attendance figures for each month of the school
 24 year. Beginning with the general State aid claim form for
 25 the 2001-2002 school year, districts shall calculate Average
 26 Daily Attendance as provided in subdivisions (a), (b), and
 27 (c) of this paragraph (1).

28 (a) In districts that do not hold year-round
 29 classes, except--that--any days of attendance in August
 30 shall be added to the month of September and any days of
 31 attendance in June shall be added to the month of May.

32 (b) In districts holding year-round classes, each
 33 month in which students attend classes for more than 20
 34 calendar days shall be counted as a separate month for

1 the purpose of calculating the best 3 months average
2 daily attendance.

3 (c) In districts in which some buildings, but not
4 all, conduct year-round classes, the year-round buildings
5 shall compute Average Daily Attendance as provided in
6 subdivision (b) of this paragraph (1) and the
7 non-year-round buildings shall compute Average Daily
8 Attendance as provided in subdivision (a) of this
9 paragraph (1). These 2 average daily attendance figures
10 shall then be averaged to calculate the Average Daily
11 Attendance for the district.

12 Except as otherwise provided in this Section, days of
13 attendance by pupils shall be counted only for sessions of
14 not less than 5 clock hours of school work per day under
15 direct supervision of: (i) teachers, or (ii) non-teaching
16 personnel or volunteer personnel when engaging in
17 non-teaching duties and supervising in those instances
18 specified in subsection (a) of Section 10-22.34 and paragraph
19 10 of Section 34-18, with pupils of legal school age and in
20 kindergarten and grades 1 through 12.

21 Days of attendance by tuition pupils shall be accredited
22 only to the districts that pay the tuition to a recognized
23 school.

24 (2) Days of attendance by pupils of less than 5 clock
25 hours of school shall be subject to the following provisions
26 in the compilation of Average Daily Attendance.

27 (a) Pupils regularly enrolled in a public school
28 for only a part of the school day may be counted on the
29 basis of 1/6 day for every class hour of instruction of
30 40 minutes or more attended pursuant to such enrollment.

31 (b) Days of attendance may be less than 5 clock
32 hours on the opening and closing of the school term, and
33 upon the first day of pupil attendance, if preceded by a
34 day or days utilized as an institute or teachers'

1 workshop.

2 (c) A session of 4 or more clock hours may be
3 counted as a day of attendance upon certification by the
4 regional superintendent, and approved by the State
5 Superintendent of Education to the extent that the
6 district has been forced to use daily multiple sessions.

7 (d) A session of 3 or more clock hours may be
8 counted as a day of attendance (1) when the remainder of
9 the school day or at least 2 hours in the evening of that
10 day is utilized for an in-service training program for
11 teachers, up to a maximum of 5 days per school year of
12 which a maximum of 4 days of such 5 days may be used for
13 parent-teacher conferences, provided a district conducts
14 an in-service training program for teachers which has
15 been approved by the State Superintendent of Education;
16 or, in lieu of 4 such days, 2 full days may be used, in
17 which event each such day may be counted as a day of
18 attendance; and (2) when days in addition to those
19 provided in item (1) are scheduled by a school pursuant
20 to its school improvement plan adopted under Article 34
21 or its revised or amended school improvement plan adopted
22 under Article 2, provided that (i) such sessions of 3 or
23 more clock hours are scheduled to occur at regular
24 intervals, (ii) the remainder of the school days in which
25 such sessions occur are utilized for in-service training
26 programs or other staff development activities for
27 teachers, and (iii) a sufficient number of minutes of
28 school work under the direct supervision of teachers are
29 added to the school days between such regularly scheduled
30 sessions to accumulate not less than the number of
31 minutes by which such sessions of 3 or more clock hours
32 fall short of 5 clock hours. Any full days used for the
33 purposes of this paragraph shall not be considered for
34 computing average daily attendance. Days scheduled for

1 in-service training programs, staff development
2 activities, or parent-teacher conferences may be
3 scheduled separately for different grade levels and
4 different attendance centers of the district.

5 (e) A session of not less than one clock hour of
6 teaching hospitalized or homebound pupils on-site or by
7 telephone to the classroom may be counted as 1/2 day of
8 attendance, however these pupils must receive 4 or more
9 clock hours of instruction to be counted for a full day
10 of attendance.

11 (f) A session of at least 4 clock hours may be
12 counted as a day of attendance for first grade pupils,
13 and pupils in full day kindergartens, and a session of 2
14 or more hours may be counted as 1/2 day of attendance by
15 pupils in kindergartens which provide only 1/2 day of
16 attendance.

17 (g) For children with disabilities who are below
18 the age of 6 years and who cannot attend 2 or more clock
19 hours because of their disability or immaturity, a
20 session of not less than one clock hour may be counted as
21 1/2 day of attendance; however for such children whose
22 educational needs so require a session of 4 or more clock
23 hours may be counted as a full day of attendance.

24 (h) A recognized kindergarten which provides for
25 only 1/2 day of attendance by each pupil shall not have
26 more than 1/2 day of attendance counted in any one day.
27 However, kindergartens may count 2 1/2 days of attendance
28 in any 5 consecutive school days. When a pupil attends
29 such a kindergarten for 2 half days on any one school
30 day, the pupil shall have the following day as a day
31 absent from school, unless the school district obtains
32 permission in writing from the State Superintendent of
33 Education. Attendance at kindergartens which provide for
34 a full day of attendance by each pupil shall be counted

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

8 (G) Equalized Assessed Valuation Data.

9 (1) For purposes of the calculation of Available Local
10 Resources required pursuant to subsection (D), the State
11 Board of Education shall secure from the Department of
12 Revenue the value as equalized or assessed by the Department
13 of Revenue of all taxable property of every school district,
14 together with (i) the applicable tax rate used in extending
15 taxes for the funds of the district as of September 30 of the
16 previous year and (ii) the limiting rate for all school
17 districts subject to property tax extension limitations as
18 imposed under the Property Tax Extension Limitation Law.

19 This equalized assessed valuation, as adjusted further by
20 the requirements of this subsection, shall be utilized in the
21 calculation of Available Local Resources.

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

24 (a) For the purposes of calculating State aid under
25 this Section, with respect to any part of a school
26 district within a redevelopment project area in respect
27 to which a municipality has adopted tax increment
28 allocation financing pursuant to the Tax Increment
29 Allocation Redevelopment Act, Sections 11-74.4-1 through
30 11-74.4-11 of the Illinois Municipal Code or the
31 Industrial Jobs Recovery Law, Sections 11-74.6-1 through
32 11-74.6-50 of the Illinois Municipal Code, no part of the
33 current equalized assessed valuation of real property
34 located in any such project area which is attributable to

1 an increase above the total initial equalized assessed
2 valuation of such property shall be used as part of the
3 equalized assessed valuation of the district, until such
4 time as all redevelopment project costs have been paid,
5 as provided in Section 11-74.4-8 of the Tax Increment
6 Allocation Redevelopment Act or in Section 11-74.6-35 of
7 the Industrial Jobs Recovery Law. For the purpose of the
8 equalized assessed valuation of the district, the total
9 initial equalized assessed valuation or the current
10 equalized assessed valuation, whichever is lower, shall
11 be used until such time as all redevelopment project
12 costs have been paid.

13 (b) The real property equalized assessed valuation
14 for a school district shall be adjusted by subtracting
15 from the real property value as equalized or assessed by
16 the Department of Revenue for the district an amount
17 computed by dividing the amount of any abatement of taxes
18 under Section 18-170 of the Property Tax Code by 3.00%
19 for a district maintaining grades kindergarten through
20 12, by 2.30% for a district maintaining grades
21 kindergarten through 8, or by 1.05% for a district
22 maintaining grades 9 through 12 and adjusted by an amount
23 computed by dividing the amount of any abatement of taxes
24 under subsection (a) of Section 18-165 of the Property
25 Tax Code by the same percentage rates for district type
26 as specified in this subparagraph (b).

27 (3) For the 1999-2000 school year and each school year
28 thereafter, if a school district meets all of the criteria of
29 this subsection (G)(3), the school district's Available Local
30 Resources shall be calculated under subsection (D) using the
31 district's Extension Limitation Equalized Assessed Valuation
32 as calculated under this subsection (G)(3).

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

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

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

6 "Preceding Tax Year": The property tax levy year
7 immediately preceding the Base Tax Year.

8 "Base Tax Year's Tax Extension": The product of the
9 equalized assessed valuation utilized by the County Clerk
10 in the Base Tax Year multiplied by the limiting rate as
11 calculated by the County Clerk and defined in the
12 Property Tax Extension Limitation Law.

13 "Preceding Tax Year's Tax Extension": The product of
14 the equalized assessed valuation utilized by the County
15 Clerk in the Preceding Tax Year multiplied by the
16 Operating Tax Rate as defined in subsection (A).

17 "Extension Limitation Ratio": A numerical ratio,
18 certified by the County Clerk, in which the numerator is
19 the Base Tax Year's Tax Extension and the denominator is
20 the Preceding Tax Year's Tax Extension.

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

23 If a school district is subject to property tax extension
24 limitations as imposed under the Property Tax Extension
25 Limitation Law, and if the Available Local Resources of that
26 school district as calculated pursuant to subsection (D)
27 using the Base Tax Year are less than the product of 1.75
28 times the Foundation Level for the Budget Year, the State
29 Board of Education shall calculate the Extension Limitation
30 Equalized Assessed Valuation of that district. For the
31 1999-2000 school year, the Extension Limitation Equalized
32 Assessed Valuation of a school district as calculated by the
33 State Board of Education shall be equal to the product of the
34 district's 1996 Equalized Assessed Valuation and the

1 district's Extension Limitation Ratio. For the 2000-2001
2 school year and each school year thereafter, the Extension
3 Limitation Equalized Assessed Valuation of a school district
4 as calculated by the State Board of Education shall be equal
5 to the product of the last calculated Extension Limitation
6 Equalized Assessed Valuation and the district's Extension
7 Limitation Ratio. If the Extension Limitation Equalized
8 Assessed Valuation of a school district as calculated under
9 this subsection (G)(3) is less than the district's equalized
10 assessed valuation as calculated pursuant to subsections
11 (G)(1) and (G)(2), then for purposes of calculating the
12 district's general State aid for the Budget Year pursuant to
13 subsection (E), that Extension Limitation Equalized Assessed
14 Valuation shall be utilized to calculate the district's
15 Available Local Resources under subsection (D).

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

1 the district's Available Local Resources.

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

15 (H) Supplemental General State Aid.

16 (1) In addition to the general State aid a school
17 district is allotted pursuant to subsection (E), qualifying
18 school districts shall receive a grant, paid in conjunction
19 with a district's payments of general State aid, for
20 supplemental general State aid based upon the concentration
21 level of children from low-income households within the
22 school district. Supplemental State aid grants provided for
23 school districts under this subsection shall be appropriated
24 for distribution to school districts as part of the same line
25 item in which the general State financial aid of school
26 districts is appropriated under this Section. For purposes of
27 this subsection, the term "Low-Income Concentration Level"
28 shall be the low-income eligible pupil count from the most
29 recently available federal census divided by the Average
30 Daily Attendance of the school district. If, however, the
31 percentage decrease from the 2 most recent federal censuses
32 in the low-income eligible pupil count of a high school
33 district with fewer than 400 students exceeds by 75% or more
34 the percentage change in the total low-income eligible pupil

1 count of contiguous elementary school districts, whose
2 boundaries are coterminous with the high school district, the
3 high school district's low-income eligible pupil count from
4 the earlier federal census shall be the number used as the
5 low-income eligible pupil count for the high school district,
6 for purposes of this subsection (H).

7 (2) Supplemental general State aid pursuant to this
8 subsection shall be provided as follows:

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

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

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

21 (d) For any school district with a Low Income
22 Concentration Level of 60% or more, the grant for the
23 1998-99 school year shall be \$1,900 multiplied by the low
24 income eligible pupil count.

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

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

33 (3) School districts with an Average Daily Attendance of
34 more than 1,000 and less than 50,000 that qualify for

1 supplemental general State aid pursuant to this subsection
2 shall submit a plan to the State Board of Education prior to
3 October 30 of each year for the use of the funds resulting
4 from this grant of supplemental general State aid for the
5 improvement of instruction in which priority is given to
6 meeting the education needs of disadvantaged children. Such
7 plan shall be submitted in accordance with rules and
8 regulations promulgated by the State Board of Education.

9 (4) School districts with an Average Daily Attendance of
10 50,000 or more that qualify for supplemental general State
11 aid pursuant to this subsection shall be required to
12 distribute from funds available pursuant to this Section, no
13 less than \$261,000,000 in accordance with the following
14 requirements:

15 (a) The required amounts shall be distributed to
16 the attendance centers within the district in proportion
17 to the number of pupils enrolled at each attendance
18 center who are eligible to receive free or reduced-price
19 lunches or breakfasts under the federal Child Nutrition
20 Act of 1966 and under the National School Lunch Act
21 during the immediately preceding school year.

22 (b) The distribution of these portions of
23 supplemental and general State aid among attendance
24 centers according to these requirements shall not be
25 compensated for or contravened by adjustments of the
26 total of other funds appropriated to any attendance
27 centers, and the Board of Education shall utilize funding
28 from one or several sources in order to fully implement
29 this provision annually prior to the opening of school.

30 (c) Each attendance center shall be provided by the
31 school district a distribution of noncategorical funds
32 and other categorical funds to which an attendance center
33 is entitled under law in order that the general State aid
34 and supplemental general State aid provided by

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

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

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

23 (f) Each district subject to the provisions of this
24 subdivision (H)(4) shall submit an acceptable plan to
25 meet the educational needs of disadvantaged children, in
26 compliance with the requirements of this paragraph, to
27 the State Board of Education prior to July 15 of each
28 year. This plan shall be consistent with the decisions of
29 local school councils concerning the school expenditure
30 plans developed in accordance with part 4 of Section
31 34-2.3. The State Board shall approve or reject the plan
32 within 60 days after its submission. If the plan is
33 rejected, the district shall give written notice of
34 intent to modify the plan within 15 days of the

1 notification of rejection and then submit a modified plan
2 within 30 days after the date of the written notice of
3 intent to modify. Districts may amend approved plans
4 pursuant to rules promulgated by the State Board of
5 Education.

6 Upon notification by the State Board of Education
7 that the district has not submitted a plan prior to July
8 15 or a modified plan within the time period specified
9 herein, the State aid funds affected by that plan or
10 modified plan shall be withheld by the State Board of
11 Education until a plan or modified plan is submitted.

12 If the district fails to distribute State aid to
13 attendance centers in accordance with an approved plan,
14 the plan for the following year shall allocate funds, in
15 addition to the funds otherwise required by this
16 subsection, to those attendance centers which were
17 underfunded during the previous year in amounts equal to
18 such underfunding.

19 For purposes of determining compliance with this
20 subsection in relation to the requirements of attendance
21 center funding, each district subject to the provisions
22 of this subsection shall submit as a separate document by
23 December 1 of each year a report of expenditure data for
24 the prior year in addition to any modification of its
25 current plan. If it is determined that there has been a
26 failure to comply with the expenditure provisions of this
27 subsection regarding contravention or supplanting, the
28 State Superintendent of Education shall, within 60 days
29 of receipt of the report, notify the district and any
30 affected local school council. The district shall within
31 45 days of receipt of that notification inform the State
32 Superintendent of Education of the remedial or corrective
33 action to be taken, whether by amendment of the current
34 plan, if feasible, or by adjustment in the plan for the

1 following year. Failure to provide the expenditure
2 report or the notification of remedial or corrective
3 action in a timely manner shall result in a withholding
4 of the affected funds.

5 The State Board of Education shall promulgate rules
6 and regulations to implement the provisions of this
7 subsection. No funds shall be released under this
8 subdivision (H)(4) to any district that has not submitted
9 a plan that has been approved by the State Board of
10 Education.

11 (I) General State Aid for Newly Configured School Districts.

12 (1) For a new school district formed by combining
13 property included totally within 2 or more previously
14 existing school districts, for its first year of existence
15 the general State aid and supplemental general State aid
16 calculated under this Section shall be computed for the new
17 district and for the previously existing districts for which
18 property is totally included within the new district. If the
19 computation on the basis of the previously existing districts
20 is greater, a supplementary payment equal to the difference
21 shall be made for the first 4 years of existence of the new
22 district.

23 (2) For a school district which annexes all of the
24 territory of one or more entire other school districts, for
25 the first year during which the change of boundaries
26 attributable to such annexation becomes effective for all
27 purposes as determined under Section 7-9 or 7A-8, the general
28 State aid and supplemental general State aid calculated under
29 this Section shall be computed for the annexing district as
30 constituted after the annexation and for the annexing and
31 each annexed district as constituted prior to the annexation;
32 and if the computation on the basis of the annexing and
33 annexed districts as constituted prior to the annexation is
34 greater, a supplementary payment equal to the difference

1 shall be made for the first 4 years of existence of the
2 annexing school district as constituted upon such annexation.

3 (3) For 2 or more school districts which annex all of
4 the territory of one or more entire other school districts,
5 and for 2 or more community unit districts which result upon
6 the division (pursuant to petition under Section 11A-2) of
7 one or more other unit school districts into 2 or more parts
8 and which together include all of the parts into which such
9 other unit school district or districts are so divided, for
10 the first year during which the change of boundaries
11 attributable to such annexation or division becomes effective
12 for all purposes as determined under Section 7-9 or 11A-10,
13 as the case may be, the general State aid and supplemental
14 general State aid calculated under this Section shall be
15 computed for each annexing or resulting district as
16 constituted after the annexation or division and for each
17 annexing and annexed district, or for each resulting and
18 divided district, as constituted prior to the annexation or
19 division; and if the aggregate of the general State aid and
20 supplemental general State aid as so computed for the
21 annexing or resulting districts as constituted after the
22 annexation or division is less than the aggregate of the
23 general State aid and supplemental general State aid as so
24 computed for the annexing and annexed districts, or for the
25 resulting and divided districts, as constituted prior to the
26 annexation or division, then a supplementary payment equal to
27 the difference shall be made and allocated between or among
28 the annexing or resulting districts, as constituted upon such
29 annexation or division, for the first 4 years of their
30 existence. The total difference payment shall be allocated
31 between or among the annexing or resulting districts in the
32 same ratio as the pupil enrollment from that portion of the
33 annexed or divided district or districts which is annexed to
34 or included in each such annexing or resulting district bears

1 to the total pupil enrollment from the entire annexed or
2 divided district or districts, as such pupil enrollment is
3 determined for the school year last ending prior to the date
4 when the change of boundaries attributable to the annexation
5 or division becomes effective for all purposes. The amount
6 of the total difference payment and the amount thereof to be
7 allocated to the annexing or resulting districts shall be
8 computed by the State Board of Education on the basis of
9 pupil enrollment and other data which shall be certified to
10 the State Board of Education, on forms which it shall provide
11 for that purpose, by the regional superintendent of schools
12 for each educational service region in which the annexing and
13 annexed districts, or resulting and divided districts are
14 located.

15 (3.5) Claims for financial assistance under this
16 subsection (I) shall not be recomputed except as expressly
17 provided under this Section.

18 (4) Any supplementary payment made under this subsection
19 (I) shall be treated as separate from all other payments made
20 pursuant to this Section.

21 (J) Supplementary Grants in Aid.

22 (1) Notwithstanding any other provisions of this
23 Section, the amount of the aggregate general State aid in
24 combination with supplemental general State aid under this
25 Section for which each school district is eligible shall be
26 no less than the amount of the aggregate general State aid
27 entitlement that was received by the district under Section
28 18-8 (exclusive of amounts received under subsections 5(p)
29 and 5(p-5) of that Section) for the 1997-98 school year,
30 pursuant to the provisions of that Section as it was then in
31 effect. If a school district qualifies to receive a
32 supplementary payment made under this subsection (J), the
33 amount of the aggregate general State aid in combination with
34 supplemental general State aid under this Section which that

1 district is eligible to receive for each school year shall be
2 no less than the amount of the aggregate general State aid
3 entitlement that was received by the district under Section
4 18-8 (exclusive of amounts received under subsections 5(p)
5 and 5(p-5) of that Section) for the 1997-1998 school year,
6 pursuant to the provisions of that Section as it was then in
7 effect.

8 (2) If, as provided in paragraph (1) of this subsection
9 (J), a school district is to receive aggregate general State
10 aid in combination with supplemental general State aid under
11 this Section for the 1998-99 school year and any subsequent
12 school year that in any such school year is less than the
13 amount of the aggregate general State aid entitlement that
14 the district received for the 1997-98 school year, the school
15 district shall also receive, from a separate appropriation
16 made for purposes of this subsection (J), a supplementary
17 payment that is equal to the amount of the difference in the
18 aggregate State aid figures as described in paragraph (1).

19 (3) (Blank).

20 (K) Grants to Laboratory and Alternative Schools.

21 In calculating the amount to be paid to the governing
22 board of a public university that operates a laboratory
23 school under this Section or to any alternative school that
24 is operated by a regional superintendent of schools, the
25 State Board of Education shall require by rule such reporting
26 requirements as it deems necessary.

27 As used in this Section, "laboratory school" means a
28 public school which is created and operated by a public
29 university and approved by the State Board of Education. The
30 governing board of a public university which receives funds
31 from the State Board under this subsection (K) may not
32 increase the number of students enrolled in its laboratory
33 school from a single district, if that district is already
34 sending 50 or more students, except under a mutual agreement

1 between the school board of a student's district of residence
2 and the university which operates the laboratory school. A
3 laboratory school may not have more than 1,000 students,
4 excluding students with disabilities in a special education
5 program.

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

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

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

32 (1) For a school district operating under the financial
33 supervision of an Authority created under Article 34A, the
34 general State aid otherwise payable to that district under

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

11 (2) (Blank).

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

14 (M) Education Funding Advisory Board.

15 The Education Funding Advisory Board, hereinafter in this
16 subsection (M) referred to as the "Board", is hereby created.
17 The Board shall consist of 5 members who are appointed by the
18 Governor, by and with the advice and consent of the Senate.
19 The members appointed shall include representatives of
20 education, business, and the general public. One of the
21 members so appointed shall be designated by the Governor at
22 the time the appointment is made as the chairperson of the
23 Board. The initial members of the Board may be appointed any
24 time after the effective date of this amendatory Act of 1997.
25 The regular term of each member of the Board shall be for 4
26 years from the third Monday of January of the year in which
27 the term of the member's appointment is to commence, except
28 that of the 5 initial members appointed to serve on the
29 Board, the member who is appointed as the chairperson shall
30 serve for a term that commences on the date of his or her
31 appointment and expires on the third Monday of January, 2002,
32 and the remaining 4 members, by lots drawn at the first
33 meeting of the Board that is held after all 5 members are
34 appointed, shall determine 2 of their number to serve for

1 terms that commence on the date of their respective
2 appointments and expire on the third Monday of January, 2001,
3 and 2 of their number to serve for terms that commence on the
4 date of their respective appointments and expire on the third
5 Monday of January, 2000. All members appointed to serve on
6 the Board shall serve until their respective successors are
7 appointed and confirmed. Vacancies shall be filled in the
8 same manner as original appointments. If a vacancy in
9 membership occurs at a time when the Senate is not in
10 session, the Governor shall make a temporary appointment
11 until the next meeting of the Senate, when he or she shall
12 appoint, by and with the advice and consent of the Senate, a
13 person to fill that membership for the unexpired term. If
14 the Senate is not in session when the initial appointments
15 are made, those appointments shall be made as in the case of
16 vacancies.

17 The Education Funding Advisory Board shall be deemed
18 established, and the initial members appointed by the
19 Governor to serve as members of the Board shall take office,
20 on the date that the Governor makes his or her appointment of
21 the fifth initial member of the Board, whether those initial
22 members are then serving pursuant to appointment and
23 confirmation or pursuant to temporary appointments that are
24 made by the Governor as in the case of vacancies.

25 The State Board of Education shall provide such staff
26 assistance to the Education Funding Advisory Board as is
27 reasonably required for the proper performance by the Board
28 of its responsibilities.

29 For school years after the 2000-2001 school year, the
30 Education Funding Advisory Board, in consultation with the
31 State Board of Education, shall make recommendations as
32 provided in this subsection (M) to the General Assembly for
33 the foundation level under subdivision (B)(3) of this Section
34 and for the supplemental general State aid grant level under

1 subsection (H) of this Section for districts with high
2 concentrations of children from poverty. The recommended
3 foundation level shall be determined based on a methodology
4 which incorporates the basic education expenditures of
5 low-spending schools exhibiting high academic performance.
6 The Education Funding Advisory Board shall make such
7 recommendations to the General Assembly on January 1 of odd
8 numbered years, beginning January 1, 2001.

9 (N) (Blank).

10 (O) References.

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

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

19 (Source: P.A. 90-548, eff. 7-1-98; incorporates 90-566;
20 90-653, eff. 7-29-98; 90-654, eff. 7-29-98; 90-655, eff.
21 7-30-98; 90-802, eff. 12-15-98; 90-815, eff. 2-11-99; 91-24,
22 eff. 7-1-99; 91-93, eff. 7-9-99; 91-96, eff. 7-9-99; 91-111,
23 eff. 7-14-99; 91-357, eff. 7-29-99; 91-533, eff. 8-13-99;
24 revised 8-27-99.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.