

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. Notwithstanding  
18 subsection (a), for any school district that (i) is designated  
19 as a Tier 1 or Tier 2 school district under Section 18-8.15,  
20 (ii) has at least one school that is located on federal  
21 property, (iii) has an overall student population of no more  
22 than 4,500 students and no less than 2,500 students, and (iv)  
23 receives a federal Public Schools on Military Installations  
24 grant until June 30, 2030, the depreciation allowance shall  
25 exclude the following:

26           (1) Depreciation of the portion of a new school

1 building that was constructed using federal or donated  
2 funds from the school district's Capital Projects Fund.

3 (2) Depreciation of the portion of a new school  
4 building that was constructed with private funds and  
5 donated to the school district upon completion.

6 Annually on or before June 15 the superintendent of the  
7 district shall certify to the State Superintendent of  
8 Education the following:

9 1. The name of the home and of the organization or  
10 association maintaining it; or the legal description of  
11 the real estate upon which the house, housing units, or  
12 housing accommodations are located and that no taxes or  
13 service charges or other payments authorized by law to be  
14 made in lieu of taxes were collected therefrom or on  
15 account thereof during either of the calendar years  
16 included in the school year for which claim is being made;

17 2. The number of children from the home or living in  
18 such houses, housing units or housing accommodations and  
19 attending the schools of the district;

20 3. The total number of children attending the schools  
21 of the district;

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

23 5. The computed amount of the tuition payment claimed  
24 as due.

25 Whenever the persons in charge of such home for orphans,  
26 dependent, abandoned or maladjusted children have received

1 from the parent or guardian of any such child or by virtue of  
2 an order of court a specific allowance for educating such  
3 child, such persons shall pay to the school board in the  
4 district where the child attends school such amount of the  
5 allowance as is necessary to pay the tuition required by such  
6 district for the education of the child. If the allowance is  
7 insufficient to pay the tuition in full the State  
8 Superintendent of Education shall direct the Comptroller to  
9 pay to the district the difference between the total tuition  
10 charged and the amount of the allowance.

11 Whenever the facilities of a school district in which such  
12 house, housing units or housing accommodations are located,  
13 are limited, pupils may be assigned by that district to the  
14 schools of any adjacent district to the limit of the  
15 facilities of the adjacent district to properly educate such  
16 pupils as shall be determined by the school board of the  
17 adjacent district, and the State Superintendent of Education  
18 shall direct the Comptroller to pay a specified amount  
19 sufficient to pay the annual tuition of the children so  
20 assigned to and attending public schools in the adjacent  
21 districts and the Comptroller shall draw his warrant upon the  
22 State Treasurer for the payment of such amount for the benefit  
23 of the adjacent school districts in the same manner as for  
24 districts in which the houses, housing units or housing  
25 accommodations are located.

26 Summer session costs shall be reimbursed based on the

1 actual expenditures for providing these services. On or before  
2 November 1 of each year, the superintendent of each eligible  
3 school district shall certify to the State Superintendent of  
4 Education the claim of the district for the summer session  
5 following the regular school year just ended. The State  
6 Superintendent of Education shall transmit to the Comptroller  
7 no later than December 15th of each year vouchers for payment  
8 of amounts due to school districts for summer session.

9 Claims for tuition for children from any home for orphans  
10 or dependent, abandoned, or maladjusted children shall be paid  
11 on a current year basis. On September 30, December 31, and  
12 March 31, the State Board of Education shall voucher payments  
13 for districts with those students based on an estimated cost  
14 calculated from the prior year's claim. The school district  
15 shall certify to the State Superintendent of Education the  
16 report of claims due for such tuition payments on or before  
17 June 15. Claims received by June 15 may be amended until August  
18 1. The State Superintendent of Education shall direct the  
19 State Comptroller to pay to the district, on or before August  
20 31, the amount due for the district for the school year in  
21 accordance with the calculation of the claim as set forth in  
22 this Section. However, notwithstanding any other provisions of  
23 this Section or the School Code, beginning with fiscal year  
24 1994 and each fiscal year thereafter, if the amount  
25 appropriated for any fiscal year is less than the amount  
26 required for purposes of this Section, the amount required to

1 eliminate any insufficient reimbursement for each district  
2 claim under this Section shall be reimbursed on August 31 of  
3 the next fiscal year. Payments required to eliminate any  
4 insufficiency for prior fiscal year claims shall be made  
5 before any claims are paid for the current fiscal year.

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

10 Any child who is not a resident of Illinois who is placed  
11 in a child welfare institution, private facility, State  
12 operated program, orphanage or children's home shall have the  
13 payment for his educational tuition and any related services  
14 assured by the placing agent.

15 In order to provide services appropriate to allow a  
16 student under the legal guardianship or custodianship of the  
17 State to participate in local school district educational  
18 programs, costs may be incurred in appropriate cases by the  
19 district that are in excess of 1.2 times the district per  
20 capita tuition charge allowed under the provisions of this  
21 Section. In the event such excess costs are incurred, they  
22 must be documented in accordance with cost rules established  
23 under the authority of this Section and may then be claimed for  
24 reimbursement under this Section.

25 Planned services for students eligible for this funding  
26 must be a collaborative effort between the appropriate State

1 agency or the student's group home or institution and the  
2 local school district.

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