



Sen. Thomas Cullerton

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10100SB1838sam001

LRB101 10235 AXK 59319 a

1 AMENDMENT TO SENATE BILL 1838

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1838 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be referred to as the  
5 Classrooms First Act.

6 Section 5. The School Code is amended by changing 11E-135  
7 and by adding Section 11E-140 as follows:

8 (105 ILCS 5/11E-135)

9 Sec. 11E-135. Incentives. Except as provided under Section  
10 11E-140, for ~~For~~ districts reorganizing under this Article and  
11 for a district or districts that annex all of the territory of  
12 one or more entire other school districts in accordance with  
13 Article 7 of this Code, the following payments shall be made  
14 from appropriations made for these purposes:

15 (a)(1) For a combined school district, as defined in

1 Section 11E-20 of this Code, or for a unit district, as defined  
2 in Section 11E-25 of this Code, for its first year of  
3 existence, the general State aid and supplemental general State  
4 aid calculated under Section 18-8.05 of this Code or the  
5 evidence-based funding calculated under Section 18-8.15 of  
6 this Code, as applicable, shall be computed for the new  
7 district and for the previously existing districts for which  
8 property is totally included within the new district. If the  
9 computation on the basis of the previously existing districts  
10 is greater, a supplementary payment equal to the difference  
11 shall be made for the first 4 years of existence of the new  
12 district.

13 (2) For a school district that annexes all of the territory  
14 of one or more entire other school districts as defined in  
15 Article 7 of this Code, for the first year during which the  
16 change of boundaries attributable to the annexation becomes  
17 effective for all purposes, as determined under Section 7-9 of  
18 this Code, the general State aid and supplemental general State  
19 aid calculated under Section 18-8.05 of this Code or the  
20 evidence-based funding calculated under Section 18-8.15 of  
21 this Code, as applicable, shall be computed for the annexing  
22 district as constituted after the annexation and for the  
23 annexing and each annexed district as constituted prior to the  
24 annexation; and if the computation on the basis of the annexing  
25 and annexed districts as constituted prior to the annexation is  
26 greater, then 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 the annexation.

3 (3) For 2 or more school districts that annex all of the  
4 territory of one or more entire other school districts, as  
5 defined in Article 7 of this Code, for the first year during  
6 which the change of boundaries attributable to the annexation  
7 becomes effective for all purposes, as determined under Section  
8 7-9 of this Code, the general State aid and supplemental  
9 general State aid calculated under Section 18-8.05 of this Code  
10 or the evidence-based funding calculated under Section 18-8.15  
11 of this Code, as applicable, shall be computed for each  
12 annexing district as constituted after the annexation and for  
13 each annexing and annexed district as constituted prior to the  
14 annexation; and if the aggregate of the general State aid and  
15 supplemental general State aid or evidence-based funding, as  
16 applicable, as so computed for the annexing districts as  
17 constituted after the annexation is less than the aggregate of  
18 the general State aid and supplemental general State aid or  
19 evidence-based funding, as applicable, as so computed for the  
20 annexing and annexed districts, as constituted prior to the  
21 annexation, then a supplementary payment equal to the  
22 difference shall be made and allocated between or among the  
23 annexing districts, as constituted upon the annexation, for the  
24 first 4 years of their existence. The total difference payment  
25 shall be allocated between or among the annexing districts in  
26 the same ratio as the pupil enrollment from that portion of the

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

14 (4) For a school district conversion, as defined in Section  
15 11E-15 of this Code, or a multi-unit conversion, as defined in  
16 subsection (b) of Section 11E-30 of this Code, if in their  
17 first year of existence the newly created elementary districts  
18 and the newly created high school district, from a school  
19 district conversion, or the newly created elementary district  
20 or districts and newly created combined high school - unit  
21 district, from a multi-unit conversion, qualify for less  
22 general State aid under Section 18-8.05 of this Code or  
23 evidence-based funding under Section 18-8.15 of this Code than  
24 would have been payable under Section 18-8.05 or 18-8.15, as  
25 applicable, for that same year to the previously existing  
26 districts, then a supplementary payment equal to that

1 difference shall be made for the first 4 years of existence of  
2 the newly created districts. The aggregate amount of each  
3 supplementary payment shall be allocated among the newly  
4 created districts in the proportion that the deemed pupil  
5 enrollment in each district during its first year of existence  
6 bears to the actual aggregate pupil enrollment in all of the  
7 districts during their first year of existence. For purposes of  
8 each allocation:

9 (A) the deemed pupil enrollment of the newly created  
10 high school district from a school district conversion  
11 shall be an amount equal to its actual pupil enrollment for  
12 its first year of existence multiplied by 1.25;

13 (B) the deemed pupil enrollment of each newly created  
14 elementary district from a school district conversion  
15 shall be an amount equal to its actual pupil enrollment for  
16 its first year of existence reduced by an amount equal to  
17 the product obtained when the amount by which the newly  
18 created high school district's deemed pupil enrollment  
19 exceeds its actual pupil enrollment for its first year of  
20 existence is multiplied by a fraction, the numerator of  
21 which is the actual pupil enrollment of the newly created  
22 elementary district for its first year of existence and the  
23 denominator of which is the actual aggregate pupil  
24 enrollment of all of the newly created elementary districts  
25 for their first year of existence;

26 (C) the deemed high school pupil enrollment of the

1 newly created combined high school - unit district from a  
2 multi-unit conversion shall be an amount equal to its  
3 actual grades 9 through 12 pupil enrollment for its first  
4 year of existence multiplied by 1.25; and

5 (D) the deemed elementary pupil enrollment of each  
6 newly created district from a multi-unit conversion shall  
7 be an amount equal to each district's actual grade K  
8 through 8 pupil enrollment for its first year of existence,  
9 reduced by an amount equal to the product obtained when the  
10 amount by which the newly created combined high school -  
11 unit district's deemed high school pupil enrollment  
12 exceeds its actual grade 9 through 12 pupil enrollment for  
13 its first year of existence is multiplied by a fraction,  
14 the numerator of which is the actual grade K through 8  
15 pupil enrollment of each newly created district for its  
16 first year of existence and the denominator of which is the  
17 actual aggregate grade K through 8 pupil enrollment of all  
18 such newly created districts for their first year of  
19 existence.

20 The aggregate amount of each supplementary payment under  
21 this subdivision (4) and the amount thereof to be allocated to  
22 the newly created districts shall be computed by the State  
23 Board of Education on the basis of pupil enrollment and other  
24 data, which shall be certified to the State Board of Education,  
25 on forms that it shall provide for that purpose, by the  
26 regional superintendent of schools for each educational

1 service region in which the newly created districts are  
2 located.

3 (5) For a partial elementary unit district, as defined in  
4 subsection (a) or (c) of Section 11E-30 of this Code, if, in  
5 the first year of existence, the newly created partial  
6 elementary unit district qualifies for less general State aid  
7 and supplemental general State aid under Section 18-8.05 of  
8 this Code or less evidence-based funding under Section 18-8.15  
9 of this Code, as applicable, than would have been payable under  
10 those Sections for that same year to the previously existing  
11 districts that formed the partial elementary unit district,  
12 then a supplementary payment equal to that difference shall be  
13 made to the partial elementary unit district for the first 4  
14 years of existence of that newly created district.

15 (6) For an elementary opt-in, as described in subsection  
16 (d) of Section 11E-30 of this Code, the general State aid or  
17 evidence-based funding difference shall be computed in  
18 accordance with paragraph (5) of this subsection (a) as if the  
19 elementary opt-in was included in an optional elementary unit  
20 district at the optional elementary unit district's original  
21 effective date. If the calculation in this paragraph (6) is  
22 less than that calculated in paragraph (5) of this subsection  
23 (a) at the optional elementary unit district's original  
24 effective date, then no adjustments may be made. If the  
25 calculation in this paragraph (6) is more than that calculated  
26 in paragraph (5) of this subsection (a) at the optional

1 elementary unit district's original effective date, then the  
2 excess must be paid as follows:

3 (A) If the effective date for the elementary opt-in is  
4 one year after the effective date for the optional  
5 elementary unit district, 100% of the calculated excess  
6 shall be paid to the optional elementary unit district in  
7 each of the first 4 years after the effective date of the  
8 elementary opt-in.

9 (B) If the effective date for the elementary opt-in is  
10 2 years after the effective date for the optional  
11 elementary unit district, 75% of the calculated excess  
12 shall be paid to the optional elementary unit district in  
13 each of the first 4 years after the effective date of the  
14 elementary opt-in.

15 (C) If the effective date for the elementary opt-in is  
16 3 years after the effective date for the optional  
17 elementary unit district, 50% of the calculated excess  
18 shall be paid to the optional elementary unit district in  
19 each of the first 4 years after the effective date of the  
20 elementary opt-in.

21 (D) If the effective date for the elementary opt-in is  
22 4 years after the effective date for the optional  
23 elementary unit district, 25% of the calculated excess  
24 shall be paid to the optional elementary unit district in  
25 each of the first 4 years after the effective date of the  
26 elementary opt-in.



1           (E) If the effective date for the elementary opt-in is  
2           5 years after the effective date for the optional  
3           elementary unit district, the optional elementary unit  
4           district is not eligible for any additional incentives due  
5           to the elementary opt-in.

6           (6.5) For a school district that annexes territory detached  
7           from another school district whereby the enrollment of the  
8           annexing district increases by 90% or more as a result of the  
9           annexation, for the first year during which the change of  
10          boundaries attributable to the annexation becomes effective  
11          for all purposes as determined under Section 7-9 of this Code,  
12          the general State aid and supplemental general State aid or  
13          evidence-based funding, as applicable, calculated under this  
14          Section shall be computed for the district gaining territory  
15          and the district losing territory as constituted after the  
16          annexation and for the same districts as constituted prior to  
17          the annexation; and if the aggregate of the general State aid  
18          and supplemental general State aid or evidence-based funding,  
19          as applicable, as so computed for the district gaining  
20          territory and the district losing territory as constituted  
21          after the annexation is less than the aggregate of the general  
22          State aid and supplemental general State aid or evidence-based  
23          funding, as applicable, as so computed for the district gaining  
24          territory and the district losing territory as constituted  
25          prior to the annexation, then a supplementary payment shall be  
26          made to the annexing district for the first 4 years of

1 existence after the annexation, equal to the difference  
2 multiplied by the ratio of student enrollment in the territory  
3 detached to the total student enrollment in the district losing  
4 territory for the year prior to the effective date of the  
5 annexation. The amount of the total difference and the  
6 proportion paid to the annexing district shall be computed by  
7 the State Board of Education on the basis of pupil enrollment  
8 and other data that must be submitted to the State Board of  
9 Education in accordance with Section 7-14A of this Code. The  
10 changes to this Section made by Public Act 95-707 are intended  
11 to be retroactive and applicable to any annexation taking  
12 effect on or after July 1, 2004. For annexations that are  
13 eligible for payments under this paragraph (6.5) and that are  
14 effective on or after July 1, 2004, but before January 11, 2008  
15 (the effective date of Public Act 95-707), the first required  
16 yearly payment under this paragraph (6.5) shall be paid in the  
17 fiscal year of January 11, 2008 (the effective date of Public  
18 Act 95-707). Subsequent required yearly payments shall be paid  
19 in subsequent fiscal years until the payment obligation under  
20 this paragraph (6.5) is complete.

21 (7) Claims for financial assistance under this subsection  
22 (a) may not be recomputed except as expressly provided under  
23 Section 18-8.05 or 18-8.15 of this Code.

24 (8) Any supplementary payment made under this subsection  
25 (a) must be treated as separate from all other payments made  
26 pursuant to Section 18-8.05 or 18-8.15 of this Code.

1           (b) (1) After the formation of a combined school district,  
2 as defined in Section 11E-20 of this Code, or a unit district,  
3 as defined in Section 11E-25 of this Code, a computation shall  
4 be made to determine the difference between the salaries  
5 effective in each of the previously existing districts on June  
6 30, prior to the creation of the new district. For the first 4  
7 years after the formation of the new district, a supplementary  
8 State aid reimbursement shall be paid to the new district equal  
9 to the difference between the sum of the salaries earned by  
10 each of the certificated members of the new district, while  
11 employed in one of the previously existing districts during the  
12 year immediately preceding the formation of the new district,  
13 and the sum of the salaries those certificated members would  
14 have been paid during the year immediately prior to the  
15 formation of the new district if placed on the salary schedule  
16 of the previously existing district with the highest salary  
17 schedule.

18           (2) After the territory of one or more school districts is  
19 annexed by one or more other school districts as defined in  
20 Article 7 of this Code, a computation shall be made to  
21 determine the difference between the salaries effective in each  
22 annexed district and in the annexing district or districts as  
23 they were each constituted on June 30 preceding the date when  
24 the change of boundaries attributable to the annexation became  
25 effective for all purposes, as determined under Section 7-9 of  
26 this Code. For the first 4 years after the annexation, a

1 supplementary State aid reimbursement shall be paid to each  
2 annexing district as constituted after the annexation equal to  
3 the difference between the sum of the salaries earned by each  
4 of the certificated members of the annexing district as  
5 constituted after the annexation, while employed in an annexed  
6 or annexing district during the year immediately preceding the  
7 annexation, and the sum of the salaries those certificated  
8 members would have been paid during the immediately preceding  
9 year if placed on the salary schedule of whichever of the  
10 annexing or annexed districts had the highest salary schedule  
11 during the immediately preceding year.

12 (3) For each new high school district formed under a school  
13 district conversion, as defined in Section 11E-15 of this Code,  
14 the State shall make a supplementary payment for 4 years equal  
15 to the difference between the sum of the salaries earned by  
16 each certified member of the new high school district, while  
17 employed in one of the previously existing districts, and the  
18 sum of the salaries those certified members would have been  
19 paid if placed on the salary schedule of the previously  
20 existing district with the highest salary schedule.

21 (4) For each newly created partial elementary unit  
22 district, the State shall make a supplementary payment for 4  
23 years equal to the difference between the sum of the salaries  
24 earned by each certified member of the newly created partial  
25 elementary unit district, while employed in one of the  
26 previously existing districts that formed the partial

1 elementary unit district, and the sum of the salaries those  
2 certified members would have been paid if placed on the salary  
3 schedule of the previously existing district with the highest  
4 salary schedule. The salary schedules used in the calculation  
5 shall be those in effect in the previously existing districts  
6 for the school year prior to the creation of the new partial  
7 elementary unit district.

8 (5) For an elementary district opt-in, as described in  
9 subsection (d) of Section 11E-30 of this Code, the salary  
10 difference incentive shall be computed in accordance with  
11 paragraph (4) of this subsection (b) as if the opted-in  
12 elementary district was included in the optional elementary  
13 unit district at the optional elementary unit district's  
14 original effective date. If the calculation in this paragraph  
15 (5) is less than that calculated in paragraph (4) of this  
16 subsection (b) at the optional elementary unit district's  
17 original effective date, then no adjustments may be made. If  
18 the calculation in this paragraph (5) is more than that  
19 calculated in paragraph (4) of this subsection (b) at the  
20 optional elementary unit district's original effective date,  
21 then the excess must be paid as follows:

22 (A) If the effective date for the elementary opt-in is  
23 one year after the effective date for the optional  
24 elementary unit district, 100% of the calculated excess  
25 shall be paid to the optional elementary unit district in  
26 each of the first 4 years after the effective date of the

1 elementary opt-in.

2 (B) If the effective date for the elementary opt-in is  
3 2 years after the effective date for the optional  
4 elementary unit district, 75% of the calculated excess  
5 shall be paid to the optional elementary unit district in  
6 each of the first 4 years after the effective date of the  
7 elementary opt-in.

8 (C) If the effective date for the elementary opt-in is  
9 3 years after the effective date for the optional  
10 elementary unit district, 50% of the calculated excess  
11 shall be paid to the optional elementary unit district in  
12 each of the first 4 years after the effective date of the  
13 elementary opt-in.

14 (D) If the effective date for the elementary opt-in is  
15 4 years after the effective date for the partial elementary  
16 unit district, 25% of the calculated excess shall be paid  
17 to the optional elementary unit district in each of the  
18 first 4 years after the effective date of the elementary  
19 opt-in.

20 (E) If the effective date for the elementary opt-in is  
21 5 years after the effective date for the optional  
22 elementary unit district, the optional elementary unit  
23 district is not eligible for any additional incentives due  
24 to the elementary opt-in.

25 (5.5) After the formation of a cooperative high school by 2  
26 or more school districts under Section 10-22.22c of this Code,

1 a computation shall be made to determine the difference between  
2 the salaries effective in each of the previously existing high  
3 schools on June 30 prior to the formation of the cooperative  
4 high school. For the first 4 years after the formation of the  
5 cooperative high school, a supplementary State aid  
6 reimbursement shall be paid to the cooperative high school  
7 equal to the difference between the sum of the salaries earned  
8 by each of the certificated members of the cooperative high  
9 school while employed in one of the previously existing high  
10 schools during the year immediately preceding the formation of  
11 the cooperative high school and the sum of the salaries those  
12 certificated members would have been paid during the year  
13 immediately prior to the formation of the cooperative high  
14 school if placed on the salary schedule of the previously  
15 existing high school with the highest salary schedule.

16 (5.10) After the annexation of territory detached from  
17 another school district whereby the enrollment of the annexing  
18 district increases by 90% or more as a result of the  
19 annexation, a computation shall be made to determine the  
20 difference between the salaries effective in the district  
21 gaining territory and the district losing territory as they  
22 each were constituted on June 30 preceding the date when the  
23 change of boundaries attributable to the annexation became  
24 effective for all purposes as determined under Section 7-9 of  
25 this Code. For the first 4 years after the annexation, a  
26 supplementary State aid reimbursement shall be paid to the

1 annexing district equal to the difference between the sum of  
2 the salaries earned by each of the certificated members of the  
3 annexing district as constituted after the annexation while  
4 employed in the district gaining territory or the district  
5 losing territory during the year immediately preceding the  
6 annexation and the sum of the salaries those certificated  
7 members would have been paid during such immediately preceding  
8 year if placed on the salary schedule of whichever of the  
9 district gaining territory or district losing territory had the  
10 highest salary schedule during the immediately preceding year.  
11 To be eligible for supplementary State aid reimbursement under  
12 this Section, the intergovernmental agreement to be submitted  
13 pursuant to Section 7-14A of this Code must show that staff  
14 members were transferred from the control of the district  
15 losing territory to the control of the district gaining  
16 territory in the annexation. The changes to this Section made  
17 by Public Act 95-707 are intended to be retroactive and  
18 applicable to any annexation taking effect on or after July 1,  
19 2004. For annexations that are eligible for payments under this  
20 paragraph (5.10) and that are effective on or after July 1,  
21 2004, but before January 11, 2008 (the effective date of Public  
22 Act 95-707), the first required yearly payment under this  
23 paragraph (5.10) shall be paid in the fiscal year of January  
24 11, 2008 (the effective date of Public Act 95-707). Subsequent  
25 required yearly payments shall be paid in subsequent fiscal  
26 years until the payment obligation under this paragraph (5.10)



1 is complete.

2 (5.15) After the deactivation of a school facility in  
3 accordance with Section 10-22.22b of this Code, a computation  
4 shall be made to determine the difference between the salaries  
5 effective in the sending school district and each receiving  
6 school district on June 30 prior to the deactivation of the  
7 school facility. For the lesser of the first 4 years after the  
8 deactivation of the school facility or the length of the  
9 deactivation agreement, including any renewals of the original  
10 deactivation agreement, a supplementary State aid  
11 reimbursement shall be paid to each receiving district equal to  
12 the difference between the sum of the salaries earned by each  
13 of the certificated members transferred to that receiving  
14 district as a result of the deactivation while employed in the  
15 sending district during the year immediately preceding the  
16 deactivation and the sum of the salaries those certificated  
17 members would have been paid during the year immediately  
18 preceding the deactivation if placed on the salary schedule of  
19 the sending or receiving district with the highest salary  
20 schedule.

21 (6) The supplementary State aid reimbursement under this  
22 subsection (b) shall be treated as separate from all other  
23 payments made pursuant to Section 18-8.05 of this Code. In the  
24 case of the formation of a new district or cooperative high  
25 school or a deactivation, reimbursement shall begin during the  
26 first year of operation of the new district or cooperative high

1 school or the first year of the deactivation, and in the case  
2 of an annexation of the territory of one or more school  
3 districts by one or more other school districts or the  
4 annexation of territory detached from a school district whereby  
5 the enrollment of the annexing district increases by 90% or  
6 more as a result of the annexation, reimbursement shall begin  
7 during the first year when the change in boundaries  
8 attributable to the annexation becomes effective for all  
9 purposes as determined pursuant to Section 7-9 of this Code,  
10 except that for an annexation of territory detached from a  
11 school district that is effective on or after July 1, 2004, but  
12 before January 11, 2008 (the effective date of Public Act  
13 95-707), whereby the enrollment of the annexing district  
14 increases by 90% or more as a result of the annexation,  
15 reimbursement shall begin during the fiscal year of January 11,  
16 2008 (the effective date of Public Act 95-707). Each year that  
17 the new, annexing, or receiving district or cooperative high  
18 school, as the case may be, is entitled to receive  
19 reimbursement, the number of eligible certified members who are  
20 employed on October 1 in the district or cooperative high  
21 school shall be certified to the State Board of Education on  
22 prescribed forms by October 15 and payment shall be made on or  
23 before November 15 of that year.

24 (c) (1) For the first year after the formation of a combined  
25 school district, as defined in Section 11E-20 of this Code or a  
26 unit district, as defined in Section 11E-25 of this Code, a

1 computation shall be made totaling each previously existing  
2 district's audited fund balances in the educational fund,  
3 working cash fund, operations and maintenance fund, and  
4 transportation fund for the year ending June 30 prior to the  
5 referendum for the creation of the new district. The new  
6 district shall be paid supplementary State aid equal to the sum  
7 of the differences between the deficit of the previously  
8 existing district with the smallest deficit and the deficits of  
9 each of the other previously existing districts.

10 (2) For the first year after the annexation of all of the  
11 territory of one or more entire school districts by another  
12 school district, as defined in Article 7 of this Code,  
13 computations shall be made, for the year ending June 30 prior  
14 to the date that the change of boundaries attributable to the  
15 annexation is allowed by the affirmative decision issued by the  
16 regional board of school trustees under Section 7-6 of this  
17 Code, notwithstanding any effort to seek administrative review  
18 of the decision, totaling the annexing district's and totaling  
19 each annexed district's audited fund balances in their  
20 respective educational, working cash, operations and  
21 maintenance, and transportation funds. The annexing district  
22 as constituted after the annexation shall be paid supplementary  
23 State aid equal to the sum of the differences between the  
24 deficit of whichever of the annexing or annexed districts as  
25 constituted prior to the annexation had the smallest deficit  
26 and the deficits of each of the other districts as constituted

1 prior to the annexation.

2 (3) For the first year after the annexation of all of the  
3 territory of one or more entire school districts by 2 or more  
4 other school districts, as defined by Article 7 of this Code,  
5 computations shall be made, for the year ending June 30 prior  
6 to the date that the change of boundaries attributable to the  
7 annexation is allowed by the affirmative decision of the  
8 regional board of school trustees under Section 7-6 of this  
9 Code, notwithstanding any action for administrative review of  
10 the decision, totaling each annexing and annexed district's  
11 audited fund balances in their respective educational, working  
12 cash, operations and maintenance, and transportation funds.  
13 The annexing districts as constituted after the annexation  
14 shall be paid supplementary State aid, allocated as provided in  
15 this paragraph (3), in an aggregate amount equal to the sum of  
16 the differences between the deficit of whichever of the  
17 annexing or annexed districts as constituted prior to the  
18 annexation had the smallest deficit and the deficits of each of  
19 the other districts as constituted prior to the annexation. The  
20 aggregate amount of the supplementary State aid payable under  
21 this paragraph (3) shall be allocated between or among the  
22 annexing districts as follows:

23 (A) the regional superintendent of schools for each  
24 educational service region in which an annexed district is  
25 located prior to the annexation shall certify to the State  
26 Board of Education, on forms that it shall provide for that

1 purpose, the value of all taxable property in each annexed  
2 district, as last equalized or assessed by the Department  
3 of Revenue prior to the annexation, and the equalized  
4 assessed value of each part of the annexed district that  
5 was annexed to or included as a part of an annexing  
6 district;

7 (B) using equalized assessed values as certified by the  
8 regional superintendent of schools under clause (A) of this  
9 paragraph (3), the combined audited fund balance deficit of  
10 each annexed district as determined under this Section  
11 shall be apportioned between or among the annexing  
12 districts in the same ratio as the equalized assessed value  
13 of that part of the annexed district that was annexed to or  
14 included as a part of an annexing district bears to the  
15 total equalized assessed value of the annexed district; and

16 (C) the aggregate supplementary State aid payment  
17 under this paragraph (3) shall be allocated between or  
18 among, and shall be paid to, the annexing districts in the  
19 same ratio as the sum of the combined audited fund balance  
20 deficit of each annexing district as constituted prior to  
21 the annexation, plus all combined audited fund balance  
22 deficit amounts apportioned to that annexing district  
23 under clause (B) of this subsection, bears to the aggregate  
24 of the combined audited fund balance deficits of all of the  
25 annexing and annexed districts as constituted prior to the  
26 annexation.

1           (4) For the new elementary districts and new high school  
2 district formed through a school district conversion, as  
3 defined in Section 11E-15 of this Code or the new elementary  
4 district or districts and new combined high school - unit  
5 district formed through a multi-unit conversion, as defined in  
6 subsection (b) of Section 11E-30 of this Code, a computation  
7 shall be made totaling each previously existing district's  
8 audited fund balances in the educational fund, working cash  
9 fund, operations and maintenance fund, and transportation fund  
10 for the year ending June 30 prior to the referendum  
11 establishing the new districts. In the first year of the new  
12 districts, the State shall make a one-time supplementary  
13 payment equal to the sum of the differences between the deficit  
14 of the previously existing district with the smallest deficit  
15 and the deficits of each of the other previously existing  
16 districts. A district with a combined balance among the 4 funds  
17 that is positive shall be considered to have a deficit of zero.  
18 The supplementary payment shall be allocated among the newly  
19 formed high school and elementary districts in the manner  
20 provided by the petition for the formation of the districts, in  
21 the form in which the petition is approved by the regional  
22 superintendent of schools or State Superintendent of Education  
23 under Section 11E-50 of this Code.

24           (5) For each newly created partial elementary unit  
25 district, as defined in subsection (a) or (c) of Section 11E-30  
26 of this Code, a computation shall be made totaling the audited

1 fund balances of each previously existing district that formed  
2 the new partial elementary unit district in the educational  
3 fund, working cash fund, operations and maintenance fund, and  
4 transportation fund for the year ending June 30 prior to the  
5 referendum for the formation of the partial elementary unit  
6 district. In the first year of the new partial elementary unit  
7 district, the State shall make a one-time supplementary payment  
8 to the new district equal to the sum of the differences between  
9 the deficit of the previously existing district with the  
10 smallest deficit and the deficits of each of the other  
11 previously existing districts. A district with a combined  
12 balance among the 4 funds that is positive shall be considered  
13 to have a deficit of zero.

14 (6) For an elementary opt-in as defined in subsection (d)  
15 of Section 11E-30 of this Code, the deficit fund balance  
16 incentive shall be computed in accordance with paragraph (5) of  
17 this subsection (c) as if the opted-in elementary was included  
18 in the optional elementary unit district at the optional  
19 elementary unit district's original effective date. If the  
20 calculation in this paragraph (6) is less than that calculated  
21 in paragraph (5) of this subsection (c) at the optional  
22 elementary unit district's original effective date, then no  
23 adjustments may be made. If the calculation in this paragraph  
24 (6) is more than that calculated in paragraph (5) of this  
25 subsection (c) at the optional elementary unit district's  
26 original effective date, then the excess must be paid as

1 follows:

2 (A) If the effective date for the elementary opt-in is  
3 one year after the effective date for the optional  
4 elementary unit district, 100% of the calculated excess  
5 shall be paid to the optional elementary unit district in  
6 the first year after the effective date of the elementary  
7 opt-in.

8 (B) If the effective date for the elementary opt-in is  
9 2 years after the effective date for the optional  
10 elementary unit district, 75% of the calculated excess  
11 shall be paid to the optional elementary unit district in  
12 the first year after the effective date of the elementary  
13 opt-in.

14 (C) If the effective date for the elementary opt-in is  
15 3 years after the effective date for the optional  
16 elementary unit district, 50% of the calculated excess  
17 shall be paid to the optional elementary unit district in  
18 the first year after the effective date of the elementary  
19 opt-in.

20 (D) If the effective date for the elementary opt-in is  
21 4 years after the effective date for the optional  
22 elementary unit district, 25% of the calculated excess  
23 shall be paid to the optional elementary unit district in  
24 the first year after the effective date of the elementary  
25 opt-in.

26 (E) If the effective date for the elementary opt-in is



1           5 years after the effective date for the optional  
2 elementary unit district, the optional elementary unit  
3 district is not eligible for any additional incentives due  
4 to the elementary opt-in.

5           (6.5) For the first year after the annexation of territory  
6 detached from another school district whereby the enrollment of  
7 the annexing district increases by 90% or more as a result of  
8 the annexation, a computation shall be made totaling the  
9 audited fund balances of the district gaining territory and the  
10 audited fund balances of the district losing territory in the  
11 educational fund, working cash fund, operations and  
12 maintenance fund, and transportation fund for the year ending  
13 June 30 prior to the date that the change of boundaries  
14 attributable to the annexation is allowed by the affirmative  
15 decision of the regional board of school trustees under Section  
16 7-6 of this Code, notwithstanding any action for administrative  
17 review of the decision. The annexing district as constituted  
18 after the annexation shall be paid supplementary State aid  
19 equal to the difference between the deficit of whichever  
20 district included in this calculation as constituted prior to  
21 the annexation had the smallest deficit and the deficit of each  
22 other district included in this calculation as constituted  
23 prior to the annexation, multiplied by the ratio of equalized  
24 assessed value of the territory detached to the total equalized  
25 assessed value of the district losing territory. The regional  
26 superintendent of schools for the educational service region in

1 which a district losing territory is located prior to the  
2 annexation shall certify to the State Board of Education the  
3 value of all taxable property in the district losing territory  
4 and the value of all taxable property in the territory being  
5 detached, as last equalized or assessed by the Department of  
6 Revenue prior to the annexation. To be eligible for  
7 supplementary State aid reimbursement under this Section, the  
8 intergovernmental agreement to be submitted pursuant to  
9 Section 7-14A of this Code must show that fund balances were  
10 transferred from the district losing territory to the district  
11 gaining territory in the annexation. The changes to this  
12 Section made by Public Act 95-707 are intended to be  
13 retroactive and applicable to any annexation taking effect on  
14 or after July 1, 2004. For annexations that are eligible for  
15 payments under this paragraph (6.5) and that are effective on  
16 or after July 1, 2004, but before January 11, 2008 (the  
17 effective date of Public Act 95-707), the required payment  
18 under this paragraph (6.5) shall be paid in the fiscal year of  
19 January 11, 2008 (the effective date of Public Act 95-707).

20 (7) For purposes of any calculation required under  
21 paragraph (1), (2), (3), (4), (5), (6), or (6.5) of this  
22 subsection (c), a district with a combined fund balance that is  
23 positive shall be considered to have a deficit of zero. For  
24 purposes of determining each district's audited fund balances  
25 in its educational fund, working cash fund, operations and  
26 maintenance fund, and transportation fund for the specified

1 year ending June 30, as provided in paragraphs (1), (2), (3),  
2 (4), (5), (6), and (6.5) of this subsection (c), the balance of  
3 each fund shall be deemed decreased by an amount equal to the  
4 amount of the annual property tax theretofore levied in the  
5 fund by the district for collection and payment to the district  
6 during the calendar year in which the June 30 fell, but only to  
7 the extent that the tax so levied in the fund actually was  
8 received by the district on or before or comprised a part of  
9 the fund on such June 30. For purposes of determining each  
10 district's audited fund balances, a calculation shall be made  
11 for each fund to determine the average for the 3 years prior to  
12 the specified year ending June 30, as provided in paragraphs  
13 (1), (2), (3), (4), (5), (6), and (6.5) of this subsection (c),  
14 of the district's expenditures in the categories "purchased  
15 services", "supplies and materials", and "capital outlay", as  
16 those categories are defined in rules of the State Board of  
17 Education. If this 3-year average is less than the district's  
18 expenditures in these categories for the specified year ending  
19 June 30, as provided in paragraphs (1), (2), (3), (4), (5),  
20 (6), and (6.5) of this subsection (c), then the 3-year average  
21 shall be used in calculating the amounts payable under this  
22 Section in place of the amounts shown in these categories for  
23 the specified year ending June 30, as provided in paragraphs  
24 (1), (2), (3), (4), (5), (6), and (6.5) of this subsection (c).  
25 Any deficit because of State aid not yet received may not be  
26 considered in determining the June 30 deficits. The same basis

1 of accounting shall be used by all previously existing  
2 districts and by all annexing or annexed districts, as  
3 constituted prior to the annexation, in making any computation  
4 required under paragraphs (1), (2), (3), (4), (5), (6), and  
5 (6.5) of this subsection (c).

6 (8) The supplementary State aid payments under this  
7 subsection (c) shall be treated as separate from all other  
8 payments made pursuant to Section 18-8.05 of this Code.

9 (d)(1) Following the formation of a combined school  
10 district, as defined in Section 11E-20 of this Code, a new unit  
11 district, as defined in Section 11E-25 of this Code, a new  
12 elementary district or districts and a new high school district  
13 formed through a school district conversion, as defined in  
14 Section 11E-15 of this Code, a new partial elementary unit  
15 district, as defined in Section 11E-30 of this Code, or a new  
16 elementary district or districts formed through a multi-unit  
17 conversion, as defined in subsection (b) of Section 11E-30 of  
18 this Code, or the annexation of all of the territory of one or  
19 more entire school districts by one or more other school  
20 districts, as defined in Article 7 of this Code, a  
21 supplementary State aid reimbursement shall be paid for the  
22 number of school years determined under the following table to  
23 each new or annexing district equal to the sum of \$4,000 for  
24 each certified employee who is employed by the district on a  
25 full-time basis for the regular term of the school year:

1	Reorganized District's Rank	Reorganized District's Rank		
2	by type of district (unit,	in Average Daily Attendance		
3	high school, elementary)	By Quintile		
4	in Equalized Assessed Value			
5	Per Pupil by Quintile			
6				3rd, 4th,
7		1st	2nd	or 5th
8		Quintile	Quintile	Quintile
9	1st Quintile	1 year	1 year	1 year
10	2nd Quintile	1 year	2 years	2 years
11	3rd Quintile	2 years	3 years	3 years
12	4th Quintile	2 years	3 years	3 years
13	5th Quintile	2 years	3 years	3 years

14 The State Board of Education shall make a one-time calculation  
 15 of a reorganized district's quintile ranks. The average daily  
 16 attendance used in this calculation shall be the best 3 months'  
 17 average daily attendance for the district's first year. The  
 18 equalized assessed value per pupil shall be the district's real  
 19 property equalized assessed value used in calculating the  
 20 district's first-year general State aid claim, under Section  
 21 18-8.05 of this Code, or first-year evidence-based funding  
 22 claim, under Section 18-8.15 of this Code, as applicable,  
 23 divided by the best 3 months' average daily attendance.

24 No annexing or resulting school district shall be entitled  
 25 to supplementary State aid under this subsection (d) unless the

1 district acquires at least 30% of the average daily attendance  
2 of the district from which the territory is being detached or  
3 divided.

4 If a district results from multiple reorganizations that  
5 would otherwise qualify the district for multiple payments  
6 under this subsection (d) in any year, then the district shall  
7 receive a single payment only for that year based solely on the  
8 most recent reorganization.

9 (2) For an elementary opt-in, as defined in subsection (d)  
10 of Section 11E-30 of this Code, the full-time certified staff  
11 incentive shall be computed in accordance with paragraph (1) of  
12 this subsection (d), equal to the sum of \$4,000 for each  
13 certified employee of the elementary district that opts-in who  
14 is employed by the optional elementary unit district on a  
15 full-time basis for the regular term of the school year. The  
16 calculation from this paragraph (2) must be paid as follows:

17 (A) If the effective date for the elementary opt-in is  
18 one year after the effective date for the optional  
19 elementary unit district, 100% of the amount calculated in  
20 this paragraph (2) shall be paid to the optional elementary  
21 unit district for the number of years calculated in  
22 paragraph (1) of this subsection (d) at the optional  
23 elementary unit district's original effective date,  
24 starting in the second year after the effective date of the  
25 elementary opt-in.

26 (B) If the effective date for the elementary opt-in is

1           2 years after the effective date for the optional  
2 elementary unit district, 75% of the amount calculated in  
3 this paragraph (2) shall be paid to the optional elementary  
4 unit district for the number of years calculated in  
5 paragraph (1) of this subsection (d) at the optional  
6 elementary unit district's original effective date,  
7 starting in the second year after the effective date of the  
8 elementary opt-in.

9           (C) If the effective date for the elementary opt-in is  
10 3 years after the effective date for the optional  
11 elementary unit district, 50% of the amount calculated in  
12 this paragraph (2) shall be paid to the optional elementary  
13 unit district for the number of years calculated in  
14 paragraph (1) of this subsection (d) at the optional  
15 elementary unit district's original effective date,  
16 starting in the second year after the effective date of the  
17 elementary opt-in.

18           (D) If the effective date for the elementary opt-in is  
19 4 years after the effective date for the optional  
20 elementary unit district, 25% of the amount calculated in  
21 this paragraph (2) shall be paid to the optional elementary  
22 unit district for the number of years calculated in  
23 paragraph (1) of this subsection (d) at the optional  
24 elementary unit district's original effective date,  
25 starting in the second year after the effective date of the  
26 elementary opt-in.

1           (E) If the effective date for the elementary opt-in is  
2           5 years after the effective date for the optional  
3           elementary unit district, the optional elementary unit  
4           district is not eligible for any additional incentives due  
5           to the elementary opt-in.

6           (2.5) Following the formation of a cooperative high school  
7           by 2 or more school districts under Section 10-22.22c of this  
8           Code, a supplementary State aid reimbursement shall be paid for  
9           3 school years to the cooperative high school equal to the sum  
10          of \$4,000 for each certified employee who is employed by the  
11          cooperative high school on a full-time basis for the regular  
12          term of any such school year. If a cooperative high school  
13          results from multiple agreements that would otherwise qualify  
14          the cooperative high school for multiple payments under this  
15          Section in any year, the cooperative high school shall receive  
16          a single payment for that year based solely on the most recent  
17          agreement.

18          (2.10) Following the annexation of territory detached from  
19          another school district whereby the enrollment of the annexing  
20          district increases 90% or more as a result of the annexation, a  
21          supplementary State aid reimbursement shall be paid to the  
22          annexing district equal to the sum of \$4,000 for each certified  
23          employee who is employed by the annexing district on a  
24          full-time basis and shall be calculated in accordance with  
25          subsection (a) of this Section. To be eligible for  
26          supplementary State aid reimbursement under this Section, the



1 intergovernmental agreement to be submitted pursuant to  
2 Section 7-14A of this Code must show that certified staff  
3 members were transferred from the control of the district  
4 losing territory to the control of the district gaining  
5 territory in the annexation. The changes to this Section made  
6 by Public Act 95-707 are intended to be retroactive and  
7 applicable to any annexation taking effect on or after July 1,  
8 2004. For annexations that are eligible for payments under this  
9 paragraph (2.10) and that are effective on or after July 1,  
10 2004, but before January 11, 2008 (the effective date of Public  
11 Act 95-707), the first required yearly payment under this  
12 paragraph (2.10) shall be paid in the second fiscal year after  
13 January 11, 2008 (the effective date of Public Act 95-707). Any  
14 subsequent required yearly payments shall be paid in subsequent  
15 fiscal years until the payment obligation under this paragraph  
16 (2.10) is complete.

17 (2.15) Following the deactivation of a school facility in  
18 accordance with Section 10-22.22b of this Code, a supplementary  
19 State aid reimbursement shall be paid for the lesser of 3  
20 school years or the length of the deactivation agreement,  
21 including any renewals of the original deactivation agreement,  
22 to each receiving school district equal to the sum of \$4,000  
23 for each certified employee who is employed by that receiving  
24 district on a full-time basis for the regular term of any such  
25 school year who was originally transferred to the control of  
26 that receiving district as a result of the deactivation.

1 Receiving districts are eligible for payments under this  
2 paragraph (2.15) based on the certified employees transferred  
3 to that receiving district as a result of the deactivation and  
4 are not required to receive at least 30% of the deactivating  
5 district's average daily attendance as required under  
6 paragraph (1) of this subsection (d) to be eligible for  
7 payments.

8 (3) The supplementary State aid reimbursement payable  
9 under this subsection (d) shall be separate from and in  
10 addition to all other payments made to the district pursuant to  
11 any other Section of this Article.

12 (4) During May of each school year for which a  
13 supplementary State aid reimbursement is to be paid to a new,  
14 annexing, or receiving school district or cooperative high  
15 school pursuant to this subsection (d), the school board or  
16 governing board shall certify to the State Board of Education,  
17 on forms furnished to the school board or governing board by  
18 the State Board of Education for purposes of this subsection  
19 (d), the number of certified employees for which the district  
20 or cooperative high school is entitled to reimbursement under  
21 this Section, together with the names, certificate numbers, and  
22 positions held by the certified employees.

23 (5) Upon certification by the State Board of Education to  
24 the State Comptroller of the amount of the supplementary State  
25 aid reimbursement to which a school district or cooperative  
26 high school is entitled under this subsection (d), the State

1 Comptroller shall draw his or her warrant upon the State  
2 Treasurer for the payment thereof to the school district or  
3 cooperative high school and shall promptly transmit the payment  
4 to the school district or cooperative high school through the  
5 appropriate school treasurer.

6 (Source: P.A. 100-465, eff. 8-31-17.)

7 (105 ILCS 5/11E-140 new)

8 Sec. 11E-140. School District Efficiency Commission.

9 (a) The School District Efficiency Commission is created.

10 The Commission shall consist of all of the following voting  
11 members:

12 (1) The Lieutenant Governor or his or her appointee,  
13 who shall serve as the chairperson.

14 (2) One member appointed by the State Board of  
15 Education.

16 (3) One representative appointed by the Speaker of the  
17 House of Representatives.

18 (4) One representative appointed by the Minority  
19 Leader of the House of Representatives.

20 (5) One senator appointed by the President of the  
21 Senate.

22 (6) One senator appointed by the Minority Leader of the  
23 Senate.

24 (7) A representative of a statewide professional  
25 teachers' organization appointed by the head of that

1       organization.

2       (8) A representative of a different statewide  
3       professional teachers' organization appointed by the head  
4       of that organization.

5       (9) A representative of a statewide organization that  
6       represents school boards appointed by the head of that  
7       organization.

8       (10) A representative of a statewide organization  
9       representing principals appointed by the head of that  
10       organization.

11       (11) A representative of an organization representing  
12       professional teachers in a city having a population  
13       exceeding 500,000 appointed by the head of that  
14       organization.

15       (12) A representative of an association representing  
16       school business officials appointed by the head of that  
17       association.

18       (13) A representative of an association representing  
19       school administrators appointed by the head of that  
20       association.

21       (14) A member of the Chicago Board of Education  
22       appointed by the Chicago Board of Education.

23       (15) A representative from an organization  
24       representing administrators of special education appointed  
25       by the head of that organization.

26       (16) A representative from a statewide parent

1 organization appointed by the head of that organization.

2 (17) A representative from an organization  
3 representing high school districts appointed by the head of  
4 that organization.

5 (18) A representative from a rural school district in  
6 this State appointed by the Governor.

7 (19) A representative from a suburban school district  
8 in this State appointed by the Governor.

9 (20) A representative of an association that  
10 represents regional superintendents of schools appointed  
11 by the head of that association.

12 Members shall serve without compensation, but shall be  
13 reimbursed for their reasonable and necessary expenses from  
14 funds appropriated for that purpose. Members shall be  
15 reimbursed for their travel expenses from appropriations to the  
16 State Board of Education made available for that purpose and  
17 subject to the rules of the appropriate travel control board.  
18 The Commission shall meet at the call of the chairperson, with  
19 the initial meeting of the Commission being held as soon as  
20 possible after the effective date of this amendatory Act of the  
21 101st General Assembly, and shall hold public hearings  
22 throughout this State. The State Board shall provide  
23 administrative assistance and necessary staff support services  
24 to the Commission.

25 (b) The Commission must make recommendations to the  
26 Governor and the General Assembly on the number of school

1 districts in this State, the optimal amount of enrollment for a  
2 school district, and where reorganization and realignment of  
3 school districts would be beneficial in this State. The  
4 Commission's recommendations must focus on all of the following  
5 areas:

6 (1) Reducing the money spent on the duplication of  
7 efforts.

8 (2) Improving the education of students by having fewer  
9 obstacles between qualified teachers and their students.

10 (3) Lowering the property tax burden.

11 (4) Providing recommendations on what the net cost  
12 savings of realignment is to this State.

13 (5) With a view toward reducing unnecessary  
14 administrative costs, improving the education of students,  
15 and lowering the property tax burden, drafting specific  
16 propositions to reduce the statewide total number of school  
17 districts by no less than 25% through the reorganization of  
18 school districts into unit districts under Section 11E-25.  
19 Each proposition under this paragraph must include all of  
20 the following:

21 (A) A request to submit the proposition at the next  
22 general election for the purpose of voting for or  
23 against the establishment of a combined unit district.

24 (B) A description of the territory comprising the  
25 districts proposed to be dissolved and those to be  
26 created, which, for an entire district, may be a

1           general reference to all of the territory included  
2           within that district.

3           (C) A specification of the maximum tax rates the  
4           proposed district or districts are authorized to levy  
5           for various purposes and, if applicable, the  
6           specifications related to the Property Tax Extension  
7           Limitation Law, in accordance with Section 11E-80 of  
8           this Code.

9           (c) On or before May 1, 2020, the Commission must vote on  
10          its recommended propositions and file a report with the  
11          Governor and the General Assembly. If the Commission adopts the  
12          report by an affirmative vote of at least 11 of its members,  
13          then the Commission's specific propositions for reorganization  
14          of school districts into unit districts under paragraph (5) of  
15          subsection (b) shall be filed with the appropriate regional  
16          superintendent of schools in the same form as required for  
17          petitions under Section 11E-35.

18          (d) Upon the filing of a proposition with the regional  
19          superintendent of schools under subsection (c), the regional  
20          superintendent shall do both of the following:

21               (1) Provide a copy of the proposition to each school  
22               board affected by the proposition and the regional  
23               superintendent of schools of any other educational service  
24               region in which the territory described in the proposition  
25               is situated.

26               (2) Publish a notice of the proposition at least once

1       each week for 3 successive weeks in at least one newspaper  
2       having general circulation within the area of all of the  
3       territory of the proposed district or districts. The  
4       expense of publishing the notice shall be paid by the  
5       School District Efficiency Commission.

6       (e) The notice described in paragraph (2) of subsection (d)  
7       must include all of the following information:

8               (1) When and to whom the proposition was presented.

9               (2) The proposition.

10              (3) A description of the territory comprising the  
11              districts proposed to be dissolved and those to be created,  
12              which, for an entire district, may be a general reference  
13              to all of the territory included within that district.

14       (f) Within 14 days after receipt of the recommended  
15       proposition, the regional superintendent of schools must  
16       inform the School District Efficiency Commission if the  
17       recommended proposition, as amended or filed, is proper and in  
18       compliance with all applicable requirements set forth in the  
19       Election Code. If the regional superintendent determines that  
20       the proposition is not in proper order or not in compliance  
21       with any applicable requirements set forth in the Election  
22       Code, the regional superintendent must identify the specific  
23       alleged defects in the proposition and include specific  
24       recommendations to cure the alleged defects. The School  
25       District Efficiency Commission may amend the proposition to  
26       cure the alleged defects within 14 days after receipt of the



1 regional superintendent's specific recommendations.

2 (g) Within 14 days after receipt of the School District  
3 Efficiency Commission's amendments in response to the specific  
4 recommendations, the regional superintendent of schools shall,  
5 upon determining the proposition is in proper order and in  
6 compliance with applicable requirements set forth in the  
7 Election Code, through a written order, approve the  
8 proposition, or, if the regional superintendent of schools  
9 determines that the amended proposition is not proper or not in  
10 compliance with the Election Code, the regional superintendent  
11 shall deny the proposition.

12 (h) Upon approving or denying the proposition, the regional  
13 superintendent of schools shall submit the proposition and all  
14 evidence to the State Superintendent of Education. The State  
15 Superintendent shall review the proposition and the written  
16 order of the regional superintendent, if any. Within 21 days  
17 after the receipt of the regional superintendent's decision,  
18 the State Superintendent shall determine whether the  
19 proposition is proper and in compliance with the applicable  
20 requirements set forth in the Election Code, and, through a  
21 written order, either approve or deny the proposition. If the  
22 State Superintendent denies the proposition, the State  
23 Superintendent shall set forth in writing the specific basis  
24 for determining the proposition is not proper or not in  
25 compliance with the applicable provisions of the Election Code.  
26 The decision of the State Superintendent is an administrative

1 decision as defined in Section 3-101 of the Code of Civil  
2 Procedure. The State Superintendent shall provide a copy of the  
3 decision by certified mail, return receipt requested, to the  
4 School District Efficiency Commission, each school board of a  
5 district in which territory described in the proposition is  
6 situated, the regional superintendent with whom the  
7 proposition was filed, and the regional superintendent of  
8 schools of any other educational service region in which  
9 territory described in the proposition is situated. If the  
10 proposition is approved, the State Superintendent shall  
11 otherwise treat the approved proposition as a petition approved  
12 under subsection (b) of Section 11E-50.

13 (i) Any member of the School District Efficiency Commission  
14 or school board of any district in which territory described in  
15 the proposition is situated may, within 35 days after a copy of  
16 the decision sought to be reviewed was served by certified  
17 mail, return receipt requested, upon the affected party or upon  
18 the attorney of record for the party, apply for a review of an  
19 administrative decision of the State Superintendent of  
20 Education in accordance with the Administrative Review Law and  
21 any rules adopted pursuant to the Administrative Review Law.  
22 The commencement of any action for review shall operate as a  
23 supersedeas, and no further proceedings shall be had until  
24 final disposition of the review. The circuit court of the  
25 county in which the proposition is filed with the regional  
26 superintendent of schools shall have sole jurisdiction to

1 entertain a complaint for review.

2 (j) This Section is repealed on January 31, 2021.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.".