



Sen. Adriane Johnson

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10400SB2149sam001

LRB104 10509 LNS 24736 a

1 AMENDMENT TO SENATE BILL 2149

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2149 by replacing  
3 everything after the enacting clause with the following:

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

1 that school district, the State Superintendent of Education  
2 shall direct the State Comptroller to pay a specified amount  
3 sufficient to pay the annual tuition cost of such children who  
4 attended such public schools during the regular school year  
5 ending on June 30. The Comptroller shall pay the amount after  
6 receipt of a voucher submitted by the State Superintendent of  
7 Education.

8 The amount of the tuition for such children attending the  
9 public schools of the district shall be determined by the  
10 State Superintendent of Education by multiplying the number of  
11 such children in average daily attendance in such schools by  
12 1.2 times the total annual per capita cost of administering  
13 the schools of the district. Such total annual per capita cost  
14 shall be determined by totaling all expenses of the school  
15 district in the educational, operations and maintenance, bond  
16 and interest, transportation, Illinois municipal retirement,  
17 and rent funds for the school year preceding the filing of such  
18 tuition claims less expenditures not applicable to the regular  
19 K-12 program, less offsetting revenues from State sources  
20 except those from the common school fund, less offsetting  
21 revenues from federal sources except those from federal  
22 impaction aid, less student and community service revenues,  
23 plus a depreciation allowance; and dividing such total by the  
24 average daily attendance for the year. Notwithstanding  
25 subsection (a), for any school district that (i) is designated  
26 as a Tier 1 or Tier 2 school district under Section 18-8.15,

1 (ii) has at least one school that is located on federal  
2 property, (iii) has an overall student population of no more  
3 than 4,500 students and no less than 2,500 students, and (iv)  
4 receives a federal Public Schools on Military Installations  
5 grant until June 30, 2030, the depreciation allowance shall  
6 exclude the following:

7 (1) Depreciation of the portion of a new school  
8 building that was constructed using federal or donated  
9 funds from the school district's Capital Projects Fund.

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

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

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

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

1           3. The total number of children attending the schools  
2 of the district;

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

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

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

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

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

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

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

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

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

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

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

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

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

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