

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

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

6 For those school buildings listed in paragraph (1) or (2),
7 funds excluded from the depreciation allowance do not apply to
8 expenses for maintenance and operations or future capital
9 improvements that are paid from State or local aid revenue or
10 any other non-excluded funds for the benefit of those school
11 buildings.

12 Annually on or before June 15 the superintendent of the
13 district shall certify to the State Superintendent of
14 Education the following:

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

23 2. The number of children from the home or living in
24 such houses, housing units or housing accommodations and
25 attending the schools of the district;

26 3. The total number of children attending the schools

1 of the district;

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

3 5. The computed amount of the tuition payment claimed
4 as due.

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

17 Whenever the facilities of a school district in which such
18 house, housing units or housing accommodations are located,
19 are limited, pupils may be assigned by that district to the
20 schools of any adjacent district to the limit of the
21 facilities of the adjacent district to properly educate such
22 pupils as shall be determined by the school board of the
23 adjacent district, and the State Superintendent of Education
24 shall direct the Comptroller to pay a specified amount
25 sufficient to pay the annual tuition of the children so
26 assigned to and attending public schools in the adjacent

1 districts and the Comptroller shall draw his warrant upon the
2 State Treasurer for the payment of such amount for the benefit
3 of the adjacent school districts in the same manner as for
4 districts in which the houses, housing units or housing
5 accommodations are located.

6 Summer session costs shall be reimbursed based on the
7 actual expenditures for providing these services. On or before
8 November 1 of each year, the superintendent of each eligible
9 school district shall certify to the State Superintendent of
10 Education the claim of the district for the summer session
11 following the regular school year just ended. The State
12 Superintendent of Education shall transmit to the Comptroller
13 no later than December 15th of each year vouchers for payment
14 of amounts due to school districts for summer session.

15 Claims for tuition for children from any home for orphans
16 or dependent, abandoned, or maladjusted children shall be paid
17 on a current year basis. On September 30, December 31, and
18 March 31, the State Board of Education shall voucher payments
19 for districts with those students based on an estimated cost
20 calculated from the prior year's claim. The school district
21 shall certify to the State Superintendent of Education the
22 report of claims due for such tuition payments on or before
23 June 15. Claims received by June 15 may be amended until August
24 1. The State Superintendent of Education shall direct the
25 State Comptroller to pay to the district, on or before August
26 31, the amount due for the district for the school year in

1 accordance with the calculation of the claim as set forth in
2 this Section. However, notwithstanding any other provisions of
3 this Section or the School Code, beginning with fiscal year
4 1994 and each fiscal year thereafter, if the amount
5 appropriated for any fiscal year is less than the amount
6 required for purposes of this Section, the amount required to
7 eliminate any insufficient reimbursement for each district
8 claim under this Section shall be reimbursed on August 31 of
9 the next fiscal year. Payments required to eliminate any
10 insufficiency for prior fiscal year claims shall be made
11 before any claims are paid for the current fiscal year.

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

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

21 In order to provide services appropriate to allow a
22 student under the legal guardianship or custodianship of the
23 State to participate in local school district educational
24 programs, costs may be incurred in appropriate cases by the
25 district that are in excess of 1.2 times the district per
26 capita tuition charge allowed under the provisions of this

1 Section. In the event such excess costs are incurred, they
2 must be documented in accordance with cost rules established
3 under the authority of this Section and may then be claimed for
4 reimbursement under this Section.

5 Planned services for students eligible for this funding
6 must be a collaborative effort between the appropriate State
7 agency or the student's group home or institution and the
8 local school district.

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