



Rep. Gary Hannig

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1 AMENDMENT TO SENATE BILL 176

2 AMENDMENT NO. _____. Amend Senate Bill 176, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1.

6 Section 1-1. Short title. This Act may be cited as the
7 FY2007 Budget Implementation (Education) Act.

8 Section 1-5. Purpose. It is the purpose of this Act to make
9 changes in State programs that are necessary to implement the
10 Governor's FY2007 budget recommendations concerning education.

11 ARTICLE 90.

12 Section 90-3. The Arts Council Act is amended by adding
13 Section 4.5 as follows:

14 (20 ILCS 3915/4.5 new)

15 Sec. 4.5. Arts and foreign language education grants. The
16 Council has the authority as set forth in Section 2-3.65a of
17 the School Code concerning the administration and award of
18 grants.

19 Section 90-5. The State Finance Act is amended by changing

1 Section 6z-67 as follows:

2 (30 ILCS 105/6z-67)

3 Sec. 6z-67. SBE Federal Department of Agriculture Fund. The
4 SBE Federal Department of Agriculture Fund is created as a
5 federal trust fund in the State treasury. This fund is
6 established to receive funds from the federal Department of
7 Agriculture Education, including administrative funds
8 recovered from federal programs, for the specific purposes
9 established by the terms and conditions of federal awards.
10 Moneys in the SBE Federal Department of Agriculture Fund shall
11 be used, subject to appropriation by the General Assembly, for
12 grants and contracts to local education agencies, colleges and
13 universities, and other State agencies and for administrative
14 expenses of the State Board of Education. However,
15 non-appropriated spending is allowed for the refund of
16 unexpended grant moneys to the federal government.

17 (Source: P.A. 93-838, eff. 7-30-04; 94-69, eff. 7-1-05.)

18 Section 90-10. The School Code is amended by adding Section
19 2-3.65a and by changing Sections 2-3.131 (as added by Public
20 Act 93-21 and amended by Public Acts 93-838 and 94-69) and
21 18-8.05 as follows:

22 (105 ILCS 5/2-3.65a new)

23 Sec. 2-3.65a. Arts and foreign language education grant
24 program. There is created an arts and foreign language
25 education grant program to fund arts education and foreign
26 language education programs in the public schools, subject to
27 appropriation to the State Board of Education. The grants shall
28 be for the purpose of supporting arts and foreign language
29 education in the schools, with an emphasis on ensuring that art
30 and foreign language courses are available as part of a
31 school's core curriculum. The State Board of Education shall

1 enter into an agreement with the Illinois Arts Council to
2 cooperate in administering and awarding grants under the
3 program.

4 (105 ILCS 5/2-3.131)

5 Sec. 2-3.131. Transitional assistance payments.

6 (a) If the amount that the State Board of Education will
7 pay to a school district from fiscal year 2004 appropriations,
8 as estimated by the State Board of Education on April 1, 2004,
9 is less than the amount that the State Board of Education paid
10 to the school district from fiscal year 2003 appropriations,
11 then, subject to appropriation, the State Board of Education
12 shall make a fiscal year 2004 transitional assistance payment
13 to the school district in an amount equal to the difference
14 between the estimated amount to be paid from fiscal year 2004
15 appropriations and the amount paid from fiscal year 2003
16 appropriations.

17 (b) If the amount that the State Board of Education will
18 pay to a school district from fiscal year 2005 appropriations,
19 as estimated by the State Board of Education on April 1, 2005,
20 is less than the amount that the State Board of Education paid
21 to the school district from fiscal year 2004 appropriations,
22 then the State Board of Education shall make a fiscal year 2005
23 transitional assistance payment to the school district in an
24 amount equal to the difference between the estimated amount to
25 be paid from fiscal year 2005 appropriations and the amount
26 paid from fiscal year 2004 appropriations.

27 (c) If the amount that the State Board of Education will
28 pay to a school district from fiscal year 2006 appropriations,
29 as estimated by the State Board of Education on April 1, 2006,
30 is less than the amount that the State Board of Education paid
31 to the school district from fiscal year 2005 appropriations,
32 then the State Board of Education shall make a fiscal year 2006
33 transitional assistance payment to the school district in an

1 amount equal to the difference between the estimated amount to
2 be paid from fiscal year 2006 appropriations and the amount
3 paid from fiscal year 2005 appropriations.

4 (d) If the amount that the State Board of Education will
5 pay to a school district from fiscal year 2007 appropriations,
6 as estimated by the State Board of Education on April 1, 2007,
7 is less than the amount that the State Board of Education paid
8 to the school district from fiscal year 2006 appropriations,
9 then the State Board of Education, subject to appropriation,
10 shall make a fiscal year 2007 transitional assistance payment
11 to the school district in an amount equal to the difference
12 between the estimated amount to be paid from fiscal year 2007
13 appropriations and the amount paid from fiscal year 2006
14 appropriations.

15 (Source: P.A. 93-21, eff. 7-1-03; 93-838, eff. 7-30-04; 94-69,
16 eff. 7-1-05.)

17 (105 ILCS 5/18-8.05)

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

21 (A) General Provisions.

22 (1) The provisions of this Section apply to the 1998-1999
23 and subsequent school years. The system of general State
24 financial aid provided for in this Section is designed to
25 assure that, through a combination of State financial aid and
26 required local resources, the financial support provided each
27 pupil in Average Daily Attendance equals or exceeds a
28 prescribed per pupil Foundation Level. This formula approach
29 imputes a level of per pupil Available Local Resources and
30 provides for the basis to calculate a per pupil level of
31 general State financial aid that, when added to Available Local
32 Resources, equals or exceeds the Foundation Level. The amount

1 of per pupil general State financial aid for school districts,
2 in general, varies in inverse relation to Available Local
3 Resources. Per pupil amounts are based upon each school
4 district's Average Daily Attendance as that term is defined in
5 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 supplemental
9 general State financial aid grants as provided pursuant to
10 subsection (H). The supplemental State aid grants provided for
11 school districts under subsection (H) shall be appropriated for
12 distribution to school districts as part of the same line item
13 in which the general State financial aid of school districts is
14 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. In
22 case of nonrecognition of one or more attendance centers in
23 a school district otherwise operating recognized schools,
24 the claim of the district shall be reduced in the
25 proportion which the Average Daily Attendance in the
26 attendance center or centers bear to the Average Daily
27 Attendance in the school district. A "recognized school"
28 means any public school which meets the standards as
29 established for recognition by the State Board of
30 Education. A school district or attendance center not
31 having recognition status at the end of a school term is
32 entitled to receive State aid payments due upon a legal
33 claim which was filed while it was recognized.

34 (b) School district claims filed under this Section are

1 subject to Sections 18-9, 18-10, and 18-12, except as
2 otherwise provided in this Section.

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

8 (d) (Blank).

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

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

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

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

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

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

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

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

5 (B) Foundation Level.

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

16 (2) For the 1998-1999 school year, the Foundation Level of
17 support is \$4,225. For the 1999-2000 school year, the
18 Foundation Level of support is \$4,325. For the 2000-2001 school
19 year, the Foundation Level of support is \$4,425. For the
20 2001-2002 school year and 2002-2003 school year, the Foundation
21 Level of support is \$4,560. For the 2003-2004 school year, the
22 Foundation Level of support is \$4,810. For the 2004-2005 school
23 year, the Foundation Level of support is \$4,964. For the
24 2005-2006 school year, the Foundation Level of support is
25 \$5,164.

26 (3) For the 2006-2007 ~~2005-2006~~ school year and each school
27 year thereafter, the Foundation Level of support is \$5,334
28 ~~\$5,164~~ or such greater amount as may be established by law by
29 the General Assembly.

30 (C) Average Daily Attendance.

31 (1) For purposes of calculating general State aid pursuant
32 to subsection (E), an Average Daily Attendance figure shall be

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

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

19 (D) Available Local Resources.

20 (1) For purposes of calculating general State aid pursuant
21 to subsection (E), a representation of Available Local
22 Resources per pupil, as that term is defined and determined in
23 this subsection, shall be utilized. Available Local Resources
24 per pupil shall include a calculated dollar amount representing
25 local school district revenues from local property taxes and
26 from Corporate Personal Property Replacement Taxes, expressed
27 on the basis of pupils in Average Daily Attendance. Calculation
28 of Available Local Resources shall exclude any tax amnesty
29 funds received as a result of Public Act 93-26.

30 (2) In determining a school district's revenue from local
31 property taxes, the State Board of Education shall utilize the
32 equalized assessed valuation of all taxable property of each
33 school district as of September 30 of the previous year. The

1 equalized assessed valuation utilized shall be obtained and
2 determined as provided in subsection (G).

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

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

27 (E) Computation of General State Aid.

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

31 (2) For any school district for which Available Local
32 Resources per pupil is less than the product of 0.93 times the
33 Foundation Level, general State aid for that district shall be

1 calculated as an amount equal to the Foundation Level minus
2 Available Local Resources, multiplied by the Average Daily
3 Attendance of the school district.

4 (3) For any school district for which Available Local
5 Resources per pupil is equal to or greater than the product of
6 0.93 times the Foundation Level and less than the product of
7 1.75 times the Foundation Level, the general State aid per
8 pupil shall be a decimal proportion of the Foundation Level
9 derived using a linear algorithm. Under this linear algorithm,
10 the calculated general State aid per pupil shall decline in
11 direct linear fashion from 0.07 times the Foundation Level for
12 a school district with Available Local Resources equal to the
13 product of 0.93 times the Foundation Level, to 0.05 times the
14 Foundation Level for a school district with Available Local
15 Resources equal to the product of 1.75 times the Foundation
16 Level. The allocation of general State aid for school districts
17 subject to this paragraph 3 shall be the calculated general
18 State aid per pupil figure multiplied by the Average Daily
19 Attendance of the school district.

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

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

1 (F) Compilation of Average Daily Attendance.

2 (1) Each school district shall, by July 1 of each year,
3 submit to the State Board of Education, on forms prescribed by
4 the State Board of Education, attendance figures for the school
5 year that began in the preceding calendar year. The attendance
6 information so transmitted shall identify the average daily
7 attendance figures for each month of the school year. Beginning
8 with the general State aid claim form for the 2002-2003 school
9 year, districts shall calculate Average Daily Attendance as
10 provided in subdivisions (a), (b), and (c) of this paragraph
11 (1).

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

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

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

32 Except as otherwise provided in this Section, days of
33 attendance by pupils shall be counted only for sessions of not

1 less than 5 clock hours of school work per day under direct
2 supervision of: (i) teachers, or (ii) non-teaching personnel or
3 volunteer personnel when engaging in non-teaching duties and
4 supervising in those instances specified in subsection (a) of
5 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
6 of legal school age and in kindergarten and grades 1 through
7 12.

8 Days of attendance by tuition pupils shall be accredited
9 only to the districts that pay the tuition to a recognized
10 school.

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

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

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

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

32 (d) A session of 3 or more clock hours may be counted
33 as a day of attendance (1) when the remainder of the school
34 day or at least 2 hours in the evening of that day is

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

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

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

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

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

30 (i) On the days when the Prairie State Achievement
31 Examination is administered under subsection (c) of
32 Section 2-3.64 of this Code, the day of attendance for a
33 pupil whose school day must be shortened to accommodate
34 required testing procedures may be less than 5 clock hours

1 and shall be counted towards the 176 days of actual pupil
2 attendance required under Section 10-19 of this Code,
3 provided that a sufficient number of minutes of school work
4 in excess of 5 clock hours are first completed on other
5 school days to compensate for the loss of school work on
6 the examination days.

7 (G) Equalized Assessed Valuation Data.

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

18 The Department of Revenue shall add to the equalized
19 assessed value of all taxable property of each school district
20 situated entirely or partially within a county that is or was
21 subject to the alternative general homestead exemption
22 provisions of Section 15-176 of the Property Tax Code (a) an
23 amount equal to the total amount by which the homestead
24 exemption allowed under Section 15-176 of the Property Tax Code
25 for real property situated in that school district exceeds the
26 total amount that would have been allowed in that school
27 district if the maximum reduction under Section 15-176 was (i)
28 \$4,500 in Cook County or \$3,500 in all other counties in tax
29 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and
30 thereafter and (b) an amount equal to the aggregate amount for
31 the taxable year of all additional exemptions under Section
32 15-175 of the Property Tax Code for owners with a household
33 income of \$30,000 or less. The county clerk of any county that

1 is or was subject to the alternative general homestead
2 exemption provisions of Section 15-176 of the Property Tax Code
3 shall annually calculate and certify to the Department of
4 Revenue for each school district all homestead exemption
5 amounts under Section 15-176 of the Property Tax Code and all
6 amounts of additional exemptions under Section 15-175 of the
7 Property Tax Code for owners with a household income of \$30,000
8 or less. It is the intent of this paragraph that if the general
9 homestead exemption for a parcel of property is determined
10 under Section 15-176 of the Property Tax Code rather than
11 Section 15-175, then the calculation of Available Local
12 Resources shall not be affected by the difference, if any,
13 between the amount of the general homestead exemption allowed
14 for that parcel of property under Section 15-176 of the
15 Property Tax Code and the amount that would have been allowed
16 had the general homestead exemption for that parcel of property
17 been determined under Section 15-175 of the Property Tax Code.
18 It is further the intent of this paragraph that if additional
19 exemptions are allowed under Section 15-175 of the Property Tax
20 Code for owners with a household income of less than \$30,000,
21 then the calculation of Available Local Resources shall not be
22 affected by the difference, if any, because of those additional
23 exemptions.

24 This equalized assessed valuation, as adjusted further by
25 the requirements of this subsection, shall be utilized in the
26 calculation of Available Local Resources.

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

29 (a) For the purposes of calculating State aid under
30 this Section, with respect to any part of a school district
31 within a redevelopment project area in respect to which a
32 municipality has adopted tax increment allocation
33 financing pursuant to the Tax Increment Allocation
34 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11

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

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

32 (3) For the 1999-2000 school year and each school year
33 thereafter, if a school district meets all of the criteria of
34 this subsection (G) (3), the school district's Available Local

1 Resources shall be calculated under subsection (D) using the
2 district's Extension Limitation Equalized Assessed Valuation
3 as calculated under this subsection (G) (3).

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

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

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

10 "Preceding Tax Year": The property tax levy year
11 immediately preceding the Base Tax Year.

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

17 "Preceding Tax Year's Tax Extension": The product of
18 the equalized assessed valuation utilized by the County
19 Clerk in the Preceding Tax Year multiplied by the Operating
20 Tax Rate as defined in subsection (A).

21 "Extension Limitation Ratio": A numerical ratio,
22 certified by the County Clerk, in which the numerator is
23 the Base Tax Year's Tax Extension and the denominator is
24 the Preceding Tax Year's Tax Extension.

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

27 If a school district is subject to property tax extension
28 limitations as imposed under the Property Tax Extension
29 Limitation Law, the State Board of Education shall calculate
30 the Extension Limitation Equalized Assessed Valuation of that
31 district. For the 1999-2000 school year, the Extension
32 Limitation Equalized Assessed Valuation of a school district as
33 calculated by the State Board of Education shall be equal to
34 the product of the district's 1996 Equalized Assessed Valuation

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

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

1 Resources.

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

14 (H) Supplemental General State Aid.

15 (1) In addition to the general State aid a school district
16 is allotted pursuant to subsection (E), qualifying school
17 districts shall receive a grant, paid in conjunction with a
18 district's payments of general State aid, for supplemental
19 general State aid based upon the concentration level of
20 children from low-income households within the school
21 district. Supplemental State aid grants provided for school
22 districts under this subsection shall be appropriated for
23 distribution to school districts as part of the same line item
24 in which the general State financial aid of school districts is
25 appropriated under this Section. If the appropriation in any
26 fiscal year for general State aid and supplemental general
27 State aid is insufficient to pay the amounts required under the
28 general State aid and supplemental general State aid
29 calculations, then the State Board of Education shall ensure
30 that each school district receives the full amount due for
31 general State aid and the remainder of the appropriation shall
32 be used for supplemental general State aid, which the State
33 Board of Education shall calculate and pay to eligible

1 districts on a prorated basis.

2 (1.5) This paragraph (1.5) applies only to those school
3 years preceding the 2003-2004 school year. For purposes of this
4 subsection (H), the term "Low-Income Concentration Level"
5 shall be the low-income eligible pupil count from the most
6 recently available federal census divided by the Average Daily
7 Attendance of the school district. If, however, (i) the
8 percentage decrease from the 2 most recent federal censuses in
9 the low-income eligible pupil count of a high school district
10 with fewer than 400 students exceeds by 75% or more the
11 percentage change in the total low-income eligible pupil count
12 of contiguous elementary school districts, whose boundaries
13 are coterminous with the high school district, or (ii) a high
14 school district within 2 counties and serving 5 elementary
15 school districts, whose boundaries are coterminous with the
16 high school district, has a percentage decrease from the 2 most
17 recent federal censuses in the low-income eligible pupil count
18 and there is a percentage increase in the total low-income
19 eligible pupil count of a majority of the elementary school
20 districts in excess of 50% from the 2 most recent federal
21 censuses, then the high school district's low-income eligible
22 pupil count from the earlier federal census shall be the number
23 used as the low-income eligible pupil count for the high school
24 district, for purposes of this subsection (H). The changes made
25 to this paragraph (1) by Public Act 92-28 shall apply to
26 supplemental general State aid grants for school years
27 preceding the 2003-2004 school year that are paid in fiscal
28 year 1999 or thereafter and to any State aid payments made in
29 fiscal year 1994 through fiscal year 1998 pursuant to
30 subsection 1(n) of Section 18-8 of this Code (which was
31 repealed on July 1, 1998), and any high school district that is
32 affected by Public Act 92-28 is entitled to a recomputation of
33 its supplemental general State aid grant or State aid paid in
34 any of those fiscal years. This recomputation shall not be

1 affected by any other funding.

2 (1.10) This paragraph (1.10) applies to the 2003-2004
3 school year and each school year thereafter. For purposes of
4 this subsection (H), the term "Low-Income Concentration Level"
5 shall, for each fiscal year, be the low-income eligible pupil
6 count as of July 1 of the immediately preceding fiscal year (as
7 determined by the Department of Human Services based on the
8 number of pupils who are eligible for at least one of the
9 following low income programs: Medicaid, KidCare, TANF, or Food
10 Stamps, excluding pupils who are eligible for services provided
11 by the Department of Children and Family Services, averaged
12 over the 2 immediately preceding fiscal years for fiscal year
13 2004 and over the 3 immediately preceding fiscal years for each
14 fiscal year thereafter) divided by the Average Daily Attendance
15 of the school district.

16 (2) Supplemental general State aid pursuant to this
17 subsection (H) shall be provided as follows for the 1998-1999,
18 1999-2000, and 2000-2001 school years only:

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

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

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

31 (d) For any school district with a Low Income
32 Concentration Level of 60% or more, the grant for the
33 1998-99 school year shall be \$1,900 multiplied by the low
34 income eligible pupil count.

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

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

9 (2.5) Supplemental general State aid pursuant to this
10 subsection (H) shall be provided as follows for the 2002-2003
11 school year:

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

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

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

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

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

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

1 eligible pupil count.

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

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

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

15 For the 2003-2004 school year, 2004-2005 school year, ~~and~~
16 2005-2006 school year, and 2006-2007 school year only, the
17 grant shall be no less than the grant for the 2002-2003 school
18 year. For the 2007-2008 ~~2006-2007~~ school year only, the grant
19 shall be no less than the grant for the 2002-2003 school year
20 multiplied by 0.66. For the 2008-2009 ~~2007-2008~~ school year
21 only, the grant shall be no less than the grant for the
22 2002-2003 school year multiplied by 0.33. Notwithstanding the
23 provisions of this paragraph to the contrary, if for any school
24 year supplemental general State aid grants are prorated as
25 provided in paragraph (1) of this subsection (H), then the
26 grants under this paragraph shall be prorated.

27 For the 2003-2004 school year only, the grant shall be no
28 greater than the grant received during the 2002-2003 school
29 year added to the product of 0.25 multiplied by the difference
30 between the grant amount calculated under subsection (a) or (b)
31 of this paragraph (2.10), whichever is applicable, and the
32 grant received during the 2002-2003 school year. For the
33 2004-2005 school year only, the grant shall be no greater than
34 the grant received during the 2002-2003 school year added to

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

11 (3) School districts with an Average Daily Attendance of
12 more than 1,000 and less than 50,000 that qualify for
13 supplemental general State aid pursuant to this subsection
14 shall submit a plan to the State Board of Education prior to
15 October 30 of each year for the use of the funds resulting from
16 this grant of supplemental general State aid for the
17 improvement of instruction in which priority is given to
18 meeting the education needs of disadvantaged children. Such
19 plan shall be submitted in accordance with rules and
20 regulations promulgated by the State Board of Education.

21 (4) School districts with an Average Daily Attendance of
22 50,000 or more that qualify for supplemental general State aid
23 pursuant to this subsection shall be required to distribute
24 from funds available pursuant to this Section, no less than
25 \$261,000,000 in accordance with the following requirements:

26 (a) The required amounts shall be distributed to the
27 attendance centers within the district in proportion to the
28 number of pupils enrolled at each attendance center who are
29 eligible to receive free or reduced-price lunches or
30 breakfasts under the federal Child Nutrition Act of 1966
31 and under the National School Lunch Act during the
32 immediately preceding school year.

33 (b) The distribution of these portions of supplemental
34 and general State aid among attendance centers according to

1 these requirements shall not be compensated for or
2 contravened by adjustments of the total of other funds
3 appropriated to any attendance centers, and the Board of
4 Education shall utilize funding from one or several sources
5 in order to fully implement this provision annually prior
6 to the opening of school.

7 (c) Each attendance center shall be provided by the
8 school district a distribution of noncategorical funds and
9 other categorical funds to which an attendance center is
10 entitled under law in order that the general State aid and
11 supplemental general State aid provided by application of
12 this subsection supplements rather than supplants the
13 noncategorical funds and other categorical funds provided
14 by the school district to the attendance centers.

15 (d) Any funds made available under this subsection that
16 by reason of the provisions of this subsection are not
17 required to be allocated and provided to attendance centers
18 may be used and appropriated by the board of the district
19 for any lawful school purpose.

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

33 (f) Each district subject to the provisions of this
34 subdivision (H) (4) shall submit an acceptable plan to meet

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

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

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

28 For purposes of determining compliance with this
29 subsection in relation to the requirements of attendance
30 center funding, each district subject to the provisions of
31 this subsection shall submit as a separate document by
32 December 1 of each year a report of expenditure data for
33 the prior year in addition to any modification of its
34 current plan. If it is determined that there has been a

1 failure to comply with the expenditure provisions of this
2 subsection regarding contravention or supplanting, the
3 State Superintendent of Education shall, within 60 days of
4 receipt of the report, notify the district and any affected
5 local school council. The district shall within 45 days of
6 receipt of that notification inform the State
7 Superintendent of Education of the remedial or corrective
8 action to be taken, whether by amendment of the current
9 plan, if feasible, or by adjustment in the plan for the
10 following year. Failure to provide the expenditure report
11 or the notification of remedial or corrective action in a
12 timely manner shall result in a withholding of the affected
13 funds.

14 The State Board of Education shall promulgate rules and
15 regulations to implement the provisions of this
16 subsection. No funds shall be released under this
17 subdivision (H) (4) to any district that has not submitted a
18 plan that has been approved by the State Board of
19 Education.

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

21 (1) For a new school district formed by combining property
22 included totally within 2 or more previously existing school
23 districts, for its first year of existence the general State
24 aid and supplemental general State aid calculated under this
25 Section shall be computed for the new district and for the
26 previously existing districts for which property is totally
27 included within the new district. If the computation on the
28 basis of the previously existing districts is greater, a
29 supplementary payment equal to the difference shall be made for
30 the first 4 years of existence of the new district.

31 (2) For a school district which annexes all of the
32 territory of one or more entire other school districts, for the
33 first year during which the change of boundaries attributable

1 to such annexation becomes effective for all purposes as
2 determined under Section 7-9 or 7A-8, the general State aid and
3 supplemental general State aid calculated under this Section
4 shall be computed for the annexing district as constituted
5 after the annexation and for the annexing and each annexed
6 district as constituted prior to the annexation; and if the
7 computation on the basis of the annexing and annexed districts
8 as constituted prior to the annexation is greater, a
9 supplementary payment equal to the difference shall be made for
10 the first 4 years of existence of the annexing school district
11 as constituted upon such annexation.

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

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

22 (3.5) Claims for financial assistance under this
23 subsection (I) shall not be recomputed except as expressly
24 provided under this Section.

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

28 (J) Supplementary Grants in Aid.

29 (1) Notwithstanding any other provisions of this Section,
30 the amount of the aggregate general State aid in combination
31 with supplemental general State aid under this Section for
32 which each school district is eligible shall be no less than
33 the amount of the aggregate general State aid entitlement that

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

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

26 (3) (Blank).

27 (K) Grants to Laboratory and Alternative Schools.

28 In calculating the amount to be paid to the governing board
29 of a public university that operates a laboratory school under
30 this Section or to any alternative school that is operated by a
31 regional superintendent of schools, the State Board of
32 Education shall require by rule such reporting requirements as
33 it deems necessary.

1 As used in this Section, "laboratory school" means a public
2 school which is created and operated by a public university and
3 approved by the State Board of Education. The governing board
4 of a public university which receives funds from the State
5 Board under this subsection (K) may not increase the number of
6 students enrolled in its laboratory school from a single
7 district, if that district is already sending 50 or more
8 students, except under a mutual agreement between the school
9 board of a student's district of residence and the university
10 which operates the laboratory school. A laboratory school may
11 not have more than 1,000 students, excluding students with
12 disabilities in a special education program.

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

29 Each laboratory and alternative school shall file, on forms
30 provided by the State Superintendent of Education, an annual
31 State aid claim which states the Average Daily Attendance of
32 the school's students by month. The best 3 months' Average
33 Daily Attendance shall be computed for each school. The general
34 State aid entitlement shall be computed by multiplying the

1 applicable Average Daily Attendance by the Foundation Level as
2 determined under this Section.

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

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

17 (2) (Blank).

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

20 (M) Education Funding Advisory Board.

21 The Education Funding Advisory Board, hereinafter in this
22 subsection (M) referred to as the "Board", is hereby created.
23 The Board shall consist of 5 members who are appointed by the
24 Governor, by and with the advice and consent of the Senate. The
25 members appointed shall include representatives of education,
26 business, and the general public. One of the members so
27 appointed shall be designated by the Governor at the time the
28 appointment is made as the chairperson of the Board. The
29 initial members of the Board may be appointed any time after
30 the effective date of this amendatory Act of 1997. The regular
31 term of each member of the Board shall be for 4 years from the
32 third Monday of January of the year in which the term of the

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

24 The Education Funding Advisory Board shall be deemed
25 established, and the initial members appointed by the Governor
26 to serve as members of the Board shall take office, on the date
27 that the Governor makes his or her appointment of the fifth
28 initial member of the Board, whether those initial members are
29 then serving pursuant to appointment and confirmation or
30 pursuant to temporary appointments that are made by the
31 Governor as in the case of vacancies.

32 The State Board of Education shall provide such staff
33 assistance to the Education Funding Advisory Board as is
34 reasonably required for the proper performance by the Board of

1 its responsibilities.

2 For school years after the 2000-2001 school year, the
3 Education Funding Advisory Board, in consultation with the
4 State Board of Education, shall make recommendations as
5 provided in this subsection (M) to the General Assembly for the
6 foundation level under subdivision (B)(3) of this Section and
7 for the supplemental general State aid grant level under
8 subsection (H) of this Section for districts with high
9 concentrations of children from poverty. The recommended
10 foundation level shall be determined based on a methodology
11 which incorporates the basic education expenditures of
12 low-spending schools exhibiting high academic performance. The
13 Education Funding Advisory Board shall make such
14 recommendations to the General Assembly on January 1 of odd
15 numbered years, beginning January 1, 2001.

16 (N) (Blank).

17 (O) References.

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

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

26 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
27 changes to this Section. Under Section 6 of the Statute on
28 Statutes there is an irreconcilable conflict between Public Act
29 93-808 and Public Act 93-838. Public Act 93-838, being the last
30 acted upon, is controlling. The text of Public Act 93-838 is
31 the law regardless of the text of Public Act 93-808.

1 (Source: P.A. 93-21, eff. 7-1-03; 93-715, eff. 7-12-04; 93-808,
2 eff. 7-26-04; 93-838, eff. 7-30-04; 93-875, eff. 8-6-04; 94-69,
3 eff. 7-1-05; 94-438, eff. 8-4-05; revised 8-22-05.)

4 ARTICLE 99.

5 Section 99-99. Effective date. This Act takes effect upon
6 becoming law.".