

1                                    AMENDMENT TO SENATE BILL 1524

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1524 by replacing  
3 everything after the enacting clause with the following:

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

1 amount of per pupil general State financial aid for school  
2 districts, in general, varies in inverse relation to  
3 Available Local Resources. Per pupil amounts are based upon  
4 each school district's Average Daily Attendance as that term  
5 is defined in this Section.

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

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

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

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

4           (c) If a school district operates a full year  
5 school under Section 10-19.1, the general State aid to  
6 the school district shall be determined by the State  
7 Board of Education in accordance with this Section as  
8 near as may be applicable.

9           (d) (Blank).

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

15          School districts are not required to exert a minimum  
16 Operating Tax Rate in order to qualify for assistance under  
17 this Section.

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

20           (a) "Average Daily Attendance": A count of pupil  
21 attendance in school, averaged as provided for in  
22 subsection (C) and utilized in deriving per pupil  
23 financial support levels.

24           (b) "Available Local Resources": A computation of  
25 local financial support, calculated on the basis of  
26 Average Daily Attendance and derived as provided pursuant  
27 to subsection (D).

28           (c) "Corporate Personal Property Replacement  
29 Taxes": Funds paid to local school districts pursuant to  
30 "An Act in relation to the abolition of ad valorem  
31 personal property tax and the replacement of revenues  
32 lost thereby, and amending and repealing certain Acts and  
33 parts of Acts in connection therewith", certified August  
34 14, 1979, as amended (Public Act 81-1st S.S.-1).

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

4 (e) "Operating Tax Rate": All school district  
5 property taxes extended for all purposes, except Bond and  
6 Interest, Summer School, Rent, Capital Improvement, and  
7 Vocational Education Building purposes.

8 (B) Foundation Level.

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

19 (2) For the 1998-1999 school year, the Foundation Level  
20 of support is \$4,225. For the 1999-2000 school year, the  
21 Foundation Level of support is \$4,325. For the 2000-2001  
22 school year, the Foundation Level of support is \$4,425.

23 (3) For the 2001-2002 school year and each school year  
24 thereafter, the Foundation Level of support is \$4,560 or such  
25 greater amount as may be established by law by the General  
26 Assembly.

27 (C) Average Daily Attendance.

28 (1) For purposes of calculating general State aid  
29 pursuant to subsection (E), an Average Daily Attendance  
30 figure shall be utilized. The Average Daily Attendance  
31 figure for formula calculation purposes shall be the monthly  
32 average of the actual number of pupils in attendance of each  
33 school district, as further averaged for the best 3 months of

1 pupil attendance for each school district. In compiling the  
2 figures for the number of pupils in attendance, school  
3 districts and the State Board of Education shall, for  
4 purposes of general State aid funding, conform attendance  
5 figures to the requirements of subsection (F).

6 (2) The Average Daily Attendance figures utilized in  
7 subsection (E) shall be the requisite attendance data for the  
8 school year immediately preceding the school year for which  
9 general State aid is being calculated or the average of the  
10 attendance data for the 3 preceding school years, whichever  
11 is greater. The Average Daily Attendance figures utilized in  
12 subsection (H) shall be the requisite attendance data for the  
13 school year immediately preceding the school year for which  
14 general State aid is being calculated.

15 (D) Available Local Resources.

16 (1) For purposes of calculating general State aid  
17 pursuant to subsection (E), a representation of Available  
18 Local Resources per pupil, as that term is defined and  
19 determined in this subsection, shall be utilized. Available  
20 Local Resources per pupil shall include a calculated dollar  
21 amount representing local school district revenues from local  
22 property taxes and from Corporate Personal Property  
23 Replacement Taxes, expressed on the basis of pupils in  
24 Average Daily Attendance.

25 (2) In determining a school district's revenue from  
26 local property taxes, the State Board of Education shall  
27 utilize the equalized assessed valuation of all taxable  
28 property of each school district as of September 30 of the  
29 previous year. The equalized assessed valuation utilized  
30 shall be obtained and determined as provided in subsection  
31 (G).

32 (3) For school districts maintaining grades kindergarten  
33 through 12, local property tax revenues per pupil shall be  
34 calculated as the product of the applicable equalized

1 assessed valuation for the district multiplied by 3.00%, and  
2 divided by the district's Average Daily Attendance figure.  
3 For school districts maintaining grades kindergarten through  
4 8, local property tax revenues per pupil shall be calculated  
5 as the product of the applicable equalized assessed valuation  
6 for the district multiplied by 2.30%, and divided by the  
7 district's Average Daily Attendance figure. For school  
8 districts maintaining grades 9 through 12, local property tax  
9 revenues per pupil shall be the applicable equalized assessed  
10 valuation of the district multiplied by 1.05%, and divided by  
11 the district's Average Daily Attendance figure.

12 (4) The Corporate Personal Property Replacement Taxes  
13 paid to each school district during the calendar year 2 years  
14 before the calendar year in which a school year begins,  
15 divided by the Average Daily Attendance figure for that  
16 district, shall be added to the local property tax revenues  
17 per pupil as derived by the application of the immediately  
18 preceding paragraph (3). The sum of these per pupil figures  
19 for each school district shall constitute Available Local  
20 Resources as that term is utilized in subsection (E) in the  
21 calculation of general State aid.

22 (E) Computation of General State Aid.

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

26 (2) For any school district for which Available Local  
27 Resources per pupil is less than the product of 0.93 times  
28 the Foundation Level, general State aid for that district  
29 shall be calculated as an amount equal to the Foundation  
30 Level minus Available Local Resources, multiplied by the  
31 Average Daily Attendance of the school district.

32 (3) For any school district for which Available Local  
33 Resources per pupil is equal to or greater than the product  
34 of 0.93 times the Foundation Level and less than the product

1 of 1.75 times the Foundation Level, the general State aid per  
2 pupil shall be a decimal proportion of the Foundation Level  
3 derived using a linear algorithm. Under this linear  
4 algorithm, the calculated general State aid per pupil shall  
5 decline in direct linear fashion from 0.07 times the  
6 Foundation Level for a school district with Available Local  
7 Resources equal to the product of 0.93 times the Foundation  
8 Level, to 0.05 times the Foundation Level for a school  
9 district with Available Local Resources equal to the product  
10 of 1.75 times the Foundation Level. The allocation of  
11 general State aid for school districts subject to this  
12 paragraph 3 shall be the calculated general State aid per  
13 pupil figure multiplied by the Average Daily Attendance of  
14 the school district.

15 (4) For any school district for which Available Local  
16 Resources per pupil equals or exceeds the product of 1.75  
17 times the Foundation Level, the general State aid for the  
18 school district shall be calculated as the product of \$218  
19 multiplied by the Average Daily Attendance of the school  
20 district.

21 (5) The amount of general State aid allocated to a  
22 school district for the 1999-2000 school year meeting the  
23 requirements set forth in paragraph (4) of subsection (G)  
24 shall be increased by an amount equal to the general State  
25 aid that would have been received by the district for the  
26 1998-1999 school year by utilizing the Extension Limitation  
27 Equalized Assessed Valuation as calculated in paragraph (4)  
28 of subsection (G) less the general State aid allotted for the  
29 1998-1999 school year. This amount shall be deemed a one  
30 time increase, and shall not affect any future general State  
31 aid allocations.

32 (F) Compilation of Average Daily Attendance.

33 (1) Each school district shall, by July 1 of each year,  
34 submit to the State Board of Education, on forms prescribed

1 by the State Board of Education, attendance figures for the  
2 school year that began in the preceding calendar year. The  
3 attendance information so transmitted shall identify the  
4 average daily attendance figures for each month of the school  
5 year. Beginning with the general State aid claim form for  
6 the 2002-2003 school year, districts shall calculate Average  
7 Daily Attendance as provided in subdivisions (a), (b), and  
8 (c) of this paragraph (1).

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

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

17 (c) In districts in which some buildings, but not  
18 all, hold year-round classes, for the non-year-round  
19 buildings, days of attendance in August shall be added to  
20 the month of September and any days of attendance in June  
21 shall be added to the month of May. The average daily  
22 attendance for the year-round buildings shall be computed  
23 as provided in subdivision (b) of this paragraph (1). To  
24 calculate the Average Daily Attendance for the district,  
25 the average daily attendance for the year-round buildings  
26 shall be multiplied by the days in session for the  
27 non-year-round buildings for each month and added to the  
28 monthly attendance of the non-year-round buildings.

29 Except as otherwise provided in this Section, days of  
30 attendance by pupils shall be counted only for sessions of  
31 not less than 5 clock hours of school work per day under  
32 direct supervision of: (i) teachers, or (ii) non-teaching  
33 personnel or volunteer personnel when engaging in  
34 non-teaching duties and supervising in those instances



1 specified in subsection (a) of Section 10-22.34 and paragraph  
2 10 of Section 34-18, with pupils of legal school age and in  
3 kindergarten and grades 1 through 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 5 clock  
8 hours of school shall be subject to the following provisions  
9 in the compilation of Average Daily Attendance.

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

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

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

30 (d) A session of 3 or more clock hours may be  
31 counted as a day of attendance (1) when the remainder of  
32 the school day or at least 2 hours in the evening of that  
33 day is utilized for an in-service training program for  
34 teachers, up to a maximum of 5 days per school year of

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

28 (e) A session of not less than one clock hour of  
29 teaching hospitalized or homebound pupils on-site or by  
30 telephone to the classroom may be counted as 1/2 day of  
31 attendance, however these pupils must receive 4 or more  
32 clock hours of instruction to be counted for a full day  
33 of attendance.

34 (f) A session of at least 4 clock hours may be

1 counted as a day of attendance for first grade pupils,  
2 and pupils in full day kindergartens, and a session of 2  
3 or more hours may be counted as 1/2 day of attendance by  
4 pupils in kindergartens which provide only 1/2 day of  
5 attendance.

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

13 (h) A recognized kindergarten which provides for  
14 only 1/2 day of attendance by each pupil shall not have  
15 more than 1/2 day of attendance counted in any one day.  
16 However, kindergartens may count 2 1/2 days of attendance  
17 in any 5 consecutive school days. When a pupil attends  
18 such a kindergarten for 2 half days on any one school  
19 day, the pupil shall have the following day as a day  
20 absent from school, unless the school district obtains  
21 permission in writing from the State Superintendent of  
22 Education. Attendance at kindergartens which provide for  
23 a full day of attendance by each pupil shall be counted  
24 the same as attendance by first grade pupils. Only the  
25 first year of attendance in one kindergarten shall be  
26 counted, except in case of children who entered the  
27 kindergarten in their fifth year whose educational  
28 development requires a second year of kindergarten as  
29 determined under the rules and regulations of the State  
30 Board of Education.

31 (G) Equalized Assessed Valuation Data.

32 (1) For purposes of the calculation of Available Local  
33 Resources required pursuant to subsection (D), the State  
34 Board of Education shall secure from the Department of

1 Revenue the value as equalized or assessed by the Department  
2 of Revenue of all taxable property of every school district,  
3 together with (i) the applicable tax rate used in extending  
4 taxes for the funds of the district as of September 30 of the  
5 previous year and (ii) the limiting rate for all school  
6 districts subject to property tax extension limitations as  
7 imposed under the Property Tax Extension Limitation Law.

8 This equalized assessed valuation, as adjusted further by  
9 the requirements of this subsection, shall be utilized in the  
10 calculation of Available Local Resources.

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

13 (a) For the purposes of calculating State aid under  
14 this Section, with respect to any part of a school  
15 district within a redevelopment project area in respect  
16 to which a municipality has adopted tax increment  
17 allocation financing pursuant to the Tax Increment  
18 Allocation Redevelopment Act, Sections 11-74.4-1 through  
19 11-74.4-11 of the Illinois Municipal Code or the  
20 Industrial Jobs Recovery Law, Sections 11-74.6-1 through  
21 11-74.6-50 of the Illinois Municipal Code, no part of the  
22 current equalized assessed valuation of real property  
23 located in any such project area which is attributable to  
24 an increase above the total initial equalized assessed  
25 valuation of such property shall be used as part of the  
26 equalized assessed valuation of the district, until such  
27 time as all redevelopment project costs have been paid,  
28 as provided in Section 11-74.4-8 of the Tax Increment  
29 Allocation Redevelopment Act or in Section 11-74.6-35 of  
30 the Industrial Jobs Recovery Law. For the purpose of the  
31 equalized assessed valuation of the district, the total  
32 initial equalized assessed valuation or the current  
33 equalized assessed valuation, whichever is lower, shall  
34 be used until such time as all redevelopment project

1 costs have been paid.

2 (b) The real property equalized assessed valuation  
3 for a school district shall be adjusted by subtracting  
4 from the real property value as equalized or assessed by  
5 the Department of Revenue for the district an amount  
6 computed by dividing the amount of any abatement of taxes  
7 under Section 18-170 of the Property Tax Code by 3.00%  
8 for a district maintaining grades kindergarten through  
9 12, by 2.30% for a district maintaining grades  
10 kindergarten through 8, or by 1.05% for a district  
11 maintaining grades 9 through 12 and adjusted by an amount  
12 computed by dividing the amount of any abatement of taxes  
13 under subsection (a) of Section 18-165 of the Property  
14 Tax Code by the same percentage rates for district type  
15 as specified in this subparagraph (b).

16 (3) For the 1999-2000 school year and each school year  
17 thereafter, if a school district meets all of the criteria of  
18 this subsection (G)(3), the school district's Available Local  
19 Resources shall be calculated under subsection (D) using the  
20 district's Extension Limitation Equalized Assessed Valuation  
21 as calculated under this subsection (G)(3).

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

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

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

29 "Preceding Tax Year": The property tax levy year  
30 immediately preceding the Base Tax Year.

31 "Base Tax Year's Tax Extension": The product of the  
32 equalized assessed valuation utilized by the County Clerk  
33 in the Base Tax Year multiplied by the limiting rate as  
34 calculated by the County Clerk and defined in the

1 Property Tax Extension Limitation Law.

2 "Preceding Tax Year's Tax Extension": The product of  
3 the equalized assessed valuation utilized by the County  
4 Clerk in the Preceding Tax Year multiplied by the  
5 Operating Tax Rate as defined in subsection (A).

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

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

12 If a school district is subject to property tax extension  
13 limitations as imposed under the Property Tax Extension  
14 Limitation Law, the State Board of Education shall calculate  
15 the Extension Limitation Equalized Assessed Valuation of that  
16 district. For the 1999-2000 school year, the Extension  
17 Limitation Equalized Assessed Valuation of a school district  
18 as calculated by the State Board of Education shall be equal  
19 to the product of the district's 1996 Equalized Assessed  
20 Valuation and the district's Extension Limitation Ratio. For  
21 the 2000-2001 school year and each school year thereafter,  
22 the Extension Limitation Equalized Assessed Valuation of a  
23 school district as calculated by the State Board of Education  
24 shall be equal to the product of the Equalized Assessed  
25 Valuation last used in the calculation of general State aid  
26 and the district's Extension Limitation Ratio. If the  
27 Extension Limitation Equalized Assessed Valuation of a school  
28 district as calculated under this subsection (G)(3) is less  
29 than the district's equalized assessed valuation as  
30 calculated pursuant to subsections (G)(1) and (G)(2), then  
31 for purposes of calculating the district's general State aid  
32 for the Budget Year pursuant to subsection (E), that  
33 Extension Limitation Equalized Assessed Valuation shall be  
34 utilized to calculate the district's Available Local

1 Resources under subsection (D).

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

22 (5) For school districts having a majority of their  
23 equalized assessed valuation in any county except Cook,  
24 DuPage, Kane, Lake, McHenry, or Will, if the amount of  
25 general State aid allocated to the school district for the  
26 1999-2000 school year under the provisions of subsection (E),  
27 (H), and (J) of this Section is less than the amount of  
28 general State aid allocated to the district for the 1998-1999  
29 school year under these subsections, then the general State  
30 aid of the district for the 1999-2000 school year only shall  
31 be increased by the difference between these amounts. The  
32 total payments made under this paragraph (5) shall not exceed  
33 \$14,000,000. Claims shall be prorated if they exceed  
34 \$14,000,000.

1 (H) Supplemental General State Aid.

2 (1) In addition to the general State aid a school  
3 district is allotted pursuant to subsection (E), qualifying  
4 school districts shall receive a grant, paid in conjunction  
5 with a district's payments of general State aid, for  
6 supplemental general State aid based upon the concentration  
7 level of children from low-income households within the  
8 school district. Supplemental State aid grants provided for  
9 school districts under this subsection shall be appropriated  
10 for distribution to school districts as part of the same line  
11 item in which the general State financial aid of school  
12 districts is appropriated under this Section. For purposes of  
13 this subsection, the term "Low-Income Concentration Level"  
14 shall be the low-income eligible pupil count from the most  
15 recently available federal census divided by the Average  
16 Daily Attendance of the school district. If, however, (i) the  
17 percentage decrease from the 2 most recent federal censuses  
18 in the low-income eligible pupil count of a high school  
19 district with fewer than 400 students exceeds by 75% or more  
20 the percentage change in the total low-income eligible pupil  
21 count of contiguous elementary school districts, whose  
22 boundaries are coterminous with the high school district, or  
23 (ii) a high school district within 2 counties and serving 5  
24 elementary school districts, whose boundaries are coterminous  
25 with the high school district, has a percentage decrease from  
26 the 2 most recent federal censuses in the low-income eligible  
27 pupil count and there is a percentage increase in the total  
28 low-income eligible pupil count of a majority of the  
29 elementary school districts in excess of 50% from the 2 most  
30 recent federal censuses, then the high school district's  
31 low-income eligible pupil count from the earlier federal  
32 census shall be the number used as the low-income eligible  
33 pupil count for the high school district, for purposes of  
34 this subsection (H). The changes made to this paragraph (1)



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

13 (2) Supplemental general State aid pursuant to this  
 14 subsection (H) shall be provided as follows for the  
 15 1998-1999, 1999-2000, and 2000-2001 school years only:

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

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

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

28 (d) For any school district with a Low Income  
 29 Concentration Level of 60% or more, the grant for the  
 30 1998-99 school year shall be \$1,900 multiplied by the low  
 31 income eligible pupil count.

32 (e) For the 1999-2000 school year, the per pupil  
 33 amount specified in subparagraphs (b), (c), and (d)  
 34 immediately above shall be increased to \$1,243, \$1,600,

1 and \$2,000, respectively.

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

6 (2.5) Supplemental general State aid pursuant to this  
7 subsection (H) shall be provided as follows for the 2001-2002  
8 school year and each school year thereafter:

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

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

17 (c) For any school district with a Low Income  
18 Concentration Level of at least 20% and less than 35%,  
19 the grant for each school year shall be \$1,190 multiplied  
20 by the low income eligible pupil count.

21 (d) For any school district with a Low Income  
22 Concentration Level of at least 35% and less than 50%,  
23 the grant for each school year shall be \$1,333 multiplied  
24 by the low income eligible pupil count.

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

29 (f) For any school district with a Low Income  
30 Concentration Level of 60% or more, the grant for each  
31 school year shall be \$2,080 multiplied by the low income  
32 eligible pupil count.

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 not  
21 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. 91-24, eff. 7-1-99; 91-93, eff. 7-9-99; 91-96,  
20 eff. 7-9-99; 91-111, eff. 7-14-99; 91-357, eff. 7-29-99;  
21 91-533, eff. 8-13-99; 92-7, eff. 6-29-01; 92-16, eff.  
22 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff.  
23 8-7-01; revised 8-7-01.)

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