



Sen. Kimberly A. Lightford

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1 AMENDMENT TO HOUSE BILL 2254

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2254 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 13-44.2, 13-45, and 18-8.05 as follows:

6 (105 ILCS 5/13-44.2) (from Ch. 122, par. 13-44.2)

7 Sec. 13-44.2. There shall be no restriction as to the age  
8 of students in this program, and regardless of the age of its  
9 students, the district shall have all the benefits, financial  
10 and otherwise, that are accorded to other school districts,  
11 including State and Federal grants and aid, Common School  
12 Funds, and Vocational Rehabilitation Funds. In calculating  
13 such benefits, including calculation of Average Daily  
14 Attendance under subsection (C) of Section 18-8.05 of this  
15 Code, those students ~~inmates or wards~~ who have not completed  
16 grade or high school and those taking vocational courses and

1 advanced courses shall be included.

2 (Source: P.A. 86-1028.)

3 (105 ILCS 5/13-45) (from Ch. 122, par. 13-45)

4 Sec. 13-45. Other provisions of this Code shall not apply  
5 to the Department of Juvenile Justice School District being all  
6 of the following Articles and Sections: Articles 7, 8, 9, those  
7 sections of Article 10 in conflict with any provisions of  
8 Sections 13-40 through 13-45, and Articles 11, 12, 15, 17, ~~18,~~  
9 19, 19A, 20, 22, 24, 26, 31, 32, 33, and 34. Also Article 28  
10 shall not apply except that this School District may use any  
11 funds available from State, Federal and other funds for the  
12 purchase of textbooks, apparatus and equipment.

13 (Source: P.A. 96-328, eff. 8-11-09.)

14 (105 ILCS 5/18-8.05)

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

18 (A) General Provisions.

19 (1) The provisions of this Section apply to the 1998-1999  
20 and subsequent school years. The system of general State  
21 financial aid provided for in this Section is designed to  
22 assure that, through a combination of State financial aid and  
23 required local resources, the financial support provided each

1 pupil in Average Daily Attendance equals or exceeds a  
2 prescribed per pupil Foundation Level. This formula approach  
3 imputes a level of per pupil Available Local Resources and  
4 provides for the basis to calculate a per pupil level of  
5 general State financial aid that, when added to Available Local  
6 Resources, equals or exceeds the Foundation Level. The amount  
7 of per pupil general State financial aid for school districts,  
8 in general, varies in inverse relation to Available Local  
9 Resources. Per pupil amounts are based upon each school  
10 district's Average Daily Attendance as that term is defined in  
11 this Section.

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

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

24 (a) Any school district which fails for any given  
25 school year to maintain school as required by law, or to  
26 maintain a recognized school is not eligible to file for

1 such school year any claim upon the Common School Fund. In  
2 case of nonrecognition of one or more attendance centers in  
3 a school district otherwise operating recognized schools,  
4 the claim of the district shall be reduced in the  
5 proportion which the Average Daily Attendance in the  
6 attendance center or centers bear to the Average Daily  
7 Attendance in the school district. A "recognized school"  
8 means any public school which meets the standards as  
9 established for recognition by the State Board of  
10 Education. A school district or attendance center not  
11 having recognition status at the end of a school term is  
12 entitled to receive State aid payments due upon a legal  
13 claim which was filed while it was recognized.

14 (b) School district claims filed under this Section are  
15 subject to Sections 18-9 and 18-12, except as otherwise  
16 provided in this Section.

17 (c) If a school district operates a full year school  
18 under Section 10-19.1, the general State aid to the school  
19 district shall be determined by the State Board of  
20 Education in accordance with this Section as near as may be  
21 applicable.

22 (d) (Blank).

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

1 School districts are not required to exert a minimum  
2 Operating Tax Rate in order to qualify for assistance under  
3 this Section.

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

6 (a) "Average Daily Attendance": A count of pupil  
7 attendance in school, averaged as provided for in  
8 subsection (C) and utilized in deriving per pupil financial  
9 support levels.

10 (b) "Available Local Resources": A computation of  
11 local financial support, calculated on the basis of Average  
12 Daily Attendance and derived as provided pursuant to  
13 subsection (D).

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

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

23 (e) "Operating Tax Rate": All school district property  
24 taxes extended for all purposes, except Bond and Interest,  
25 Summer School, Rent, Capital Improvement, and Vocational  
26 Education Building purposes.

1 (B) Foundation Level.

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

12 (2) For the 1998-1999 school year, the Foundation Level of  
13 support is \$4,225. For the 1999-2000 school year, the  
14 Foundation Level of support is \$4,325. For the 2000-2001 school  
15 year, the Foundation Level of support is \$4,425. For the  
16 2001-2002 school year and 2002-2003 school year, the Foundation  
17 Level of support is \$4,560. For the 2003-2004 school year, the  
18 Foundation Level of support is \$4,810. For the 2004-2005 school  
19 year, the Foundation Level of support is \$4,964. For the  
20 2005-2006 school year, the Foundation Level of support is  
21 \$5,164. For the 2006-2007 school year, the Foundation Level of  
22 support is \$5,334. For the 2007-2008 school year, the  
23 Foundation Level of support is \$5,734. For the 2008-2009 school  
24 year, the Foundation Level of support is \$5,959.

25 (3) For the 2009-2010 school year and each school year

1 thereafter, the Foundation Level of support is \$6,119 or such  
2 greater amount as may be established by law by the General  
3 Assembly.

4 (C) Average Daily Attendance.

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

16 (2) The Average Daily Attendance figures utilized in  
17 subsection (E) shall be the requisite attendance data for the  
18 school year immediately preceding the school year for which  
19 general State aid is being calculated or the average of the  
20 attendance data for the 3 preceding school years, whichever is  
21 greater. The Average Daily Attendance figures utilized in  
22 subsection (H) shall be the requisite attendance data for the  
23 school year immediately preceding the school year for which  
24 general State aid is being calculated.

1 (D) Available Local Resources.

2 (1) For purposes of calculating general State aid pursuant  
3 to subsection (E), a representation of Available Local  
4 Resources per pupil, as that term is defined and determined in  
5 this subsection, shall be utilized. Available Local Resources  
6 per pupil shall include a calculated dollar amount representing  
7 local school district revenues from local property taxes and  
8 from Corporate Personal Property Replacement Taxes, expressed  
9 on the basis of pupils in Average Daily Attendance. Calculation  
10 of Available Local Resources shall exclude any tax amnesty  
11 funds received as a result of Public Act 93-26.

12 (2) In determining a school district's revenue from local  
13 property taxes, the State Board of Education shall utilize the  
14 equalized assessed valuation of all taxable property of each  
15 school district as of September 30 of the previous year. The  
16 equalized assessed valuation utilized shall be obtained and  
17 determined as provided in subsection (G).

18 (3) For school districts maintaining grades kindergarten  
19 through 12, local property tax revenues per pupil shall be  
20 calculated as the product of the applicable equalized assessed  
21 valuation for the district multiplied by 3.00%, and divided by  
22 the district's Average Daily Attendance figure. For school  
23 districts maintaining grades kindergarten through 8, local  
24 property tax revenues per pupil shall be calculated as the  
25 product of the applicable equalized assessed valuation for the  
26 district multiplied by 2.30%, and divided by the district's



1 Average Daily Attendance figure. For school districts  
2 maintaining grades 9 through 12, local property tax revenues  
3 per pupil shall be the applicable equalized assessed valuation  
4 of the district multiplied by 1.05%, and divided by the  
5 district's Average Daily Attendance figure.

6 For partial elementary unit districts created pursuant to  
7 Article 11E of this Code, local property tax revenues per pupil  
8 shall be calculated as the product of the equalized assessed  
9 valuation for property within the partial elementary unit  
10 district for elementary purposes, as defined in Article 11E of  
11 this Code, multiplied by 2.06% and divided by the district's  
12 Average Daily Attendance figure, plus the product of the  
13 equalized assessed valuation for property within the partial  
14 elementary unit district for high school purposes, as defined  
15 in Article 11E of this Code, multiplied by 0.94% and divided by  
16 the district's Average Daily Attendance figure.

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

1 (E) Computation of General State Aid.

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

5 (2) For any school district for which Available Local  
6 Resources per pupil is less than the product of 0.93 times the  
7 Foundation Level, general State aid for that district shall be  
8 calculated as an amount equal to the Foundation Level minus  
9 Available Local Resources, multiplied by the Average Daily  
10 Attendance of the school district.

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

1 Attendance of the school district.

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

7 (5) The amount of general State aid allocated to a school  
8 district for the 1999-2000 school year meeting the requirements  
9 set forth in paragraph (4) of subsection (G) shall be increased  
10 by an amount equal to the general State aid that would have  
11 been received by the district for the 1998-1999 school year by  
12 utilizing the Extension Limitation Equalized Assessed  
13 Valuation as calculated in paragraph (4) of subsection (G) less  
14 the general State aid allotted for the 1998-1999 school year.  
15 This amount shall be deemed a one time increase, and shall not  
16 affect any future general State aid allocations.

17 (F) Compilation of Average Daily Attendance.

18 (1) Each school district shall, by July 1 of each year,  
19 submit to the State Board of Education, on forms prescribed by  
20 the State Board of Education, attendance figures for the school  
21 year that began in the preceding calendar year. The attendance  
22 information so transmitted shall identify the average daily  
23 attendance figures for each month of the school year. Beginning  
24 with the general State aid claim form for the 2002-2003 school  
25 year, districts shall calculate Average Daily Attendance as

1 provided in subdivisions (a), (b), and (c) of this paragraph  
2 (1).

3 (a) In districts that do not hold year-round classes,  
4 days of attendance in August shall be added to the month of  
5 September and any days of attendance in June shall be added  
6 to the month of May.

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

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

23 Except as otherwise provided in this Section, days of  
24 attendance by pupils shall be counted only for sessions of not  
25 less than 5 clock hours of school work per day under direct  
26 supervision of: (i) teachers, or (ii) non-teaching personnel or

1 volunteer personnel when engaging in non-teaching duties and  
2 supervising in those instances specified in subsection (a) of  
3 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
4 of legal school age and in kindergarten and grades 1 through  
5 12.

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

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

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

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

25 (c) A session of 4 or more clock hours may be counted  
26 as a day of attendance upon certification by the regional

1 superintendent, and approved by the State Superintendent  
2 of Education to the extent that the district has been  
3 forced to use daily multiple sessions.

4 (d) A session of 3 or more clock hours may be counted  
5 as a day of attendance (1) when the remainder of the school  
6 day or at least 2 hours in the evening of that day is  
7 utilized for an in-service training program for teachers,  
8 up to a maximum of 5 days per school year, provided a  
9 district conducts an in-service training program for  
10 teachers in accordance with Section 10-22.39 of this Code;  
11 or, in lieu of 4 such days, 2 full days may be used, in  
12 which event each such day may be counted as a day required  
13 for a legal school calendar pursuant to Section 10-19 of  
14 this Code; (1.5) when, of the 5 days allowed under item  
15 (1), a maximum of 4 days are used for parent-teacher  
16 conferences, or, in lieu of 4 such days, 2 full days are  
17 used, in which case each such day may be counted as a  
18 calendar day required under Section 10-19 of this Code,  
19 provided that the full-day, parent-teacher conference  
20 consists of (i) a minimum of 5 clock hours of  
21 parent-teacher conferences, (ii) both a minimum of 2 clock  
22 hours of parent-teacher conferences held in the evening  
23 following a full day of student attendance, as specified in  
24 subsection (F)(1)(c), and a minimum of 3 clock hours of  
25 parent-teacher conferences held on the day immediately  
26 following evening parent-teacher conferences, or (iii)

1 multiple parent-teacher conferences held in the evenings  
2 following full days of student attendance, as specified in  
3 subsection (F)(1)(c), in which the time used for the  
4 parent-teacher conferences is equivalent to a minimum of 5  
5 clock hours; and (2) when days in addition to those  
6 provided in items (1) and (1.5) are scheduled by a school  
7 pursuant to its school improvement plan adopted under  
8 Article 34 or its revised or amended school improvement  
9 plan adopted under Article 2, provided that (i) such  
10 sessions of 3 or more clock hours are scheduled to occur at  
11 regular intervals, (ii) the remainder of the school days in  
12 which such sessions occur are utilized for in-service  
13 training programs or other staff development activities  
14 for teachers, and (iii) a sufficient number of minutes of  
15 school work under the direct supervision of teachers are  
16 added to the school days between such regularly scheduled  
17 sessions to accumulate not less than the number of minutes  
18 by which such sessions of 3 or more clock hours fall short  
19 of 5 clock hours. Any full days used for the purposes of  
20 this paragraph shall not be considered for computing  
21 average daily attendance. Days scheduled for in-service  
22 training programs, staff development activities, or  
23 parent-teacher conferences may be scheduled separately for  
24 different grade levels and different attendance centers of  
25 the district.

26 (e) A session of not less than one clock hour of

1 teaching hospitalized or homebound pupils on-site or by  
2 telephone to the classroom may be counted as 1/2 day of  
3 attendance, however these pupils must receive 4 or more  
4 clock hours of instruction to be counted for a full day of  
5 attendance.

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

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

18 (h) A recognized kindergarten which provides for only  
19 1/2 day of attendance by each pupil shall not have more  
20 than 1/2 day of attendance counted in any one day. However,  
21 kindergartens may count 2 1/2 days of attendance in any 5  
22 consecutive school days. When a pupil attends such a  
23 kindergarten for 2 half days on any one school day, the  
24 pupil shall have the following day as a day absent from  
25 school, unless the school district obtains permission in  
26 writing from the State Superintendent of Education.



1 Attendance at kindergartens which provide for a full day of  
2 attendance by each pupil shall be counted the same as  
3 attendance by first grade pupils. Only the first year of  
4 attendance in one kindergarten shall be counted, except in  
5 case of children who entered the kindergarten in their  
6 fifth year whose educational development requires a second  
7 year of kindergarten as determined under the rules and  
8 regulations of the State Board of Education.

9 (i) On the days when the Prairie State Achievement  
10 Examination is administered under subsection (c) of  
11 Section 2-3.64 of this Code, the day of attendance for a  
12 pupil whose school day must be shortened to accommodate  
13 required testing procedures may be less than 5 clock hours  
14 and shall be counted towards the 176 days of actual pupil  
15 attendance required under Section 10-19 of this Code,  
16 provided that a sufficient number of minutes of school work  
17 in excess of 5 clock hours are first completed on other  
18 school days to compensate for the loss of school work on  
19 the examination days.

20 (G) Equalized Assessed Valuation Data.

21 (1) For purposes of the calculation of Available Local  
22 Resources required pursuant to subsection (D), the State Board  
23 of Education shall secure from the Department of Revenue the  
24 value as equalized or assessed by the Department of Revenue of  
25 all taxable property of every school district, together with

1 (i) the applicable tax rate used in extending taxes for the  
2 funds of the district as of September 30 of the previous year  
3 and (ii) the limiting rate for all school districts subject to  
4 property tax extension limitations as imposed under the  
5 Property Tax Extension Limitation Law.

6 The Department of Revenue shall add to the equalized  
7 assessed value of all taxable property of each school district  
8 situated entirely or partially within a county that is or was  
9 subject to the provisions of Section 15-176 or 15-177 of the  
10 Property Tax Code (a) an amount equal to the total amount by  
11 which the homestead exemption allowed under Section 15-176 or  
12 15-177 of the Property Tax Code for real property situated in  
13 that school district exceeds the total amount that would have  
14 been allowed in that school district if the maximum reduction  
15 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in  
16 all other counties in tax year 2003 or (ii) \$5,000 in all  
17 counties in tax year 2004 and thereafter and (b) an amount  
18 equal to the aggregate amount for the taxable year of all  
19 additional exemptions under Section 15-175 of the Property Tax  
20 Code for owners with a household income of \$30,000 or less. The  
21 county clerk of any county that is or was subject to the  
22 provisions of Section 15-176 or 15-177 of the Property Tax Code  
23 shall annually calculate and certify to the Department of  
24 Revenue for each school district all homestead exemption  
25 amounts under Section 15-176 or 15-177 of the Property Tax Code  
26 and all amounts of additional exemptions under Section 15-175

1 of the Property Tax Code for owners with a household income of  
2 \$30,000 or less. It is the intent of this paragraph that if the  
3 general homestead exemption for a parcel of property is  
4 determined under Section 15-176 or 15-177 of the Property Tax  
5 Code rather than Section 15-175, then the calculation of  
6 Available Local Resources shall not be affected by the  
7 difference, if any, between the amount of the general homestead  
8 exemption allowed for that parcel of property under Section  
9 15-176 or 15-177 of the Property Tax Code and the amount that  
10 would have been allowed had the general homestead exemption for  
11 that parcel of property been determined under Section 15-175 of  
12 the Property Tax Code. It is further the intent of this  
13 paragraph that if additional exemptions are allowed under  
14 Section 15-175 of the Property Tax Code for owners with a  
15 household income of less than \$30,000, then the calculation of  
16 Available Local Resources shall not be affected by the  
17 difference, if any, because of those additional exemptions.

18 This equalized assessed valuation, as adjusted further by  
19 the requirements of this subsection, shall be utilized in the  
20 calculation of Available Local Resources.

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

23 (a) For the purposes of calculating State aid under  
24 this Section, with respect to any part of a school district  
25 within a redevelopment project area in respect to which a  
26 municipality has adopted tax increment allocation

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

20 (b) The real property equalized assessed valuation for  
21 a school district shall be adjusted by subtracting from the  
22 real property value as equalized or assessed by the  
23 Department of Revenue for the district an amount computed  
24 by dividing the amount of any abatement of taxes under  
25 Section 18-170 of the Property Tax Code by 3.00% for a  
26 district maintaining grades kindergarten through 12, by

1           2.30% for a district maintaining grades kindergarten  
2           through 8, or by 1.05% for a district maintaining grades 9  
3           through 12 and adjusted by an amount computed by dividing  
4           the amount of any abatement of taxes under subsection (a)  
5           of Section 18-165 of the Property Tax Code by the same  
6           percentage rates for district type as specified in this  
7           subparagraph (b).

8           (3) For the 1999-2000 school year and each school year  
9           thereafter, if a school district meets all of the criteria of  
10          this subsection (G) (3), the school district's Available Local  
11          Resources shall be calculated under subsection (D) using the  
12          district's Extension Limitation Equalized Assessed Valuation  
13          as calculated under this subsection (G) (3).

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

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

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

20                 "Preceding Tax Year": The property tax levy year  
21                 immediately preceding the Base Tax Year.

22                 "Base Tax Year's Tax Extension": The product of the  
23                 equalized assessed valuation utilized by the County Clerk  
24                 in the Base Tax Year multiplied by the limiting rate as  
25                 calculated by the County Clerk and defined in the Property  
26                 Tax Extension Limitation Law.

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

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

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

11          If a school district is subject to property tax extension  
12          limitations as imposed under the Property Tax Extension  
13          Limitation Law, the State Board of Education shall calculate  
14          the Extension Limitation Equalized Assessed Valuation of that  
15          district. For the 1999-2000 school year, the Extension  
16          Limitation Equalized Assessed Valuation of a school district as  
17          calculated by the State Board of Education shall be equal to  
18          the product of the district's 1996 Equalized Assessed Valuation  
19          and the district's Extension Limitation Ratio. Except as  
20          otherwise provided in this paragraph for a school district that  
21          has approved or does approve an increase in its limiting rate,  
22          for the 2000-2001 school year and each school year thereafter,  
23          the Extension Limitation Equalized Assessed Valuation of a  
24          school district as calculated by the State Board of Education  
25          shall be equal to the product of the Equalized Assessed  
26          Valuation last used in the calculation of general State aid and

1 the district's Extension Limitation Ratio. If the Extension  
2 Limitation Equalized Assessed Valuation of a school district as  
3 calculated under this subsection (G)(3) is less than the  
4 district's equalized assessed valuation as calculated pursuant  
5 to subsections (G)(1) and (G)(2), then for purposes of  
6 calculating the district's general State aid for the Budget  
7 Year pursuant to subsection (E), that Extension Limitation  
8 Equalized Assessed Valuation shall be utilized to calculate the  
9 district's Available Local Resources under subsection (D). For  
10 the 2009-2010 school year and each school year thereafter, if a  
11 school district has approved or does approve an increase in its  
12 limiting rate, pursuant to Section 18-190 of the Property Tax  
13 Code, affecting the Base Tax Year, the Extension Limitation  
14 Equalized Assessed Valuation of the school district, as  
15 calculated by the State Board of Education, shall be equal to  
16 the product of the Equalized Assessed Valuation last used in  
17 the calculation of general State aid times an amount equal to  
18 one plus the percentage increase, if any, in the Consumer Price  
19 Index for all Urban Consumers for all items published by the  
20 United States Department of Labor for the 12-month calendar  
21 year preceding the Base Tax Year, plus the Equalized Assessed  
22 Valuation of new property, annexed property, and recovered tax  
23 increment value and minus the Equalized Assessed Valuation of  
24 disconnected property. New property and recovered tax  
25 increment value shall have the meanings set forth in the  
26 Property Tax Extension Limitation Law.

1 Partial elementary unit districts created in accordance  
2 with Article 11E of this Code shall not be eligible for the  
3 adjustment in this subsection (G)(3) until the fifth year  
4 following the effective date of the reorganization.

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

25 (5) For school districts having a majority of their  
26 equalized assessed valuation in any county except Cook, DuPage,



1 Kane, Lake, McHenry, or Will, if the amount of general State  
2 aid allocated to the school district for the 1999-2000 school  
3 year under the provisions of subsection (E), (H), and (J) of  
4 this Section is less than the amount of general State aid  
5 allocated to the district for the 1998-1999 school year under  
6 these subsections, then the general State aid of the district  
7 for the 1999-2000 school year only shall be increased by the  
8 difference between these amounts. The total payments made under  
9 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
10 be prorated if they exceed \$14,000,000.

11 (H) Supplemental General State Aid.

12 (1) In addition to the general State aid a school district  
13 is allotted pursuant to subsection (E), qualifying school  
14 districts shall receive a grant, paid in conjunction with a  
15 district's payments of general State aid, for supplemental  
16 general State aid based upon the concentration level of  
17 children from low-income households within the school  
18 district. Supplemental State aid grants provided for school  
19 districts under this subsection shall be appropriated for  
20 distribution to school districts as part of the same line item  
21 in which the general State financial aid of school districts is  
22 appropriated under this Section. If the appropriation in any  
23 fiscal year for general State aid and supplemental general  
24 State aid is insufficient to pay the amounts required under the  
25 general State aid and supplemental general State aid

1 calculations, then the State Board of Education shall ensure  
2 that each school district receives the full amount due for  
3 general State aid and the remainder of the appropriation shall  
4 be used for supplemental general State aid, which the State  
5 Board of Education shall calculate and pay to eligible  
6 districts on a prorated basis.

7 (1.5) This paragraph (1.5) applies only to those school  
8 years preceding the 2003-2004 school year. For purposes of this  
9 subsection (H), the term "Low-Income Concentration Level"  
10 shall be the low-income eligible pupil count from the most  
11 recently available federal census divided by the Average Daily  
12 Attendance of the school district. If, however, (i) the  
13 percentage decrease from the 2 most recent federal censuses in  
14 the low-income eligible pupil count of a high school district  
15 with fewer than 400 students exceeds by 75% or more the  
16 percentage change in the total low-income eligible pupil count  
17 of contiguous elementary school districts, whose boundaries  
18 are coterminous with the high school district, or (ii) a high  
19 school district within 2 counties and serving 5 elementary  
20 school districts, whose boundaries are coterminous with the  
21 high school district, has a percentage decrease from the 2 most  
22 recent federal censuses in the low-income eligible pupil count  
23 and there is a percentage increase in the total low-income  
24 eligible pupil count of a majority of the elementary school  
25 districts in excess of 50% from the 2 most recent federal  
26 censuses, then the high school district's low-income eligible

1 pupil count from the earlier federal census shall be the number  
2 used as the low-income eligible pupil count for the high school  
3 district, for purposes of this subsection (H). The changes made  
4 to this paragraph (1) by Public Act 92-28 shall apply to  
5 supplemental general State aid grants for school years  
6 preceding the 2003-2004 school year that are paid in fiscal  
7 year 1999 or thereafter and to any State aid payments made in  
8 fiscal year 1994 through fiscal year 1998 pursuant to  
9 subsection 1(n) of Section 18-8 of this Code (which was  
10 repealed on July 1, 1998), and any high school district that is  
11 affected by Public Act 92-28 is entitled to a recomputation of  
12 its supplemental general State aid grant or State aid paid in  
13 any of those fiscal years. This recomputation shall not be  
14 affected by any other funding.

15 (1.10) This paragraph (1.10) applies to the 2003-2004  
16 school year and each school year thereafter. For purposes of  
17 this subsection (H), the term "Low-Income Concentration Level"  
18 shall, for each fiscal year, be the low-income eligible pupil  
19 count as of July 1 of the immediately preceding fiscal year (as  
20 determined by the Department of Human Services based on the  
21 number of pupils who are eligible for at least one of the  
22 following low income programs: Medicaid, the Children's Health  
23 Insurance Program, TANF, or Food Stamps, excluding pupils who  
24 are eligible for services provided by the Department of  
25 Children and Family Services, averaged over the 2 immediately  
26 preceding fiscal years for fiscal year 2004 and over the 3

1 immediately preceding fiscal years for each fiscal year  
2 thereafter) divided by the Average Daily Attendance of the  
3 school district.

4 (2) Supplemental general State aid pursuant to this  
5 subsection (H) shall be provided as follows for the 1998-1999,  
6 1999-2000, and 2000-2001 school years only:

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

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

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

19 (d) For any school district with a Low Income  
20 Concentration Level of 60% or more, the grant for the  
21 1998-99 school year shall be \$1,900 multiplied by the low  
22 income eligible pupil count.

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

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

5           (2.5) Supplemental general State aid pursuant to this  
6 subsection (H) shall be provided as follows for the 2002-2003  
7 school year:

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

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

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

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

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

1 the low income eligible pupil count.

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

6 (2.10) Except as otherwise provided, supplemental general  
7 State aid pursuant to this subsection (H) shall be provided as  
8 follows for the 2003-2004 school year and each school year  
9 thereafter:

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

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

19 For the 2003-2004 school year and each school year  
20 thereafter through the 2008-2009 school year only, the grant  
21 shall be no less than the grant for the 2002-2003 school year.  
22 For the 2009-2010 school year only, the grant shall be no less  
23 than the grant for the 2002-2003 school year multiplied by  
24 0.66. For the 2010-2011 school year only, the grant shall be no  
25 less than the grant for the 2002-2003 school year multiplied by  
26 0.33. Notwithstanding the provisions of this paragraph to the

1 contrary, if for any school year supplemental general State aid  
2 grants are prorated as provided in paragraph (1) of this  
3 subsection (H), then the grants under this paragraph shall be  
4 prorated.

5 For the 2003-2004 school year only, the grant shall be no  
6 greater than the grant received during the 2002-2003 school  
7 year added to the product of 0.25 multiplied by the difference  
8 between the grant amount calculated under subsection (a) or (b)  
9 of this paragraph (2.10), whichever is applicable, and the  
10 grant received during the 2002-2003 school year. For the  
11 2004-2005 school year only, the grant shall be no greater than  
12 the grant received during the 2002-2003 school year added to  
13 the product of 0.50 multiplied by the difference between the  
14 grant amount calculated under subsection (a) or (b) of this  
15 paragraph (2.10), whichever is applicable, and the grant  
16 received during the 2002-2003 school year. For the 2005-2006  
17 school year only, the grant shall be no greater than the grant  
18 received during the 2002-2003 school year added to the product  
19 of 0.75 multiplied by the difference between the grant amount  
20 calculated under subsection (a) or (b) of this paragraph  
21 (2.10), whichever is applicable, and the grant received during  
22 the 2002-2003 school year.

23 (3) School districts with an Average Daily Attendance of  
24 more than 1,000 and less than 50,000 that qualify for  
25 supplemental general State aid pursuant to this subsection  
26 shall submit a plan to the State Board of Education prior to

1 October 30 of each year for the use of the funds resulting from  
2 this grant of supplemental general State aid for the  
3 improvement of instruction in which priority is given to  
4 meeting the education needs of disadvantaged children. Such  
5 plan shall be submitted in accordance with rules and  
6 regulations promulgated by the State Board of Education.

7 (4) School districts with an Average Daily Attendance of  
8 50,000 or more that qualify for supplemental general State aid  
9 pursuant to this subsection shall be required to distribute  
10 from funds available pursuant to this Section, no less than  
11 \$261,000,000 in accordance with the following requirements:

12 (a) The required amounts shall be distributed to the  
13 attendance centers within the district in proportion to the  
14 number of pupils enrolled at each attendance center who are  
15 eligible to receive free or reduced-price lunches or  
16 breakfasts under the federal Child Nutrition Act of 1966  
17 and under the National School Lunch Act during the  
18 immediately preceding school year.

19 (b) The distribution of these portions of supplemental  
20 and general State aid among attendance centers according to  
21 these requirements shall not be compensated for or  
22 contravened by adjustments of the total of other funds  
23 appropriated to any attendance centers, and the Board of  
24 Education shall utilize funding from one or several sources  
25 in order to fully implement this provision annually prior  
26 to the opening of school.



1           (c) Each attendance center shall be provided by the  
2 school district a distribution of noncategorical funds and  
3 other categorical funds to which an attendance center is  
4 entitled under law in order that the general State aid and  
5 supplemental general State aid provided by application of  
6 this subsection supplements rather than supplants the  
7 noncategorical funds and other categorical funds provided  
8 by the school district to the attendance centers.

9           (d) Any funds made available under this subsection that  
10 by reason of the provisions of this subsection are not  
11 required to be allocated and provided to attendance centers  
12 may be used and appropriated by the board of the district  
13 for any lawful school purpose.

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

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

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

23           If the district fails to distribute State aid to  
24 attendance centers in accordance with an approved plan, the  
25 plan for the following year shall allocate funds, in  
26 addition to the funds otherwise required by this

1 subsection, to those attendance centers which were  
2 underfunded during the previous year in amounts equal to  
3 such underfunding.

4 For purposes of determining compliance with this  
5 subsection in relation to the requirements of attendance  
6 center funding, each district subject to the provisions of  
7 this subsection shall submit as a separate document by  
8 December 1 of each year a report of expenditure data for  
9 the prior year in addition to any modification of its  
10 current plan. If it is determined that there has been a  
11 failure to comply with the expenditure provisions of this  
12 subsection regarding contravention or supplanting, the  
13 State Superintendent of Education shall, within 60 days of  
14 receipt of the report, notify the district and any affected  
15 local school council. The district shall within 45 days of  
16 receipt of that notification inform the State  
17 Superintendent of Education of the remedial or corrective  
18 action to be taken, whether by amendment of the current  
19 plan, if feasible, or by adjustment in the plan for the  
20 following year. Failure to provide the expenditure report  
21 or the notification of remedial or corrective action in a  
22 timely manner shall result in a withholding of the affected  
23 funds.

24 The State Board of Education shall promulgate rules and  
25 regulations to implement the provisions of this  
26 subsection. No funds shall be released under this

1 subdivision (H) (4) to any district that has not submitted a  
2 plan that has been approved by the State Board of  
3 Education.

4 (I) (Blank).

5 (J) Supplementary Grants in Aid.

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

1           (2) If, as provided in paragraph (1) of this subsection  
2           (J), a school district is to receive aggregate general State  
3           aid in combination with supplemental general State aid under  
4           this Section for the 1998-99 school year and any subsequent  
5           school year that in any such school year is less than the  
6           amount of the aggregate general State aid entitlement that the  
7           district received for the 1997-98 school year, the school  
8           district shall also receive, from a separate appropriation made  
9           for purposes of this subsection (J), a supplementary payment  
10          that is equal to the amount of the difference in the aggregate  
11          State aid figures as described in paragraph (1).

12          (3) (Blank).

13          (K) Grants to Laboratory and Alternative Schools and Department  
14          of Juvenile Justice School District.

15          In calculating the amount to be paid to the Department of  
16          Juvenile Justice School District, the governing board of a  
17          public university that operates a laboratory school under this  
18          Section, or to any alternative school that is operated by a  
19          regional superintendent of schools, the State Board of  
20          Education shall require by rule such reporting requirements as  
21          it deems necessary.

22          As used in this Section, "laboratory school" means a public  
23          school which is created and operated by a public university and  
24          approved by the State Board of Education. The governing board  
25          of a public university which receives funds from the State

1 Board under this subsection (K) may not increase the number of  
2 students enrolled in its laboratory school from a single  
3 district, if that district is already sending 50 or more  
4 students, except under a mutual agreement between the school  
5 board of a student's district of residence and the university  
6 which operates the laboratory school. A laboratory school may  
7 not have more than 1,000 students, excluding students with  
8 disabilities in a special education program.

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

25 For purposes of this Section, "Department of Juvenile  
26 Justice School District" means the school district established

1 under Section 13-40 of this Code.

2 Each laboratory and alternative school and the Department  
3 of Juvenile Justice School District shall file, on forms  
4 provided by the State Superintendent of Education, an annual  
5 State aid claim which states the Average Daily Attendance of  
6 the school's students by month. The best 3 months' Average  
7 Daily Attendance shall be computed for each school. The general  
8 State aid entitlement shall be computed by multiplying the  
9 applicable Average Daily Attendance by the Foundation Level as  
10 determined under this Section.

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

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

25 (2) (Blank).

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

3           (M) Education Funding Advisory Board.

4           The Education Funding Advisory Board, hereinafter in this  
5 subsection (M) referred to as the "Board", is hereby created.  
6 The Board shall consist of 5 members who are appointed by the  
7 Governor, by and with the advice and consent of the Senate. The  
8 members appointed shall include representatives of education,  
9 business, and the general public. One of the members so  
10 appointed shall be designated by the Governor at the time the  
11 appointment is made as the chairperson of the Board. The  
12 initial members of the Board may be appointed any time after  
13 the effective date of this amendatory Act of 1997. The regular  
14 term of each member of the Board shall be for 4 years from the  
15 third Monday of January of the year in which the term of the  
16 member's appointment is to commence, except that of the 5  
17 initial members appointed to serve on the Board, the member who  
18 is appointed as the chairperson shall serve for a term that  
19 commences on the date of his or her appointment and expires on  
20 the third Monday of January, 2002, and the remaining 4 members,  
21 by lots drawn at the first meeting of the Board that is held  
22 after all 5 members are appointed, shall determine 2 of their  
23 number to serve for terms that commence on the date of their  
24 respective appointments and expire on the third Monday of  
25 January, 2001, and 2 of their number to serve for terms that



1 commence on the date of their respective appointments and  
2 expire on the third Monday of January, 2000. All members  
3 appointed to serve on the Board shall serve until their  
4 respective successors are appointed and confirmed. Vacancies  
5 shall be filled in the same manner as original appointments. If  
6 a vacancy in membership occurs at a time when the Senate is not  
7 in session, the Governor shall make a temporary appointment  
8 until the next meeting of the Senate, when he or she shall  
9 appoint, by and with the advice and consent of the Senate, a  
10 person to fill that membership for the unexpired term. If the  
11 Senate is not in session when the initial appointments are  
12 made, those appointments shall be made as in the case of  
13 vacancies.

14 The Education Funding Advisory Board shall be deemed  
15 established, and the initial members appointed by the Governor  
16 to serve as members of the Board shall take office, on the date  
17 that the Governor makes his or her appointment of the fifth  
18 initial member of the Board, whether those initial members are  
19 then serving pursuant to appointment and confirmation or  
20 pursuant to temporary appointments that are made by the  
21 Governor as in the case of vacancies.

22 The State Board of Education shall provide such staff  
23 assistance to the Education Funding Advisory Board as is  
24 reasonably required for the proper performance by the Board of  
25 its responsibilities.

26 For school years after the 2000-2001 school year, the

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

14 (N) (Blank).

15 (O) References.

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

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

1 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
2 changes to this Section. Under Section 6 of the Statute on  
3 Statutes there is an irreconcilable conflict between Public Act  
4 93-808 and Public Act 93-838. Public Act 93-838, being the last  
5 acted upon, is controlling. The text of Public Act 93-838 is  
6 the law regardless of the text of Public Act 93-808.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;  
8 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.  
9 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.  
10 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; revised  
11 10-23-09.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law."