

HB4309



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4309

by Rep. David Reis

SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-12

from Ch. 122, par. 18-12

Amends the School Code. Provides that if, during any school day, a school district closes a school building that poses a hazardous threat to the health and safety of pupils prior to providing the minimum hours of instruction required for a full day of attendance, then that day may be counted as a full day of attendance. Makes related changes. Effective July 1, 2008.

LRB095 15452 NHT 41444 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 18-12 as follows:

6 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

7 Sec. 18-12. Dates for filing State aid claims. The school
8 board of each school district shall require teachers,
9 principals, or superintendents to furnish from records kept by
10 them such data as it needs in preparing and certifying to the
11 regional superintendent its school district report of claims
12 provided in Sections 18-8.05 through 18-9 as required by the
13 State Superintendent of Education. The district claim shall be
14 based on the latest available equalized assessed valuation and
15 tax rates, as provided in Section 18-8.05 and shall use the
16 average daily attendance as determined by the method outlined
17 in Section 18-8.05 and shall be certified and filed with the
18 regional superintendent by June 21 for districts with an
19 official school calendar end date before June 15 or within 2
20 weeks following the official school calendar end date for
21 districts with a school year end date of June 15 or later. The
22 regional superintendent shall certify and file with the State
23 Superintendent of Education district State aid claims by July 1

1 for districts with an official school calendar end date before
2 June 15 or no later than July 15 for districts with an official
3 school calendar end date of June 15 or later. Failure to so
4 file by these deadlines constitutes a forfeiture of the right
5 to receive payment by the State until such claim is filed and
6 vouchered for payment. The regional superintendent of schools
7 shall certify the county report of claims by July 15; and the
8 State Superintendent of Education shall voucher for payment
9 those claims to the State Comptroller as provided in Section
10 18-11.

11 Except as otherwise provided in this Section, if any school
12 district fails to provide the minimum school term specified in
13 Section 10-19, the State aid claim for that year shall be
14 reduced by the State Superintendent of Education in an amount
15 equivalent to .56818% for each day less than the number of days
16 required by this Code.

17 If the State Superintendent of Education determines that
18 the failure to provide the minimum school term was occasioned
19 by an act or acts of God, or was occasioned by conditions
20 beyond the control of the school district which posed a
21 hazardous threat to the health and safety of pupils, the State
22 aid claim need not be reduced.

23 If the State Superintendent of Education determines that
24 the failure to provide the minimum school term was due to a
25 school being closed on or after September 11, 2001 for more
26 than one-half day of attendance due to a bioterrorism or

1 terrorism threat that was investigated by a law enforcement
2 agency, the State aid claim shall not be reduced.

3 If, during any school day, (i) a school district has
4 provided at least one clock hour of instruction but must close
5 the schools due to adverse weather conditions or due to a
6 condition beyond the control of the school district that poses
7 a hazardous threat to the health and safety of pupils prior to
8 providing the minimum hours of instruction required for a full
9 day of attendance, (ii) the school district must delay the
10 start of the school day due to adverse weather conditions and
11 this delay prevents the district from providing the minimum
12 hours of instruction required for a full day of attendance, ~~or~~
13 (iii) a school district has provided at least one clock hour of
14 instruction but must dismiss students from one or more
15 recognized school buildings due to a condition beyond the
16 control of the school district, or (iv) a school district
17 closes a school building that poses a hazardous threat to the
18 health and safety of pupils prior to providing the minimum
19 hours of instruction required for a full day of attendance,
20 then that day ~~the partial day of attendance~~ may be counted as a
21 full day of attendance. The less than full ~~partial~~ day of
22 attendance and the reasons therefor shall be certified in
23 writing within a month of the closing or delayed start by the
24 local school district superintendent to the Regional
25 Superintendent of Schools for forwarding to the State
26 Superintendent of Education for approval.

1 If a school building is ordered to be closed by the school
2 board, in consultation with a local emergency response agency,
3 due to a condition that poses a hazardous threat to the health
4 and safety of pupils, then the school district shall have a
5 grace period of 4 days in which the general State aid claim
6 shall not be reduced so that alternative housing of the pupils
7 may be located.

8 No exception to the requirement of providing a minimum
9 school term may be approved by the State Superintendent of
10 Education pursuant to this Section unless a school district has
11 first used all emergency days provided for in its regular
12 calendar.

13 If the State Superintendent of Education declares that an
14 energy shortage exists during any part of the school year for
15 the State or a designated portion of the State, a district may
16 operate the school attendance centers within the district 4
17 days of the week during the time of the shortage by extending
18 each existing school day by one clock hour of school work, and
19 the State aid claim shall not be reduced, nor shall the
20 employees of that district suffer any reduction in salary or
21 benefits as a result thereof. A district may operate all
22 attendance centers on this revised schedule, or may apply the
23 schedule to selected attendance centers, taking into
24 consideration such factors as pupil transportation schedules
25 and patterns and sources of energy for individual attendance
26 centers.

1 No State aid claim may be filed for any district unless the
2 district superintendent executes and files with the State
3 Superintendent of Education, in the method prescribed by the
4 Superintendent, certification that the district has complied
5 with the requirements of Section 10-22.5 in regard to the
6 nonsegregation of pupils on account of color, creed, race, sex
7 or nationality.

8 No State aid claim may be filed for any district unless the
9 district superintendent executes and files with the State
10 Superintendent of Education, in the method prescribed by the
11 Superintendent, a sworn statement that to the best of his or
12 her knowledge or belief the employing or assigning personnel
13 have complied with Section 24-4 in all respects.

14 Electronically submitted State aid claims shall be
15 submitted by duly authorized district or regional individuals
16 over a secure network that is password protected. The
17 electronic submission of a State aid claim must be accompanied
18 with an affirmation that all of the provisions of Sections
19 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
20 all respects.

21 (Source: P.A. 94-1105, eff. 6-1-07; 95-152, eff. 8-14-07;
22 revised 11-15-07.)

23 Section 99. Effective date. This Act takes effect July 1,
24 2008.