

1 AN ACT with regard to schools.

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  
5 Section 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  
9 common schools for the 1998-1999 and subsequent school years.

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the  
12 1998-1999 and subsequent school years. The system of general  
13 State financial aid provided for in this Section is designed  
14 to assure that, through a combination of State financial aid  
15 and required local resources, the financial support provided  
16 each 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  
21 Local Resources, equals or exceeds the Foundation Level. The  
22 amount of per pupil general State financial aid for school  
23 districts, in general, varies in inverse relation to  
24 Available Local Resources. Per pupil amounts are based upon  
25 each school district's Average Daily Attendance as that term  
26 is defined in this Section.

27 (2) In addition to general State financial aid, school  
28 districts with specified levels or concentrations of pupils  
29 from low income households are eligible to receive  
30 supplemental general State financial aid grants as provided  
31 pursuant to subsection (H). The supplemental State aid grants

1 provided for school districts under subsection (H) shall be  
 2 appropriated for distribution to school districts as part of  
 3 the same line item in which the general State financial aid  
 4 of school districts is appropriated under this Section.

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

8 (a) Any school district which fails for any given  
 9 school year to maintain school as required by law, or to  
 10 maintain a recognized school is not eligible to file for  
 11 such school year any claim upon the Common School Fund.  
 12 In case of nonrecognition of one or more attendance  
 13 centers in a school district otherwise operating  
 14 recognized schools, the claim of the district shall be  
 15 reduced in the proportion which the Average Daily  
 16 Attendance in the attendance center or centers bear to  
 17 the Average Daily Attendance in the school district. A  
 18 "recognized school" means any public school which meets  
 19 the standards as established for recognition by the State  
 20 Board of Education. A school district or attendance  
 21 center not having recognition status at the end of a  
 22 school term is entitled to receive State aid payments due  
 23 upon a legal claim which was filed while it was  
 24 recognized.

25 (b) School district claims filed under this Section  
 26 are subject to Sections 18-9, 18-10, and 18-12, except as  
 27 otherwise provided in this Section.

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

33 (d) (Blank).

34 (4) Except as provided in subsections (H) and (L), the

1 board of any district receiving any of the grants provided  
2 for in this Section may apply those funds to any fund so  
3 received for which that board is authorized to make  
4 expenditures by law.

5 School districts are not required to exert a minimum  
6 Operating Tax Rate in order to qualify for assistance under  
7 this Section.

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

10 (a) "Average Daily Attendance": A count of pupil  
11 attendance in school, averaged as provided for in  
12 subsection (C) and utilized in deriving per pupil  
13 financial support levels.

14 (b) "Available Local Resources": A computation of  
15 local financial support, calculated on the basis of  
16 Average Daily Attendance and derived as provided pursuant  
17 to subsection (D).

18 (c) "Corporate Personal Property Replacement  
19 Taxes": Funds paid to local school districts pursuant to  
20 "An Act in relation to the abolition of ad valorem  
21 personal property tax and the replacement of revenues  
22 lost thereby, and amending and repealing certain Acts and  
23 parts of Acts in connection therewith", certified August  
24 14, 1979, as amended (Public Act 81-1st S.S.-1).

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

28 (e) "Operating Tax Rate": All school district  
29 property taxes extended for all purposes, except Bond and  
30 Interest, Summer School, Rent, Capital Improvement, and  
31 Vocational Education Building purposes.

32 (B) Foundation Level.

33 (1) The Foundation Level is a figure established by the  
34 State representing the minimum level of per pupil financial

1 support that should be available to provide for the basic  
2 education of each pupil in Average Daily Attendance. As set  
3 forth in this Section, each school district is assumed to  
4 exert a sufficient local taxing effort such that, in  
5 combination with the aggregate of general State financial aid  
6 provided the district, an aggregate of State and local  
7 resources are available to meet the basic education needs of  
8 pupils in the district.

9 (2) For the 1998-1999 school year, the Foundation Level  
10 of support is \$4,225. For the 1999-2000 school year, the  
11 Foundation Level of support is \$4,325. For the 2000-2001  
12 school year, the Foundation Level of support is \$4,425.

13 (3) For the 2001-2002 school year and each school year  
14 thereafter, the Foundation Level of support is \$4,425 or such  
15 greater amount as may be established by law by the General  
16 Assembly.

17 (C) Average Daily Attendance.

18 (1) For purposes of calculating general State aid  
19 pursuant to subsection (E), an Average Daily Attendance  
20 figure shall be utilized. The Average Daily Attendance  
21 figure for formula calculation purposes shall be the monthly  
22 average of the actual number of pupils in attendance of each  
23 school district, as further averaged for the best 3 months of  
24 pupil attendance for each school district. In compiling the  
25 figures for the number of pupils in attendance, school  
26 districts and the State Board of Education shall, for  
27 purposes of general State aid funding, conform attendance  
28 figures to the requirements of subsection (F).

29 (2) The Average Daily Attendance figures utilized in  
30 subsection (E) shall be the requisite attendance data for the  
31 school year immediately preceding the school year for which  
32 general State aid is being calculated.

33 (D) Available Local Resources.

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

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

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

31           (4) The Corporate Personal Property Replacement Taxes  
32 paid to each school district during the calendar year 2 years  
33 before the calendar year in which a school year begins,  
34 divided by the Average Daily Attendance figure for that

1 district, shall be added to the local property tax revenues  
 2 per pupil as derived by the application of the immediately  
 3 preceding paragraph (3). The sum of these per pupil figures  
 4 for each school district shall constitute Available Local  
 5 Resources as that term is utilized in subsection (E) in the  
 6 calculation of general State aid.

7 (E) Computation of General State Aid.

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

11 (2) For any school district for which Available Local  
 12 Resources per pupil is less than the product of 0.93 times  
 13 the Foundation Level, general State aid for that district  
 14 shall be calculated as an amount equal to the Foundation  
 15 Level minus Available Local Resources, multiplied by the  
 16 Average Daily Attendance of the school district.

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

34 (4) For any school district for which Available Local

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

6 (5) The amount of general State aid allocated to a  
7 school district for the 1999-2000 school year meeting the  
8 requirements set forth in paragraph (4) of subsection (G)  
9 shall be increased by an amount equal to the general State  
10 aid that would have been received by the district for the  
11 1998-1999 school year by utilizing the Extension Limitation  
12 Equalized Assessed Valuation as calculated in paragraph (4)  
13 of subsection (G) less the general State aid allotted for the  
14 1998-1999 school year. This amount shall be deemed a one  
15 time increase, and shall not affect any future general State  
16 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  
20 by the State Board of Education, attendance figures for the  
21 school year that began in the preceding calendar year. The  
22 attendance information so transmitted shall identify the  
23 average daily attendance figures for each month of the school  
24 year, except that any days of attendance in August shall be  
25 added to the month of September and any days of attendance in  
26 June shall be added to the month of May.

27 Except as otherwise provided in this Section, days of  
28 attendance by pupils shall be counted only for sessions of  
29 not less than 5 clock hours of school work per day under  
30 direct supervision of: (i) teachers, or (ii) non-teaching  
31 personnel or volunteer personnel when engaging in  
32 non-teaching duties and supervising in those instances  
33 specified in subsection (a) of Section 10-22.34 and paragraph  
34 10 of Section 34-18, with pupils of legal school age and in

1 kindergarten and grades 1 through 12.

2 Days of attendance by tuition pupils shall be accredited  
3 only to the districts that pay the tuition to a recognized  
4 school.

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

8 (a) Pupils regularly enrolled in a public school  
9 for only a part of the school day may be counted on the  
10 basis of 1/6 day for every class hour of instruction of  
11 40 minutes or more attended pursuant to such enrollment.

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

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

22 (d) A session of 3 or more clock hours may be  
23 counted as a day of attendance (1) when the remainder of  
24 the school day or at least 2 hours in the evening of that  
25 day is utilized for an in-service training program for  
26 teachers, up to a maximum of 5 days per school year of  
27 which a maximum of 4 days of such 5 days may be used for  
28 parent-teacher conferences, provided a district conducts  
29 an in-service training program for teachers which has  
30 been approved by the State Superintendent of Education;  
31 or, in lieu of 4 such days, 2 full days may be used, in  
32 which event each such day may be counted as a day of  
33 attendance; and (2) when days in addition to those  
34 provided in item (1) are scheduled by a school pursuant

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

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

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

32 (g) For children with disabilities who are below  
33 the age of 6 years and who cannot attend 2 or more clock  
34 hours because of their disability or immaturity, a

1 session of not less than one clock hour may be counted as  
2 1/2 day of attendance; however for such children whose  
3 educational needs so require a session of 4 or more clock  
4 hours may be counted as a full day of attendance.

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

23 (G) Equalized Assessed Valuation Data.

24 (1) For purposes of the calculation of Available Local  
25 Resources required pursuant to subsection (D), the State  
26 Board of Education shall secure from the Department of  
27 Revenue the value as equalized or assessed by the Department  
28 of Revenue of all taxable property of every school district,  
29 together with (i) the applicable tax rate used in extending  
30 taxes for the funds of the district as of September 30 of the  
31 previous year and (ii) the limiting rate for all school  
32 districts subject to property tax extension limitations as  
33 imposed under the Property Tax Extension Limitation Law.

34 This equalized assessed valuation, as adjusted further by

1 the requirements of this subsection, shall be utilized in the  
2 calculation of Available Local Resources.

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

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

28 (b) The real property equalized assessed valuation  
29 for a school district shall be adjusted by subtracting  
30 from the real property value as equalized or assessed by  
31 the Department of Revenue for the district an amount  
32 computed by dividing the amount of any abatement of taxes  
33 under Section 18-170 of the Property Tax Code by 3.00%  
34 for a district maintaining grades kindergarten through

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

16                 "Budget Year": The school year for which general  
17                 State 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  
20                 aid.

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

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

28                 "Preceding Tax Year's Tax Extension": The product of  
29                 the equalized assessed valuation utilized by the County  
30                 Clerk in the Preceding Tax Year multiplied by the  
31                 Operating Tax Rate as defined in subsection (A).

32                 "Extension Limitation Ratio": A numerical ratio,  
33                 certified by the County Clerk, in which the numerator is  
34                 the Base Tax Year's Tax Extension and the denominator is

1 the Preceding Tax Year's Tax Extension.

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

4 If a school district is subject to property tax extension  
5 limitations as imposed under the Property Tax Extension  
6 Limitation Law, and if the Available Local Resources of that  
7 school district as calculated pursuant to subsection (D)  
8 using the Base Tax Year are less than the product of 1.75  
9 times the Foundation Level for the Budget Year, the State  
10 Board of Education shall calculate the Extension Limitation  
11 Equalized Assessed Valuation of that district. For the  
12 1999-2000 school year, the Extension Limitation Equalized  
13 Assessed Valuation of a school district as calculated by the  
14 State Board of Education shall be equal to the product of the  
15 district's 1996 Equalized Assessed Valuation and the  
16 district's Extension Limitation Ratio. For the 2000-2001  
17 school year and each school year thereafter, the Extension  
18 Limitation Equalized Assessed Valuation of a school district  
19 as calculated by the State Board of Education shall be equal  
20 to the product of the last calculated Extension Limitation  
21 Equalized Assessed Valuation and the district's Extension  
22 Limitation Ratio. If the Extension Limitation Equalized  
23 Assessed Valuation of a school district as calculated under  
24 this subsection (G)(3) is less than the district's equalized  
25 assessed valuation as calculated pursuant to subsections  
26 (G)(1) and (G)(2), then for purposes of calculating the  
27 district's general State aid for the Budget Year pursuant to  
28 subsection (E), that Extension Limitation Equalized Assessed  
29 Valuation shall be utilized to calculate the district's  
30 Available Local Resources under subsection (D).

31 (4) For the purposes of calculating general State aid  
32 for the 1999-2000 school year only, if a school district  
33 experienced a triennial reassessment on the equalized  
34 assessed valuation used in calculating its general State

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

17 (5) For school districts having a majority of their  
18 equalized assessed valuation in any county except Cook,  
19 DuPage, Kane, Lake, McHenry, or Will, if the amount of  
20 general State aid allocated to the school district for the  
21 1999-2000 school year under the provisions of subsection (E),  
22 (H), and (J) of this Section is less than the amount of  
23 general State aid allocated to the district for the 1998-1999  
24 school year under these subsections, then the general State  
25 aid of the district for the 1999-2000 school year only shall  
26 be increased by the difference between these amounts. The  
27 total payments made under this paragraph (5) shall not exceed  
28 \$14,000,000. Claims shall be prorated if they exceed  
29 \$14,000,000.

30 (H) Supplemental General State Aid.

31 (1) In addition to the general State aid a school  
32 district is allotted pursuant to subsection (E), qualifying  
33 school districts shall receive a grant, paid in conjunction  
34 with a district's payments of general State aid, for

1 supplemental general State aid based upon the concentration  
2 level of children from low-income households within the  
3 school district. Supplemental State aid grants provided for  
4 school districts under this subsection shall be appropriated  
5 for distribution to school districts as part of the same line  
6 item in which the general State financial aid of school  
7 districts is appropriated under this Section. For purposes of  
8 this subsection, the term "Low-Income Concentration Level"  
9 shall be the low-income eligible pupil count from the most  
10 recently available federal census divided by the Average  
11 Daily Attendance of the school district. If, however, the  
12 percentage decrease from the 2 most recent federal censuses  
13 in the low-income eligible pupil count of a high school  
14 district with fewer than 400 students exceeds by 75% or more  
15 the percentage change in the total low-income eligible pupil  
16 count of contiguous elementary school districts, whose  
17 boundaries are coterminous with the high school district, the  
18 high school district's low-income eligible pupil count from  
19 the earlier federal census shall be the number used as the  
20 low-income eligible pupil count for the high school district,  
21 for purposes of this subsection (H).

22 (2) Supplemental general State aid pursuant to this  
23 subsection (H) shall be provided as follows for those school  
24 years before the 2001-2002 school year:

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

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

33 (c) For any school district with a Low Income  
34 Concentration Level of at least 50% and less than 60%,

1 the grant for the 1998-99 school year shall be \$1,500  
2 multiplied by the low income eligible pupil count.

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

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

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

15 (2.5) Supplemental general State aid pursuant to this  
16 subsection (H) shall be provided as follows for the 2001-2002  
17 school year and each school year thereafter:

18 (a) For any school district with a Low Income  
19 Concentration Level of at least 20% and less than 35%,  
20 the grant for each school year shall be 28% of the  
21 Foundation Level multiplied by the low income eligible  
22 pupil count.

23 (b) For any school district with a Low Income  
24 Concentration Level of at least 35% and less than 50%,  
25 the grant for each school year shall be 31% of the  
26 Foundation Level multiplied by the low income eligible  
27 pupil count.

28 (c) For any school district with a Low Income  
29 Concentration Level of at least 50% and less than 60%,  
30 the grant for each school year shall be 38% of the  
31 Foundation Level multiplied by the low income eligible  
32 pupil count.

33 (d) For any school district with a Low Income  
34 Concentration Level of 60% or more, the grant for each

1 school year shall be 47% of the Foundation Level  
2 multiplied by the low income eligible pupil count.

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

13 (4) School districts with an Average Daily Attendance of  
14 50,000 or more that qualify for supplemental general State  
15 aid pursuant to this subsection shall be required to  
16 distribute from funds available pursuant to this Section, no  
17 less than \$261,000,000 in accordance with the following  
18 requirements:

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

26 (b) The distribution of these portions of  
27 supplemental and general State aid among attendance  
28 centers according to these requirements shall not be  
29 compensated for or contravened by adjustments of the  
30 total of other funds appropriated to any attendance  
31 centers, and the Board of Education shall utilize funding  
32 from one or several sources in order to fully implement  
33 this provision annually prior to the opening of school.

34 (c) Each attendance center shall be provided by the

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

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

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

27 (f) Each district subject to the provisions of this  
28 subdivision (H)(4) shall submit an acceptable plan to  
29 meet the educational needs of disadvantaged children, in  
30 compliance with the requirements of this paragraph, to  
31 the State Board of Education prior to July 15 of each  
32 year. This plan shall be consistent with the decisions of  
33 local school councils concerning the school expenditure  
34 plans developed in accordance with part 4 of Section

1           34-2.3. The State Board shall approve or reject the plan  
2           within 60 days after its submission. If the plan is  
3           rejected, the district shall give written notice of  
4           intent to modify the plan within 15 days of the  
5           notification of rejection and then submit a modified plan  
6           within 30 days after the date of the written notice of  
7           intent to modify. Districts may amend approved plans  
8           pursuant to rules promulgated by the State Board of  
9           Education.

10           Upon notification by the State Board of Education  
11           that the district has not submitted a plan prior to July  
12           15 or a modified plan within the time period specified  
13           herein, the State aid funds affected by that plan or  
14           modified plan shall be withheld by the State Board of  
15           Education until a plan or modified plan is submitted.

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

23           For purposes of determining compliance with this  
24           subsection in relation to the requirements of attendance  
25           center funding, each district subject to the provisions  
26           of this subsection shall submit as a separate document by  
27           December 1 of each year a report of expenditure data for  
28           the prior year in addition to any modification of its  
29           current plan. If it is determined that there has been a  
30           failure to comply with the expenditure provisions of this  
31           subsection regarding contravention or supplanting, the  
32           State Superintendent of Education shall, within 60 days  
33           of receipt of the report, notify the district and any  
34           affected local school council. The district shall within

1 45 days of receipt of that notification inform the State  
2 Superintendent of Education of the remedial or corrective  
3 action to be taken, whether by amendment of the current  
4 plan, if feasible, or by adjustment in the plan for the  
5 following year. Failure to provide the expenditure  
6 report or the notification of remedial or corrective  
7 action in a timely manner shall result in a withholding  
8 of the affected funds.

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

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

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

27 (2) For a school district which annexes all of the  
28 territory of one or more entire other school districts, for  
29 the first year during which the change of boundaries  
30 attributable to such annexation becomes effective for all  
31 purposes as determined under Section 7-9 or 7A-8, the general  
32 State aid and supplemental general State aid calculated under  
33 this Section shall be computed for the annexing district as  
34 constituted after the annexation and for the annexing and

1 each annexed district as constituted prior to the annexation;  
2 and if the computation on the basis of the annexing and  
3 annexed districts as constituted prior to the annexation is  
4 greater, a supplementary payment equal to the difference  
5 shall be made for the first 4 years of existence of the  
6 annexing school district as constituted upon such annexation.

7 (3) For 2 or more school districts which annex all of  
8 the territory of one or more entire other school districts,  
9 and for 2 or more community unit districts which result upon  
10 the division (pursuant to petition under Section 11A-2) of  
11 one or more other unit school districts into 2 or more parts  
12 and which together include all of the parts into which such  
13 other unit school district or districts are so divided, for  
14 the first year during which the change of boundaries  
15 attributable to such annexation or division becomes effective  
16 for all purposes as determined under Section 7-9 or 11A-10,  
17 as the case may be, the general State aid and supplemental  
18 general State aid calculated under this Section shall be  
19 computed for each annexing or resulting district as  
20 constituted after the annexation or division and for each  
21 annexing and annexed district, or for each resulting and  
22 divided district, as constituted prior to the annexation or  
23 division; and if the aggregate of the general State aid and  
24 supplemental general State aid as so computed for the  
25 annexing or resulting districts as constituted after the  
26 annexation or division is less than the aggregate of the  
27 general State aid and supplemental general State aid as so  
28 computed for the annexing and annexed districts, or for the  
29 resulting and divided districts, as constituted prior to the  
30 annexation or division, then a supplementary payment equal to  
31 the difference shall be made and allocated between or among  
32 the annexing or resulting districts, as constituted upon such  
33 annexation or division, for the first 4 years of their  
34 existence. The total difference payment shall be allocated

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

19 (3.5) Claims for financial assistance under this  
20 subsection (I) shall not be recomputed except as expressly  
21 provided under this Section.

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

25 (J) Supplementary Grants in Aid.

26 (1) Notwithstanding any other provisions of this  
27 Section, the amount of the aggregate general State aid in  
28 combination with supplemental general State aid under this  
29 Section for which each school district is eligible shall be  
30 no less than the amount of the aggregate general State aid  
31 entitlement that was received by the district under Section  
32 18-8 (exclusive of amounts received under subsections 5(p)  
33 and 5(p-5) of that Section) for the 1997-98 school year,  
34 pursuant to the provisions of that Section as it was then in

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

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

23 (3) (Blank).

24 (K) Grants to Laboratory and Alternative Schools.

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

31 As used in this Section, "laboratory school" means a  
 32 public school which is created and operated by a public  
 33 university and approved by the State Board of Education. The  
 34 governing board of a public university which receives funds

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

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

26 Each laboratory and alternative school shall file, on  
 27 forms provided by the State Superintendent of Education, an  
 28 annual State aid claim which states the Average Daily  
 29 Attendance of the school's students by month. The best 3  
 30 months' Average Daily Attendance shall be computed for each  
 31 school. The general State aid entitlement shall be computed  
 32 by multiplying the applicable Average Daily Attendance by the  
 33 Foundation Level as determined under this Section.

34 (L) Payments, Additional Grants in Aid and Other

1 Requirements.

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

15 (2) (Blank).

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

18 (M) Education Funding Advisory Board.

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

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

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

29 The State Board of Education shall provide such staff  
30 assistance to the Education Funding Advisory Board as is  
31 reasonably required for the proper performance by the Board  
32 of its responsibilities.

33 For school years after the 2000-2001 school year, the  
34 Education Funding Advisory Board, in consultation with the

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

13 (N) (Blank).

14 (O) References.

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

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

23 (Source: P.A. 90-548, eff. 7-1-98; incorporates 90-566;  
24 90-653, eff. 7-29-98; 90-654, eff. 7-29-98; 90-655, eff.  
25 7-30-98; 90-802, eff. 12-15-98; 90-815, eff. 2-11-99; 91-24,  
26 eff. 7-1-99; 91-93, eff. 7-9-99; 91-96, eff. 7-9-99; 91-111,  
27 eff. 7-14-99; 91-357, eff. 7-29-99; 91-533, eff. 8-13-99;  
28 revised 8-27-99.)

29 Section 99. Effective date. This Act takes effect upon  
30 becoming law.