

SB2149



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2149

Introduced 2/7/2025, by Sen. Adriane Johnson

SYNOPSIS AS INTRODUCED:

105 ILCS 5/18-3

from Ch. 122, par. 18-3

Amends the School Code. Provides that the depreciation allowance included under the amount of the tuition for a child from a home for orphans, dependent, abandoned, or maladjusted children shall exclude depreciation of assets paid from federal or donated funds.

LRB104 10509 LNS 20584 b

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 18-3 as follows:

6 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

7 Sec. 18-3. Tuition of children from orphanages and
8 children's homes. When the children from any home for orphans,
9 dependent, abandoned or maladjusted children maintained by any
10 organization or association admitting to such home children
11 from the State in general or when children residing in a school
12 district wherein the State of Illinois maintains and operates
13 any welfare or penal institution on property owned by the
14 State of Illinois, which contains houses, housing units or
15 housing accommodations within a school district, attend grades
16 kindergarten through 12 of the public schools maintained by
17 that school district, the State Superintendent of Education
18 shall direct the State Comptroller to pay a specified amount
19 sufficient to pay the annual tuition cost of such children who
20 attended such public schools during the regular school year
21 ending on June 30. The Comptroller shall pay the amount after
22 receipt of a voucher submitted by the State Superintendent of
23 Education.

1 The amount of the tuition for such children attending the
2 public schools of the district shall be determined by the
3 State Superintendent of Education by multiplying the number of
4 such children in average daily attendance in such schools by
5 1.2 times the total annual per capita cost of administering
6 the schools of the district. Such total annual per capita cost
7 shall be determined by totaling all expenses of the school
8 district in the educational, operations and maintenance, bond
9 and interest, transportation, Illinois municipal retirement,
10 and rent funds for the school year preceding the filing of such
11 tuition claims less expenditures not applicable to the regular
12 K-12 program, less offsetting revenues from State sources
13 except those from the common school fund, less offsetting
14 revenues from federal sources except those from federal
15 impaction aid, less student and community service revenues,
16 plus a depreciation allowance; and dividing such total by the
17 average daily attendance for the year. The depreciation
18 allowance shall exclude depreciation of assets paid from
19 federal or donated funds.

20 Annually on or before June 15 the superintendent of the
21 district shall certify to the State Superintendent of
22 Education the following:

- 23 1. The name of the home and of the organization or
24 association maintaining it; or the legal description of
25 the real estate upon which the house, housing units, or
26 housing accommodations are located and that no taxes or

1 service charges or other payments authorized by law to be
2 made in lieu of taxes were collected therefrom or on
3 account thereof during either of the calendar years
4 included in the school year for which claim is being made;

5 2. The number of children from the home or living in
6 such houses, housing units or housing accommodations and
7 attending the schools of the district;

8 3. The total number of children attending the schools
9 of the district;

10 4. The per capita tuition charge of the district; and

11 5. The computed amount of the tuition payment claimed
12 as due.

13 Whenever the persons in charge of such home for orphans,
14 dependent, abandoned or maladjusted children have received
15 from the parent or guardian of any such child or by virtue of
16 an order of court a specific allowance for educating such
17 child, such persons shall pay to the school board in the
18 district where the child attends school such amount of the
19 allowance as is necessary to pay the tuition required by such
20 district for the education of the child. If the allowance is
21 insufficient to pay the tuition in full the State
22 Superintendent of Education shall direct the Comptroller to
23 pay to the district the difference between the total tuition
24 charged and the amount of the allowance.

25 Whenever the facilities of a school district in which such
26 house, housing units or housing accommodations are located,

1 are limited, pupils may be assigned by that district to the
2 schools of any adjacent district to the limit of the
3 facilities of the adjacent district to properly educate such
4 pupils as shall be determined by the school board of the
5 adjacent district, and the State Superintendent of Education
6 shall direct the Comptroller to pay a specified amount
7 sufficient to pay the annual tuition of the children so
8 assigned to and attending public schools in the adjacent
9 districts and the Comptroller shall draw his warrant upon the
10 State Treasurer for the payment of such amount for the benefit
11 of the adjacent school districts in the same manner as for
12 districts in which the houses, housing units or housing
13 accommodations are located.

14 Summer session costs shall be reimbursed based on the
15 actual expenditures for providing these services. On or before
16 November 1 of each year, the superintendent of each eligible
17 school district shall certify to the State Superintendent of
18 Education the claim of the district for the summer session
19 following the regular school year just ended. The State
20 Superintendent of Education shall transmit to the Comptroller
21 no later than December 15th of each year vouchers for payment
22 of amounts due to school districts for summer session.

23 Claims for tuition for children from any home for orphans
24 or dependent, abandoned, or maladjusted children shall be paid
25 on a current year basis. On September 30, December 31, and
26 March 31, the State Board of Education shall voucher payments

1 for districts with those students based on an estimated cost
2 calculated from the prior year's claim. The school district
3 shall certify to the State Superintendent of Education the
4 report of claims due for such tuition payments on or before
5 June 15. Claims received by June 15 may be amended until August
6 1. The State Superintendent of Education shall direct the
7 State Comptroller to pay to the district, on or before August
8 31, the amount due for the district for the school year in
9 accordance with the calculation of the claim as set forth in
10 this Section. However, notwithstanding any other provisions of
11 this Section or the School Code, beginning with fiscal year
12 1994 and each fiscal year thereafter, if the amount
13 appropriated for any fiscal year is less than the amount
14 required for purposes of this Section, the amount required to
15 eliminate any insufficient reimbursement for each district
16 claim under this Section shall be reimbursed on August 31 of
17 the next fiscal year. Payments required to eliminate any
18 insufficiency for prior fiscal year claims shall be made
19 before any claims are paid for the current fiscal year.

20 If a school district makes a claim for reimbursement under
21 Section 14-7.03 it shall not include in any claim filed under
22 this Section children residing on the property of State
23 institutions included in its claim under Section 14-7.03.

24 Any child who is not a resident of Illinois who is placed
25 in a child welfare institution, private facility, State
26 operated program, orphanage or children's home shall have the

1 payment for his educational tuition and any related services
2 assured by the placing agent.

3 In order to provide services appropriate to allow a
4 student under the legal guardianship or custodianship of the
5 State to participate in local school district educational
6 programs, costs may be incurred in appropriate cases by the
7 district that are in excess of 1.2 times the district per
8 capita tuition charge allowed under the provisions of this
9 Section. In the event such excess costs are incurred, they
10 must be documented in accordance with cost rules established
11 under the authority of this Section and may then be claimed for
12 reimbursement under this Section.

13 Planned services for students eligible for this funding
14 must be a collaborative effort between the appropriate State
15 agency or the student's group home or institution and the
16 local school district.

17 (Source: P.A. 101-17, eff. 6-14-19.)