



Elementary Secondary Education Committee

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LRB095 15452 NHT 46726 a

1 AMENDMENT TO HOUSE BILL 4309

2 AMENDMENT NO. _____. Amend House Bill 4309 by replacing
3 everything after the enacting clause with the following:

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

1 in Section 18-8.05 and shall be certified and filed with the
2 regional superintendent by June 21 for districts with an
3 official school calendar end date before June 15 or within 2
4 weeks following the official school calendar end date for
5 districts with a school year end date of June 15 or later. The
6 regional superintendent shall certify and file with the State
7 Superintendent of Education district State aid claims by July 1
8 for districts with an official school calendar end date before
9 June 15 or no later than July 15 for districts with an official
10 school calendar end date of June 15 or later. Failure to so
11 file by these deadlines constitutes a forfeiture of the right
12 to receive payment by the State until such claim is filed and
13 vouchered for payment. The regional superintendent of schools
14 shall certify the county report of claims by July 15; and the
15 State Superintendent of Education shall voucher for payment
16 those claims to the State Comptroller as provided in Section
17 18-11.

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

24 If the State Superintendent of Education determines that
25 the failure to provide the minimum school term was occasioned
26 by an act or acts of God, or was occasioned by conditions

1 beyond the control of the school district which posed a
2 hazardous threat to the health and safety of pupils, the State
3 aid claim need not be reduced.

4 If the State Superintendent of Education determines that
5 the failure to provide the minimum school term was due to a
6 school being closed on or after September 11, 2001 for more
7 than one-half day of attendance due to a bioterrorism or
8 terrorism threat that was investigated by a law enforcement
9 agency, the State aid claim shall not be reduced.

10 If, during any school day, (i) a school district has
11 provided at least one clock hour of instruction but must close
12 the schools due to adverse weather conditions or due to a
13 condition beyond the control of the school district that poses
14 a hazardous threat to the health and safety of pupils prior to
15 providing the minimum hours of instruction required for a full
16 day of attendance, (ii) the school district must delay the
17 start of the school day due to adverse weather conditions and
18 this delay prevents the district from providing the minimum
19 hours of instruction required for a full day of attendance, or
20 (iii) a school district has provided at least one clock hour of
21 instruction but must dismiss students from one or more
22 recognized school buildings due to a condition beyond the
23 control of the school district, the partial day of attendance
24 may be counted as a full day of attendance. If a school
25 district closes one or more recognized school buildings due to
26 a condition beyond the control of the district prior to

1 providing any instruction, then the district may claim a full
2 day of attendance for a maximum of 2 school days based on the
3 average of the 3 prior school days of attendance immediately
4 preceding the closure of the school building. The partial or no
5 day of attendance and the reasons therefor shall be certified
6 in writing within a month of the closing or delayed start by
7 the local school district superintendent to the Regional
8 Superintendent of Schools for forwarding to the State
9 Superintendent of Education for approval.

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

17 No exception to the requirement of providing a minimum
18 school term may be approved by the State Superintendent of
19 Education pursuant to this Section unless a school district has
20 first used all emergency days provided for in its regular
21 calendar.

22 If the State Superintendent of Education declares that an
23 energy shortage exists during any part of the school year for
24 the State or a designated portion of the State, a district may
25 operate the school attendance centers within the district 4
26 days of the week during the time of the shortage by extending

1 each existing school day by one clock hour of school work, and
2 the State aid claim shall not be reduced, nor shall the
3 employees of that district suffer any reduction in salary or
4 benefits as a result thereof. A district may operate all
5 attendance centers on this revised schedule, or may apply the
6 schedule to selected attendance centers, taking into
7 consideration such factors as pupil transportation schedules
8 and patterns and sources of energy for individual attendance
9 centers.

10 No State aid claim may be filed for any district unless the
11 district superintendent executes and files with the State
12 Superintendent of Education, in the method prescribed by the
13 Superintendent, certification that the district has complied
14 with the requirements of Section 10-22.5 in regard to the
15 nonsegregation of pupils on account of color, creed, race, sex
16 or nationality.

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

23 Electronically submitted State aid claims shall be
24 submitted by duly authorized district or regional individuals
25 over a secure network that is password protected. The
26 electronic submission of a State aid claim must be accompanied

1 with an affirmation that all of the provisions of Sections
2 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
3 all respects.

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

6 Section 99. Effective date. This Act takes effect July 1,
7 2008.".