



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2410

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-8.05

Amends the State aid formula provisions of the School Code. Provides that on days when a school district is celebrating homecoming or prom, the day of attendance for a pupil whose school day is shortened to accommodate any planning or festivity may be less than 5 clock hours and shall be counted towards the 176 days of actual pupil attendance required under the Code. Effective July 1, 2015.

LRB099 06882 NHT 26962 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 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

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

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the 1998-1999
12 and subsequent school years. The system of general State
13 financial aid provided for in this Section is designed to
14 assure that, through a combination of State financial aid and
15 required local resources, the financial support provided each
16 pupil in Average Daily Attendance equals or exceeds a
17 prescribed per pupil Foundation Level. This formula approach
18 imputes a level of per pupil Available Local Resources and
19 provides for the basis to calculate a per pupil level of
20 general State financial aid that, when added to Available Local
21 Resources, equals or exceeds the Foundation Level. The amount
22 of per pupil general State financial aid for school districts,

1 in general, varies in inverse relation to Available Local
2 Resources. Per pupil amounts are based upon each school
3 district's Average Daily Attendance as that term is defined in
4 this Section.

5 (2) In addition to general State financial aid, school
6 districts with specified levels or concentrations of pupils
7 from low income households are eligible to receive supplemental
8 general State financial aid grants as provided pursuant to
9 subsection (H). The supplemental State aid grants provided for
10 school districts under subsection (H) shall be appropriated for
11 distribution to school districts as part of the same line item
12 in which the general State financial aid of school districts is
13 appropriated under this Section.

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

17 (a) Any school district which fails for any given
18 school year to maintain school as required by law, or to
19 maintain a recognized school is not eligible to file for
20 such school year any claim upon the Common School Fund. In
21 case of nonrecognition of one or more attendance centers in
22 a school district otherwise operating recognized schools,
23 the claim of the district shall be reduced in the
24 proportion which the Average Daily Attendance in the
25 attendance center or centers bear to the Average Daily
26 Attendance in the school district. A "recognized school"

1 means any public school which meets the standards as
2 established for recognition by the State Board of
3 Education. A school district or attendance center not
4 having recognition status at the end of a school term is
5 entitled to receive State aid payments due upon a legal
6 claim which was filed while it was recognized.

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

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

15 (d) (Blank).

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

20 School districts are not required to exert a minimum
21 Operating Tax Rate in order to qualify for assistance under
22 this Section.

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

25 (a) "Average Daily Attendance": A count of pupil
26 attendance in school, averaged as provided for in

1 subsection (C) and utilized in deriving per pupil financial
2 support levels.

3 (b) "Available Local Resources": A computation of
4 local financial support, calculated on the basis of Average
5 Daily Attendance and derived as provided pursuant to
6 subsection (D).

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

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

16 (e) "Operating Tax Rate": All school district property
17 taxes extended for all purposes, except Bond and Interest,
18 Summer School, Rent, Capital Improvement, and Vocational
19 Education Building purposes.

20 (B) Foundation Level.

21 (1) The Foundation Level is a figure established by the
22 State representing the minimum level of per pupil financial
23 support that should be available to provide for the basic
24 education of each pupil in Average Daily Attendance. As set
25 forth in this Section, each school district is assumed to exert

1 a sufficient local taxing effort such that, in combination with
2 the aggregate of general State financial aid provided the
3 district, an aggregate of State and local resources are
4 available to meet the basic education needs of pupils in the
5 district.

6 (2) For the 1998-1999 school year, the Foundation Level of
7 support is \$4,225. For the 1999-2000 school year, the
8 Foundation Level of support is \$4,325. For the 2000-2001 school
9 year, the Foundation Level of support is \$4,425. For the
10 2001-2002 school year and 2002-2003 school year, the Foundation
11 Level of support is \$4,560. For the 2003-2004 school year, the
12 Foundation Level of support is \$4,810. For the 2004-2005 school
13 year, the Foundation Level of support is \$4,964. For the
14 2005-2006 school year, the Foundation Level of support is
15 \$5,164. For the 2006-2007 school year, the Foundation Level of
16 support is \$5,334. For the 2007-2008 school year, the
17 Foundation Level of support is \$5,734. For the 2008-2009 school
18 year, the Foundation Level of support is \$5,959.

19 (3) For the 2009-2010 school year and each school year
20 thereafter, the Foundation Level of support is \$6,119 or such
21 greater amount as may be established by law by the General
22 Assembly.

23 (C) Average Daily Attendance.

24 (1) For purposes of calculating general State aid pursuant
25 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

1 from Corporate Personal Property Replacement Taxes, expressed
2 on the basis of pupils in Average Daily Attendance. Calculation
3 of Available Local Resources shall exclude any tax amnesty
4 funds received as a result of Public Act 93-26.

5 (2) In determining a school district's revenue from local
6 property taxes, the State Board of Education shall utilize the
7 equalized assessed valuation of all taxable property of each
8 school district as of September 30 of the previous year. The
9 equalized assessed valuation utilized shall be obtained and
10 determined as provided in subsection (G).

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

25 For partial elementary unit districts created pursuant to
26 Article 11E of this Code, local property tax revenues per pupil

1 shall be calculated as the product of the equalized assessed
2 valuation for property within the partial elementary unit
3 district for elementary purposes, as defined in Article 11E of
4 this Code, multiplied by 2.06% and divided by the district's
5 Average Daily Attendance figure, plus the product of the
6 equalized assessed valuation for property within the partial
7 elementary unit district for high school purposes, as defined
8 in Article 11E of this Code, multiplied by 0.94% and divided by
9 the district's Average Daily Attendance figure.

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

20 (E) Computation of General State Aid.

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

24 (2) For any school district for which Available Local
25 Resources per pupil is less than the product of 0.93 times the

1 Foundation Level, general State aid for that district shall be
2 calculated as an amount equal to the Foundation Level minus
3 Available Local Resources, multiplied by the Average Daily
4 Attendance of the school district.

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

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

26 (5) The amount of general State aid allocated to a school

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

10 (F) Compilation of Average Daily Attendance.

11 (1) Each school district shall, by July 1 of each year,
12 submit to the State Board of Education, on forms prescribed by
13 the State Board of Education, attendance figures for the school
14 year that began in the preceding calendar year. The attendance
15 information so transmitted shall identify the average daily
16 attendance figures for each month of the school year. Beginning
17 with the general State aid claim form for the 2002-2003 school
18 year, districts shall calculate Average Daily Attendance as
19 provided in subdivisions (a), (b), and (c) of this paragraph
20 (1).

21 (a) In districts that do not hold year-round classes,
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.

25 (b) In districts in which all buildings hold year-round

1 classes, days of attendance in July and August shall be
2 added to the month of September and any days of attendance
3 in June shall be added to the month of May.

4 (c) In districts in which some buildings, but not all,
5 hold year-round classes, for the non-year-round buildings,
6 days of attendance in August shall be added to the month of
7 September and any days of attendance in June shall be added
8 to the month of May. The average daily attendance for the
9 year-round buildings shall be computed as provided in
10 subdivision (b) of this paragraph (1). To calculate the
11 Average Daily Attendance for the district, the average
12 daily attendance for the year-round buildings shall be
13 multiplied by the days in session for the non-year-round
14 buildings for each month and added to the monthly
15 attendance of the non-year-round buildings.

16 Except as otherwise provided in this Section, days of
17 attendance by pupils shall be counted only for sessions of not
18 less than 5 clock hours of school work per day under direct
19 supervision of: (i) teachers, or (ii) non-teaching personnel or
20 volunteer personnel when engaging in non-teaching duties and
21 supervising in those instances specified in subsection (a) of
22 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
23 of legal school age and in kindergarten and grades 1 through
24 12.

25 Days of attendance by tuition pupils shall be accredited
26 only to the districts that pay the tuition to a recognized

1 school.

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

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

14 (b) (Blank).

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

20 (d) A session of 3 or more clock hours may be counted
21 as a day of attendance (1) when the remainder of the school
22 day or at least 2 hours in the evening of that day is
23 utilized for an in-service training program for teachers,
24 up to a maximum of 5 days per school year, provided a
25 district conducts an in-service training program for
26 teachers in accordance with Section 10-22.39 of this Code;

1 or, in lieu of 4 such days, 2 full days may be used, in
2 which event each such day may be counted as a day required
3 for a legal school calendar pursuant to Section 10-19 of
4 this Code; (1.5) when, of the 5 days allowed under item
5 (1), a maximum of 4 days are used for parent-teacher
6 conferences, or, in lieu of 4 such days, 2 full days are
7 used, in which case each such day may be counted as a
8 calendar day required under Section 10-19 of this Code,
9 provided that the full-day, parent-teacher conference
10 consists of (i) a minimum of 5 clock hours of
11 parent-teacher conferences, (ii) both a minimum of 2 clock
12 hours of parent-teacher conferences held in the evening
13 following a full day of student attendance, as specified in
14 subsection (F)(1)(c), and a minimum of 3 clock hours of
15 parent-teacher conferences held on the day immediately
16 following evening parent-teacher conferences, or (iii)
17 multiple parent-teacher conferences held in the evenings
18 following full days of student attendance, as specified in
19 subsection (F)(1)(c), in which the time used for the
20 parent-teacher conferences is equivalent to a minimum of 5
21 clock hours; and (2) when days in addition to those
22 provided in items (1) and (1.5) are scheduled by a school
23 pursuant to its school improvement plan adopted under
24 Article 34 or its revised or amended school improvement
25 plan adopted under Article 2, provided that (i) such
26 sessions of 3 or more clock hours are scheduled to occur at

1 regular intervals, (ii) the remainder of the school days in
2 which such sessions occur are utilized for in-service
3 training programs or other staff development activities
4 for teachers, and (iii) a sufficient number of minutes of
5 school work under the direct supervision of teachers are
6 added to the school days between such regularly scheduled
7 sessions to accumulate not less than the number of minutes
8 by which such sessions of 3 or more clock hours fall short
9 of 5 clock hours. Any full days used for the purposes of
10 this paragraph shall not be considered for computing
11 average daily attendance. Days scheduled for in-service
12 training programs, staff development activities, or
13 parent-teacher conferences may be scheduled separately for
14 different grade levels and different attendance centers of
15 the district.

16 (e) A session of not less than one clock hour of
17 teaching hospitalized or homebound pupils on-site or by
18 telephone to the classroom may be counted as 1/2 day of
19 attendance, however these pupils must receive 4 or more
20 clock hours of instruction to be counted for a full day of
21 attendance.

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

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

8 (h) A recognized kindergarten which provides for only
9 1/2 day of attendance by each pupil shall not have more
10 than 1/2 day of attendance counted in any one day. However,
11 kindergartens may count 2 1/2 days of attendance in any 5
12 consecutive school days. When a pupil attends such a
13 kindergarten for 2 half days on any one school day, the
14 pupil shall have the following day as a day absent from
15 school, unless the school district obtains permission in
16 writing from the State Superintendent of Education.
17 Attendance at kindergartens which provide for a full day of
18 attendance by each pupil shall be counted the same as
19 attendance by first grade pupils. Only the first year of
20 attendance in one kindergarten shall be counted, except in
21 case of children who entered the kindergarten in their
22 fifth year whose educational development requires a second
23 year of kindergarten as determined under the rules and
24 regulations of the State Board of Education.

25 (i) On the days when the assessment that includes a
26 college and career ready determination is administered

1 under subsection (c) of Section 2-3.64a-5 of this Code, the
2 day of attendance for a pupil whose school day must be
3 shortened to accommodate required testing procedures may
4 be less than 5 clock hours and shall be counted towards the
5 176 days of actual pupil attendance required under Section
6 10-19 of this Code, provided that a sufficient number of
7 minutes of school work in excess of 5 clock hours are first
8 completed on other school days to compensate for the loss
9 of school work on the examination days.

10 (j) Pupils enrolled in a remote educational program
11 established under Section 10-29 of this Code may be counted
12 on the basis of one-fifth day of attendance for every clock
13 hour of instruction attended in the remote educational
14 program, provided that, in any month, the school district
15 may not claim for a student enrolled in a remote
16 educational program more days of attendance than the
17 maximum number of days of attendance the district can claim

18 (i) for students enrolled in a building holding year-round
19 classes if the student is classified as participating in
20 the remote educational program on a year-round schedule or
21 (ii) for students enrolled in a building not holding
22 year-round classes if the student is not classified as
23 participating in the remote educational program on a
24 year-round schedule.

25 (k) On days when a district is celebrating homecoming
26 or prom, the day of attendance for a pupil whose school day

1 is shortened to accommodate any planning or festivity may
2 be less than 5 clock hours and shall be counted towards the
3 176 days of actual pupil attendance required under Section
4 10-19 of this Code.

5 (G) Equalized Assessed Valuation Data.

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

16 The Department of Revenue shall add to the equalized
17 assessed value of all taxable property of each school district
18 situated entirely or partially within a county that is or was
19 subject to the provisions of Section 15-176 or 15-177 of the
20 Property Tax Code (a) an amount equal to the total amount by
21 which the homestead exemption allowed under Section 15-176 or
22 15-177 of the Property Tax Code for real property situated in
23 that school district exceeds the total amount that would have
24 been allowed in that school district if the maximum reduction
25 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in

1 all other counties in tax year 2003 or (ii) \$5,000 in all
2 counties in tax year 2004 and thereafter and (b) an amount
3 equal to the aggregate amount for the taxable year of all
4 additional exemptions under Section 15-175 of the Property Tax
5 Code for owners with a household income of \$30,000 or less. The
6 county clerk of any county that is or was subject to the
7 provisions of Section 15-176 or 15-177 of the Property Tax Code
8 shall annually calculate and certify to the Department of
9 Revenue for each school district all homestead exemption
10 amounts under Section 15-176 or 15-177 of the Property Tax Code
11 and all amounts of additional exemptions under Section 15-175
12 of the Property Tax Code for owners with a household income of
13 \$30,000 or less. It is the intent of this paragraph that if the
14 general homestead exemption for a parcel of property is
15 determined under Section 15-176 or 15-177 of the Property Tax
16 Code rather than Section 15-175, then the calculation of
17 Available Local Resources shall not be affected by the
18 difference, if any, between the amount of the general homestead
19 exemption allowed for that parcel of property under Section
20 15-176 or 15-177 of the Property Tax Code and the amount that
21 would have been allowed had the general homestead exemption for
22 that parcel of property been determined under Section 15-175 of
23 the Property Tax Code. It is further the intent of this
24 paragraph that if additional exemptions are allowed under
25 Section 15-175 of the Property Tax Code for owners with a
26 household income of less than \$30,000, then the calculation of

1 Available Local Resources shall not be affected by the
2 difference, if any, because of those additional exemptions.

3 This equalized assessed valuation, as adjusted further by
4 the requirements of this subsection, shall be utilized in the
5 calculation of Available Local Resources.

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

8 (a) For the purposes of calculating State aid under
9 this Section, with respect to any part of a school district
10 within a redevelopment project area in respect to which a
11 municipality has adopted tax increment allocation
12 financing pursuant to the Tax Increment Allocation
13 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
14 of the Illinois Municipal Code or the Industrial Jobs
15 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
16 Illinois Municipal Code, no part of the current equalized
17 assessed valuation of real property located in any such
18 project area which is attributable to an increase above the
19 total initial equalized assessed valuation of such
20 property shall be used as part of the equalized assessed
21 valuation of the district, until such time as all
22 redevelopment project costs have been paid, as provided in
23 Section 11-74.4-8 of the Tax Increment Allocation
24 Redevelopment Act or in Section 11-74.6-35 of the
25 Industrial Jobs Recovery Law. For the purpose of the
26 equalized assessed valuation of the district, the total

1 initial equalized assessed valuation or the current
2 equalized assessed valuation, whichever is lower, shall be
3 used until such time as all redevelopment project costs
4 have been paid.

5 (b) The real property equalized assessed valuation for
6 a school district shall be adjusted by subtracting from the
7 real property value as equalized or assessed by the
8 Department of Revenue for the district an amount computed
9 by dividing the amount of any abatement of taxes under
10 Section 18-170 of the Property Tax Code by 3.00% for a
11 district maintaining grades kindergarten through 12, by
12 2.30% for a district maintaining grades kindergarten
13 through 8, or by 1.05% for a district maintaining grades 9
14 through 12 and adjusted by an amount computed by dividing
15 the amount of any abatement of taxes under subsection (a)
16 of Section 18-165 of the Property Tax Code by the same
17 percentage rates for district type as specified in this
18 subparagraph (b).

19 (3) For the 1999-2000 school year and each school year
20 thereafter, if a school district meets all of the criteria of
21 this subsection (G) (3), the school district's Available Local
22 Resources shall be calculated under subsection (D) using the
23 district's Extension Limitation Equalized Assessed Valuation
24 as calculated under this subsection (G) (3).

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

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

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

5 "Preceding Tax Year": The property tax levy year
6 immediately preceding the Base Tax Year.

7 "Base Tax Year's Tax Extension": The product of the
8 equalized assessed valuation utilized by the County Clerk
9 in the Base Tax Year multiplied by the limiting rate as
10 calculated by the County Clerk and defined in the Property
11 Tax Extension Limitation Law.

12 "Preceding Tax Year's Tax Extension": The product of
13 the equalized assessed valuation utilized by the County
14 Clerk in the Preceding Tax Year multiplied by the Operating
15 Tax Rate as defined in subsection (A).

16 "Extension Limitation Ratio": A numerical ratio,
17 certified by the County Clerk, in which the numerator is
18 the Base Tax Year's Tax Extension and the denominator is
19 the Preceding Tax Year's Tax Extension.

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

22 If a school district is subject to property tax extension
23 limitations as imposed under the Property Tax Extension
24 Limitation Law, the State Board of Education shall calculate
25 the Extension Limitation Equalized Assessed Valuation of that
26 district. For the 1999-2000 school year, the Extension

1 Limitation Equalized Assessed Valuation of a school district as
2 calculated by the State Board of Education shall be equal to
3 the product of the district's 1996 Equalized Assessed Valuation
4 and the district's Extension Limitation Ratio. Except as
5 otherwise provided in this paragraph for a school district that
6 has approved or does approve an increase in its limiting rate,
7 for the 2000-2001 school year and each school year thereafter,
8 the Extension Limitation Equalized Assessed Valuation of a
9 school district as calculated by the State Board of Education
10 shall be equal to the product of the Equalized Assessed
11 Valuation last used in the calculation of general State aid and
12 the district's Extension Limitation Ratio. If the Extension
13 Limitation Equalized Assessed Valuation of a school district as
14 calculated under this subsection (G)(3) is less than the
15 district's equalized assessed valuation as calculated pursuant
16 to subsections (G)(1) and (G)(2), then for purposes of
17 calculating the district's general State aid for the Budget
18 Year pursuant to subsection (E), that Extension Limitation
19 Equalized Assessed Valuation shall be utilized to calculate the
20 district's Available Local Resources under subsection (D). For
21 the 2009-2010 school year and each school year thereafter, if a
22 school district has approved or does approve an increase in its
23 limiting rate, pursuant to Section 18-190 of the Property Tax
24 Code, affecting the Base Tax Year, the Extension Limitation
25 Equalized Assessed Valuation of the school district, as
26 calculated by the State Board of Education, shall be equal to

1 the product of the Equalized Assessed Valuation last used in
2 the calculation of general State aid times an amount equal to
3 one plus the percentage increase, if any, in the Consumer Price
4 Index for all Urban Consumers for all items published by the
5 United States Department of Labor for the 12-month calendar
6 year preceding the Base Tax Year, plus the Equalized Assessed
7 Valuation of new property, annexed property, and recovered tax
8 increment value and minus the Equalized Assessed Valuation of
9 disconnected property. New property and recovered tax
10 increment value shall have the meanings set forth in the
11 Property Tax Extension Limitation Law.

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

16 (3.5) For the 2010-2011 school year and each school year
17 thereafter, if a school district's boundaries span multiple
18 counties, then the Department of Revenue shall send to the
19 State Board of Education, for the purpose of calculating
20 general State aid, the limiting rate and individual rates by
21 purpose for the county that contains the majority of the school
22 district's Equalized Assessed Valuation.

23 (4) For the purposes of calculating general State aid for
24 the 1999-2000 school year only, if a school district
25 experienced a triennial reassessment on the equalized assessed
26 valuation used in calculating its general State financial aid

1 apportionment for the 1998-1999 school year, the State Board of
2 Education shall calculate the Extension Limitation Equalized
3 Assessed Valuation that would have been used to calculate the
4 district's 1998-1999 general State aid. This amount shall equal
5 the product of the equalized assessed valuation used to
6 calculate general State aid for the 1997-1998 school year and
7 the district's Extension Limitation Ratio. If the Extension
8 Limitation Equalized Assessed Valuation of the school district
9 as calculated under this paragraph (4) is less than the
10 district's equalized assessed valuation utilized in
11 calculating the district's 1998-1999 general State aid
12 allocation, then for purposes of calculating the district's
13 general State aid pursuant to paragraph (5) of subsection (E),
14 that Extension Limitation Equalized Assessed Valuation shall
15 be utilized to calculate the district's Available Local
16 Resources.

17 (5) For school districts having a majority of their
18 equalized assessed valuation in any county except Cook, DuPage,
19 Kane, Lake, McHenry, or Will, if the amount of general State
20 aid allocated to the school district for the 1999-2000 school
21 year under the provisions of subsection (E), (H), and (J) of
22 this Section is less than the amount of general State aid
23 allocated to the district for the 1998-1999 school year under
24 these subsections, then the general State aid of the district
25 for the 1999-2000 school year only shall be increased by the
26 difference between these amounts. The total payments made under

1 this paragraph (5) shall not exceed \$14,000,000. Claims shall
2 be prorated if they exceed \$14,000,000.

3 (H) Supplemental General State Aid.

4 (1) In addition to the general State aid a school district
5 is allotted pursuant to subsection (E), qualifying school
6 districts shall receive a grant, paid in conjunction with a
7 district's payments of general State aid, for supplemental
8 general State aid based upon the concentration level of
9 children from low-income households within the school
10 district. Supplemental State aid grants provided for school
11 districts under this subsection 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 (1.5) This paragraph (1.5) applies only to those school
16 years preceding the 2003-2004 school year. For purposes of this
17 subsection (H), the term "Low-Income Concentration Level"
18 shall be the low-income eligible pupil count from the most
19 recently available federal census divided by the Average Daily
20 Attendance of the school district. If, however, (i) the
21 percentage decrease from the 2 most recent federal censuses in
22 the low-income eligible pupil count of a high school district
23 with fewer than 400 students exceeds by 75% or more the
24 percentage change in the total low-income eligible pupil count
25 of contiguous elementary school districts, whose boundaries

1 are coterminous with the high school district, or (ii) a high
2 school district within 2 counties and serving 5 elementary
3 school districts, whose boundaries are coterminous with the
4 high school district, has a percentage decrease from the 2 most
5 recent federal censuses in the low-income eligible pupil count
6 and there is a percentage increase in the total low-income
7 eligible pupil count of a majority of the elementary school
8 districts in excess of 50% from the 2 most recent federal
9 censuses, then the high school district's low-income eligible
10 pupil count from the earlier federal census shall be the number
11 used as the low-income eligible pupil count for the high school
12 district, for purposes of this subsection (H). The changes made
13 to this paragraph (1) by Public Act 92-28 shall apply to
14 supplemental general State aid grants for school years
15 preceding the 2003-2004 school year that are paid in fiscal
16 year 1999 or thereafter and to any State aid payments made in
17 fiscal year 1994 through fiscal year 1998 pursuant to
18 subsection 1(n) of Section 18-8 of this Code (which was
19 repealed on July 1, 1998), and any high school district that is
20 affected by Public Act 92-28 is entitled to a recomputation of
21 its supplemental general State aid grant or State aid paid in
22 any of those fiscal years. This recomputation shall not be
23 affected by any other funding.

24 (1.10) This paragraph (1.10) applies to the 2003-2004
25 school year and each school year thereafter. For purposes of
26 this subsection (H), the term "Low-Income Concentration Level"

1 shall, for each fiscal year, be the low-income eligible pupil
2 count as of July 1 of the immediately preceding fiscal year (as
3 determined by the Department of Human Services based on the
4 number of pupils who are eligible for at least one of the
5 following low income programs: Medicaid, the Children's Health
6 Insurance Program, TANF, or Food Stamps, excluding pupils who
7 are eligible for services provided by the Department of
8 Children and Family Services, averaged over the 2 immediately
9 preceding fiscal years for fiscal year 2004 and over the 3
10 immediately preceding fiscal years for each fiscal year
11 thereafter) divided by the Average Daily Attendance of the
12 school district.

13 (2) Supplemental general State aid pursuant to this
14 subsection (H) shall be provided as follows for the 1998-1999,
15 1999-2000, and 2000-2001 school years only:

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

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

24 (c) For any school district with a Low Income
25 Concentration Level of at least 50% and less than 60%, the
26 grant for the 1998-99 school year shall be \$1,500

1 multiplied by the low income eligible pupil count.

2 (d) For any school district with a Low Income
3 Concentration Level of 60% or more, the grant for the
4 1998-99 school year shall be \$1,900 multiplied by the low
5 income eligible pupil count.

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

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

14 (2.5) Supplemental general State aid pursuant to this
15 subsection (H) shall be provided as follows for the 2002-2003
16 school year:

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

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

25 (c) For any school district with a Low Income
26 Concentration Level of at least 20% and less than 35%, the

1 grant for each school year shall be \$1,330 multiplied by
2 the low income eligible pupil count.

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

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

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

15 (2.10) Except as otherwise provided, supplemental general
16 State aid pursuant to this subsection (H) shall be provided as
17 follows for the 2003-2004 school year and each school year
18 thereafter:

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

23 (b) For any school district with a Low Income
24 Concentration Level greater than 15%, the grant for each
25 school year shall be \$294.25 added to the product of \$2,700
26 and the square of the Low Income Concentration Level, all

1 multiplied by the low income eligible pupil count.

2 For the 2003-2004 school year and each school year
3 thereafter through the 2008-2009 school year only, the grant
4 shall be no less than the grant for the 2002-2003 school year.
5 For the 2009-2010 school year only, the grant shall be no less
6 than the grant for the 2002-2003 school year multiplied by
7 0.66. For the 2010-2011 school year only, the grant shall be no
8 less than the grant for the 2002-2003 school year multiplied by
9 0.33. Notwithstanding the provisions of this paragraph to the
10 contrary, if for any school year supplemental general State aid
11 grants are prorated as provided in paragraph (1) of this
12 subsection (H), then the grants under this paragraph shall be
13 prorated.

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

1 received during the 2002-2003 school year added to the product
2 of 0.75 multiplied by the difference between the grant amount
3 calculated under subsection (a) or (b) of this paragraph
4 (2.10), whichever is applicable, and the grant received during
5 the 2002-2003 school year.

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

16 (4) School districts with an Average Daily Attendance of
17 50,000 or more that qualify for supplemental general State aid
18 pursuant to this subsection shall be required to distribute
19 from funds available pursuant to this Section, no less than
20 \$261,000,000 in accordance with the following requirements:

21 (a) The required amounts shall be distributed to the
22 attendance centers within the district in proportion to the
23 number of pupils enrolled at each attendance center who are
24 eligible to receive free or reduced-price lunches or
25 breakfasts under the federal Child Nutrition Act of 1966
26 and under the National School Lunch Act during the

1 immediately preceding school year.

2 (b) The distribution of these portions of supplemental
3 and general State aid among attendance centers according to
4 these requirements shall not be compensated for or
5 contravened by adjustments of the total of other funds
6 appropriated to any attendance centers, and the Board of
7 Education shall utilize funding from one or several sources
8 in order to fully implement this provision annually prior
9 to the opening of school.

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

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

23 (e) Funds received by an attendance center pursuant to
24 this subsection shall be used by the attendance center at
25 the discretion of the principal and local school council
26 for programs to improve educational opportunities at

1 qualifying schools through the following programs and
2 services: early childhood education, reduced class size or
3 improved adult to student classroom ratio, enrichment
4 programs, remedial assistance, attendance improvement, and
5 other educationally beneficial expenditures which
6 supplement the regular and basic programs as determined by
7 the State Board of Education. Funds provided shall not be
8 expended for any political or lobbying purposes as defined
9 by board rule.

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

26 Upon notification by the State Board of Education that

1 the district has not submitted a plan prior to July 15 or a
2 modified plan within the time period specified herein, the
3 State aid funds affected by that plan or modified plan
4 shall be withheld by the State Board of Education until a
5 plan or modified plan is submitted.

6 If the district fails to distribute State aid to
7 attendance centers in accordance with an approved plan, the
8 plan for the following year shall allocate funds, in
9 addition to the funds otherwise required by this
10 subsection, to those attendance centers which were
11 underfunded during the previous year in amounts equal to
12 such underfunding.

13 For purposes of determining compliance with this
14 subsection in relation to the requirements of attendance
15 center funding, each district subject to the provisions of
16 this subsection shall submit as a separate document by
17 December 1 of each year a report of expenditure data for
18 the prior year in addition to any modification of its
19 current plan. If it is determined that there has been a
20 failure to comply with the expenditure provisions of this
21 subsection regarding contravention or supplanting, the
22 State Superintendent of Education shall, within 60 days of
23 receipt of the report, notify the district and any affected
24 local school council. The district shall within 45 days of
25 receipt of that notification inform the State
26 Superintendent of Education of the remedial or corrective

1 action to be taken, whether by amendment of the current
2 plan, if feasible, or by adjustment in the plan for the
3 following year. Failure to provide the expenditure report
4 or the notification of remedial or corrective action in a
5 timely manner shall result in a withholding of the affected
6 funds.

7 The State Board of Education shall promulgate rules and
8 regulations to implement the provisions of this
9 subsection. No funds shall be released under this
10 subdivision (H) (4) to any district that has not submitted a
11 plan that has been approved by the State Board of
12 Education.

13 (I) (Blank).

14 (J) (Blank).

15 (K) Grants to Laboratory and Alternative Schools.

16 In calculating the amount to be paid to the governing board
17 of a public university that operates a laboratory school under
18 this 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

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

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

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

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

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

23 (2) (Blank).

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

1 (M) Education Funding Advisory Board.

2 The Education Funding Advisory Board, hereinafter in this
3 subsection (M) referred to as the "Board", is hereby created.
4 The Board shall consist of 5 members who are appointed by the
5 Governor, by and with the advice and consent of the Senate. The
6 members appointed shall include representatives of education,
7 business, and the general public. One of the members so
8 appointed shall be designated by the Governor at the time the
9 appointment is made as the chairperson of the Board. The
10 initial members of the Board may be appointed any time after
11 the effective date of this amendatory Act of 1997. The regular
12 term of each member of the Board shall be for 4 years from the
13 third Monday of January of the year in which the term of the
14 member's appointment is to commence, except that of the 5
15 initial members appointed to serve on the Board, the member who
16 is appointed as the chairperson shall serve for a term that
17 commences on the date of his or her appointment and expires on
18 the third Monday of January, 2002, and the remaining 4 members,
19 by lots drawn at the first meeting of the Board that is held
20 after all 5 members are appointed, shall determine 2 of their
21 number to serve for terms that commence on the date of their
22 respective appointments and expire on the third Monday of
23 January, 2001, and 2 of their number to serve for terms that
24 commence on the date of their respective appointments and
25 expire on the third Monday of January, 2000. All members

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

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

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

24 For school years after the 2000-2001 school year, the
25 Education Funding Advisory Board, in consultation with the
26 State Board of Education, shall make recommendations as

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

12 (N) (Blank).

13 (O) References.

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

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

22 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
23 changes to this Section. Under Section 6 of the Statute on

1 Statutes there is an irreconcilable conflict between Public Act
2 93-808 and Public Act 93-838. Public Act 93-838, being the last
3 acted upon, is controlling. The text of Public Act 93-838 is
4 the law regardless of the text of Public Act 93-808.

5 (Source: P.A. 97-339, eff. 8-12-11; 97-351, eff. 8-12-11;
6 97-742, eff. 6-30-13; 97-813, eff. 7-13-12; 98-972, eff.
7 8-15-14.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2015.