



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1719

Introduced 2/17/2021, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.39
105 ILCS 5/10-27.1A
105 ILCS 5/18-8.15
105 ILCS 5/22-88
105 ILCS 5/27-23.7
105 ILCS 5/34-18.8 from Ch. 122, par. 34-18.8
105 ILCS 150/10
105 ILCS 302/20
705 ILCS 405/1-8 from Ch. 37, par. 801-8
705 ILCS 405/5-901
730 ILCS 152/121
730 ILCS 154/100

Amends the School Code, the Seizure Smart School Act, the College and Career Success for All Students Act, the Juvenile Court Act of 1987, the Sex Offender Community Notification Law, and the Murderer and Violent Offender Against Youth Registration Act to replace the terms "school guidance counselor" and "guidance counselor" with the term "school counselor". Effective July 1, 2021.

LRB102 03832 CMG 13846 b

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 Sections
5 10-22.39, 10-27.1A, 18-8.15, 27-23.7, and 34-18.8 and by
6 renumbering and changing Section 22-85, as added by Public Act
7 101-478, as follows:

8 (105 ILCS 5/10-22.39)

9 Sec. 10-22.39. In-service training programs.

10 (a) To conduct in-service training programs for teachers.

11 (b) In addition to other topics at in-service training
12 programs, at least once every 2 years, licensed school
13 personnel and administrators who work with pupils in
14 kindergarten through grade 12 shall be trained to identify the
15 warning signs of mental illness and suicidal behavior in youth
16 and shall be taught appropriate intervention and referral
17 techniques. A school district may utilize the Illinois Mental
18 Health First Aid training program, established under the
19 Illinois Mental Health First Aid Training Act and administered
20 by certified instructors trained by a national association
21 recognized as an authority in behavioral health, to provide
22 the training and meet the requirements under this subsection.
23 If licensed school personnel or an administrator obtains

1 mental health first aid training outside of an in-service
2 training program, he or she may present a certificate of
3 successful completion of the training to the school district
4 to satisfy the requirements of this subsection.

5 (c) School ~~guidance~~ counselors, nurses, teachers and other
6 school personnel who work with pupils may be trained to have a
7 basic knowledge of matters relating to acquired
8 immunodeficiency syndrome (AIDS), including the nature of the
9 disease, its causes and effects, the means of detecting it and
10 preventing its transmission, and the availability of
11 appropriate sources of counseling and referral, and any other
12 information that may be appropriate considering the age and
13 grade level of such pupils. The School Board shall supervise
14 such training. The State Board of Education and the Department
15 of Public Health shall jointly develop standards for such
16 training.

17 (d) In this subsection (d):

18 "Domestic violence" means abuse by a family or household
19 member, as "abuse" and "family or household members" are
20 defined in Section 103 of the Illinois Domestic Violence Act
21 of 1986.

22 "Sexual violence" means sexual assault, abuse, or stalking
23 of an adult or minor child proscribed in the Criminal Code of
24 1961 or the Criminal Code of 2012 in Sections 11-1.20,
25 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-7.3, 12-7.4, 12-7.5,
26 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including

1 sexual violence committed by perpetrators who are strangers to
2 the victim and sexual violence committed by perpetrators who
3 are known or related by blood or marriage to the victim.

4 At least once every 2 years, an in-service training
5 program for school personnel who work with pupils, including,
6 but not limited to, school and school district administrators,
7 teachers, ~~school guidance counselors,~~ school social workers,
8 school counselors, school psychologists, and school nurses,
9 must be conducted by persons with expertise in domestic and
10 sexual violence and the needs of expectant and parenting youth
11 and shall include training concerning (i) communicating with
12 and listening to youth victims of domestic or sexual violence
13 and expectant and parenting youth, (ii) connecting youth
14 victims of domestic or sexual violence and expectant and
15 parenting youth to appropriate in-school services and other
16 agencies, programs, and services as needed, and (iii)
17 implementing the school district's policies, procedures, and
18 protocols with regard to such youth, including
19 confidentiality. At a minimum, school personnel must be
20 trained to understand, provide information and referrals, and
21 address issues pertaining to youth who are parents, expectant
22 parents, or victims of domestic or sexual violence.

23 (e) At least every 2 years, an in-service training program
24 for school personnel who work with pupils must be conducted by
25 persons with expertise in anaphylactic reactions and
26 management.

1 (f) At least once every 2 years, a school board shall
2 conduct in-service training on educator ethics,
3 teacher-student conduct, and school employee-student conduct
4 for all personnel.

5 (Source: P.A. 100-903, eff. 1-1-19; 101-350, eff. 1-1-20.)

6 (105 ILCS 5/10-27.1A)

7 Sec. 10-27.1A. Firearms in schools.

8 (a) All school officials, including teachers, school
9 ~~guidance~~ counselors, and support staff, shall immediately
10 notify the office of the principal in the event that they
11 observe any person in possession of a firearm on school
12 grounds; provided that taking such immediate action to notify
13 the office of the principal would not immediately endanger the
14 health, safety, or welfare of students who are under the
15 direct supervision of the school official or the school
16 official. If the health, safety, or welfare of students under
17 the direct supervision of the school official or of the school
18 official is immediately endangered, the school official shall
19 notify the office of the principal as soon as the students
20 under his or her supervision and he or she are no longer under
21 immediate danger. A report is not required by this Section
22 when the school official knows that the person in possession
23 of the firearm is a law enforcement official engaged in the
24 conduct of his or her official duties. Any school official
25 acting in good faith who makes such a report under this Section

1 shall have immunity from any civil or criminal liability that
2 might otherwise be incurred as a result of making the report.
3 The identity of the school official making such report shall
4 not be disclosed except as expressly and specifically
5 authorized by law. Knowingly and willfully failing to comply
6 with this Section is a petty offense. A second or subsequent
7 offense is a Class C misdemeanor.

8 (b) Upon receiving a report from any school official
9 pursuant to this Section, or from any other person, the
10 principal or his or her designee shall immediately notify a
11 local law enforcement agency. If the person found to be in
12 possession of a firearm on school grounds is a student, the
13 principal or his or her designee shall also immediately notify
14 that student's parent or guardian. Any principal or his or her
15 designee acting in good faith who makes such reports under
16 this Section shall have immunity from any civil or criminal
17 liability that might otherwise be incurred or imposed as a
18 result of making the reports. Knowingly and willfully failing
19 to comply with this Section is a petty offense. A second or
20 subsequent offense is a Class C misdemeanor. If the person
21 found to be in possession of the firearm on school grounds is a
22 minor, the law enforcement agency shall detain that minor
23 until such time as the agency makes a determination pursuant
24 to clause (a) of subsection (1) of Section 5-401 of the
25 Juvenile Court Act of 1987, as to whether the agency
26 reasonably believes that the minor is delinquent. If the law

1 enforcement agency determines that probable cause exists to
2 believe that the minor committed a violation of item (4) of
3 subsection (a) of Section 24-1 of the Criminal Code of 2012
4 while on school grounds, the agency shall detain the minor for
5 processing pursuant to Section 5-407 of the Juvenile Court Act
6 of 1987.

7 (c) On or after January 1, 1997, upon receipt of any
8 written, electronic, or verbal report from any school
9 personnel regarding a verified incident involving a firearm in
10 a school or on school owned or leased property, including any
11 conveyance owned, leased, or used by the school for the
12 transport of students or school personnel, the superintendent
13 or his or her designee shall report all such firearm-related
14 incidents occurring in a school or on school property to the
15 local law enforcement authorities immediately and to the
16 Department of State Police in a form, manner, and frequency as
17 prescribed by the Department of State Police.

18 The State Board of Education shall receive an annual
19 statistical compilation and related data associated with
20 incidents involving firearms in schools from the Department of
21 State Police. The State Board of Education shall compile this
22 information by school district and make it available to the
23 public.

24 (d) As used in this Section, the term "firearm" shall have
25 the meaning ascribed to it in Section 1.1 of the Firearm Owners
26 Identification Card Act.

1 As used in this Section, the term "school" means any
2 public or private elementary or secondary school.

3 As used in this Section, the term "school grounds"
4 includes the real property comprising any school, any
5 conveyance owned, leased, or contracted by a school to
6 transport students to or from school or a school-related
7 activity, or any public way within 1,000 feet of the real
8 property comprising any school.

9 (Source: P.A. 97-1150, eff. 1-25-13.)

10 (105 ILCS 5/18-8.15)

11 Sec. 18-8.15. Evidence-Based Funding for student success
12 for the 2017-2018 and subsequent school years.

13 (a) General provisions.

14 (1) The purpose of this Section is to ensure that, by
15 June 30, 2027 and beyond, this State has a kindergarten
16 through grade 12 public education system with the capacity
17 to ensure the educational development of all persons to
18 the limits of their capacities in accordance with Section
19 1 of Article X of the Constitution of the State of
20 Illinois. To accomplish that objective, this Section
21 creates a method of funding public education that is
22 evidence-based; is sufficient to ensure every student
23 receives a meaningful opportunity to learn irrespective of
24 race, ethnicity, sexual orientation, gender, or
25 community-income level; and is sustainable and

1 predictable. When fully funded under this Section, every
2 school shall have the resources, based on what the
3 evidence indicates is needed, to:

4 (A) provide all students with a high quality
5 education that offers the academic, enrichment, social
6 and emotional support, technical, and career-focused
7 programs that will allow them to become competitive
8 workers, responsible parents, productive citizens of
9 this State, and active members of our national
10 democracy;

11 (B) ensure all students receive the education they
12 need to graduate from high school with the skills
13 required to pursue post-secondary education and
14 training for a rewarding career;

15 (C) reduce, with a goal of eliminating, the
16 achievement gap between at-risk and non-at-risk
17 students by raising the performance of at-risk
18 students and not by reducing standards; and

19 (D) ensure this State satisfies its obligation to
20 assume the primary responsibility to fund public
21 education and simultaneously relieve the
22 disproportionate burden placed on local property taxes
23 to fund schools.

24 (2) The Evidence-Based Funding formula under this
25 Section shall be applied to all Organizational Units in
26 this State. The Evidence-Based Funding formula outlined in

1 this Act is based on the formula outlined in Senate Bill 1
2 of the 100th General Assembly, as passed by both
3 legislative chambers. As further defined and described in
4 this Section, there are 4 major components of the
5 Evidence-Based Funding model:

6 (A) First, the model calculates a unique Adequacy
7 Target for each Organizational Unit in this State that
8 considers the costs to implement research-based
9 activities, the unit's student demographics, and
10 regional wage differences.

11 (B) Second, the model calculates each
12 Organizational Unit's Local Capacity, or the amount
13 each Organizational Unit is assumed to contribute
14 toward its Adequacy Target from local resources.

15 (C) Third, the model calculates how much funding
16 the State currently contributes to the Organizational
17 Unit and adds that to the unit's Local Capacity to
18 determine the unit's overall current adequacy of
19 funding.

20 (D) Finally, the model's distribution method
21 allocates new State funding to those Organizational
22 Units that are least well-funded, considering both
23 Local Capacity and State funding, in relation to their
24 Adequacy Target.

25 (3) An Organizational Unit receiving any funding under
26 this Section may apply those funds to any fund so received

1 for which that Organizational Unit is authorized to make
2 expenditures by law.

3 (4) As used in this Section, the following terms shall
4 have the meanings ascribed in this paragraph (4):

5 "Adequacy Target" is defined in paragraph (1) of
6 subsection (b) of this Section.

7 "Adjusted EAV" is defined in paragraph (4) of
8 subsection (d) of this Section.

9 "Adjusted Local Capacity Target" is defined in
10 paragraph (3) of subsection (c) of this Section.

11 "Adjusted Operating Tax Rate" means a tax rate for all
12 Organizational Units, for which the State Superintendent
13 shall calculate and subtract for the Operating Tax Rate a
14 transportation rate based on total expenses for
15 transportation services under this Code, as reported on
16 the most recent Annual Financial Report in Pupil
17 Transportation Services, function 2550 in both the
18 Education and Transportation funds and functions 4110 and
19 4120 in the Transportation fund, less any corresponding
20 fiscal year State of Illinois scheduled payments excluding
21 net adjustments for prior years for regular, vocational,
22 or special education transportation reimbursement pursuant
23 to Section 29-5 or subsection (b) of Section 14-13.01 of
24 this Code divided by the Adjusted EAV. If an
25 Organizational Unit's corresponding fiscal year State of
26 Illinois scheduled payments excluding net adjustments for

1 prior years for regular, vocational, or special education
2 transportation reimbursement pursuant to Section 29-5 or
3 subsection (b) of Section 14-13.01 of this Code exceed the
4 total transportation expenses, as defined in this
5 paragraph, no transportation rate shall be subtracted from
6 the Operating Tax Rate.

7 "Allocation Rate" is defined in paragraph (3) of
8 subsection (g) of this Section.

9 "Alternative School" means a public school that is
10 created and operated by a regional superintendent of
11 schools and approved by the State Board.

12 "Applicable Tax Rate" is defined in paragraph (1) of
13 subsection (d) of this Section.

14 "Assessment" means any of those benchmark, progress
15 monitoring, formative, diagnostic, and other assessments,
16 in addition to the State accountability assessment, that
17 assist teachers' needs in understanding the skills and
18 meeting the needs of the students they serve.

19 "Assistant principal" means a school administrator
20 duly endorsed to be employed as an assistant principal in
21 this State.

22 "At-risk student" means a student who is at risk of
23 not meeting the Illinois Learning Standards or not
24 graduating from elementary or high school and who
25 demonstrates a need for vocational support or social
26 services beyond that provided by the regular school

1 program. All students included in an Organizational Unit's
2 Low-Income Count, as well as all English learner and
3 disabled students attending the Organizational Unit, shall
4 be considered at-risk students under this Section.

5 "Average Student Enrollment" or "ASE" for fiscal year
6 2018 means, for an Organizational Unit, the greater of the
7 average number of students (grades K through 12) reported
8 to the State Board as enrolled in the Organizational Unit
9 on October 1 in the immediately preceding school year,
10 plus the pre-kindergarten students who receive special
11 education services of 2 or more hours a day as reported to
12 the State Board on December 1 in the immediately preceding
13 school year, or the average number of students (grades K
14 through 12) reported to the State Board as enrolled in the
15 Organizational Unit on October 1, plus the
16 pre-kindergarten students who receive special education
17 services of 2 or more hours a day as reported to the State
18 Board on December 1, for each of the immediately preceding
19 3 school years. For fiscal year 2019 and each subsequent
20 fiscal year, "Average Student Enrollment" or "ASE" means,
21 for an Organizational Unit, the greater of the average
22 number of students (grades K through 12) reported to the
23 State Board as enrolled in the Organizational Unit on
24 October 1 and March 1 in the immediately preceding school
25 year, plus the pre-kindergarten students who receive
26 special education services as reported to the State Board

1 on October 1 and March 1 in the immediately preceding
2 school year, or the average number of students (grades K
3 through 12) reported to the State Board as enrolled in the
4 Organizational Unit on October 1 and March 1, plus the
5 pre-kindergarten students who receive special education
6 services as reported to the State Board on October 1 and
7 March 1, for each of the immediately preceding 3 school
8 years. For the purposes of this definition, "enrolled in
9 the Organizational Unit" means the number of students
10 reported to the State Board who are enrolled in schools
11 within the Organizational Unit that the student attends or
12 would attend if not placed or transferred to another
13 school or program to receive needed services. For the
14 purposes of calculating "ASE", all students, grades K
15 through 12, excluding those attending kindergarten for a
16 half day and students attending an alternative education
17 program operated by a regional office of education or
18 intermediate service center, shall be counted as 1.0. All
19 students attending kindergarten for a half day shall be
20 counted as 0.5, unless in 2017 by June 15 or by March 1 in
21 subsequent years, the school district reports to the State
22 Board of Education the intent to implement full-day
23 kindergarten district-wide for all students, then all
24 students attending kindergarten shall be counted as 1.0.
25 Special education pre-kindergarten students shall be
26 counted as 0.5 each. If the State Board does not collect or

1 has not collected both an October 1 and March 1 enrollment
2 count by grade or a December 1 collection of special
3 education pre-kindergarten students as of August 31, 2017
4 (the effective date of Public Act 100-465), it shall
5 establish such collection for all future years. For any
6 year in which a count by grade level was collected only
7 once, that count shall be used as the single count
8 available for computing a 3-year average ASE. Funding for
9 programs operated by a regional office of education or an
10 intermediate service center must be calculated using the
11 Evidence-Based Funding formula under this Section for the
12 2019-2020 school year and each subsequent school year
13 until separate adequacy formulas are developed and adopted
14 for each type of program. ASE for a program operated by a
15 regional office of education or an intermediate service
16 center must be determined by the March 1 enrollment for
17 the program. For the 2019-2020 school year, the ASE used
18 in the calculation must be the first-year ASE and, in that
19 year only, the assignment of students served by a regional
20 office of education or intermediate service center shall
21 not result in a reduction of the March enrollment for any
22 school district. For the 2020-2021 school year, the ASE
23 must be the greater of the current-year ASE or the 2-year
24 average ASE. Beginning with the 2021-2022 school year, the
25 ASE must be the greater of the current-year ASE or the
26 3-year average ASE. School districts shall submit the data

1 for the ASE calculation to the State Board within 45 days
2 of the dates required in this Section for submission of
3 enrollment data in order for it to be included in the ASE
4 calculation. For fiscal year 2018 only, the ASE
5 calculation shall include only enrollment taken on October
6 1.

7 "Base Funding Guarantee" is defined in paragraph (10)
8 of subsection (g) of this Section.

9 "Base Funding Minimum" is defined in subsection (e) of
10 this Section.

11 "Base Tax Year" means the property tax levy year used
12 to calculate the Budget Year allocation of primary State
13 aid.

14 "Base Tax Year's Extension" means the product of the
15 equalized assessed valuation utilized by the county clerk
16 in the Base Tax Year multiplied by the limiting rate as
17 calculated by the county clerk and defined in PTELL.

18 "Bilingual Education Allocation" means the amount of
19 an Organizational Unit's final Adequacy Target
20 attributable to bilingual education divided by the
21 Organizational Unit's final Adequacy Target, the product
22 of which shall be multiplied by the amount of new funding
23 received pursuant to this Section. An Organizational
24 Unit's final Adequacy Target attributable to bilingual
25 education shall include all additional investments in
26 English learner students' adequacy elements.

1 "Budget Year" means the school year for which primary
2 State aid is calculated and awarded under this Section.

3 "Central office" means individual administrators and
4 support service personnel charged with managing the
5 instructional programs, business and operations, and
6 security of the Organizational Unit.

7 "Comparable Wage Index" or "CWI" means a regional cost
8 differentiation metric that measures systemic, regional
9 variations in the salaries of college graduates who are
10 not educators. The CWI utilized for this Section shall,
11 for the first 3 years of Evidence-Based Funding
12 implementation, be the CWI initially developed by the
13 National Center for Education Statistics, as most recently
14 updated by Texas A & M University. In the fourth and
15 subsequent years of Evidence-Based Funding implementation,
16 the State Superintendent shall re-determine the CWI using
17 a similar methodology to that identified in the Texas A & M
18 University study, with adjustments made no less frequently
19 than once every 5 years.

20 "Computer technology and equipment" means computers
21 servers, notebooks, network equipment, copiers, printers,
22 instructional software, security software, curriculum
23 management courseware, and other similar materials and
24 equipment.

25 "Computer technology and equipment investment
26 allocation" means the final Adequacy Target amount of an

1 Organizational Unit assigned to Tier 1 or Tier 2 in the
2 prior school year attributable to the additional \$285.50
3 per student computer technology and equipment investment
4 grant divided by the Organizational Unit's final Adequacy
5 Target, the result of which shall be multiplied by the
6 amount of new funding received pursuant to this Section.
7 An Organizational Unit assigned to a Tier 1 or Tier 2 final
8 Adequacy Target attributable to the received computer
9 technology and equipment investment grant shall include
10 all additional investments in computer technology and
11 equipment adequacy elements.

12 "Core subject" means mathematics; science; reading,
13 English, writing, and language arts; history and social
14 studies; world languages; and subjects taught as Advanced
15 Placement in high schools.

16 "Core teacher" means a regular classroom teacher in
17 elementary schools and teachers of a core subject in
18 middle and high schools.

19 "Core Intervention teacher (tutor)" means a licensed
20 teacher providing one-on-one or small group tutoring to
21 students struggling to meet proficiency in core subjects.

22 "CPPRT" means corporate personal property replacement
23 tax funds paid to an Organizational Unit during the
24 calendar year one year before the calendar year in which a
25 school year begins, pursuant to "An Act in relation to the
26 abolition of ad valorem personal property tax and the

1 replacement of revenues lost thereby, and amending and
2 repealing certain Acts and parts of Acts in connection
3 therewith", certified August 14, 1979, as amended (Public
4 Act 81-1st S.S.-1).

5 "EAV" means equalized assessed valuation as defined in
6 paragraph (2) of subsection (d) of this Section and
7 calculated in accordance with paragraph (3) of subsection
8 (d) of this Section.

9 "ECI" means the Bureau of Labor Statistics' national
10 employment cost index for civilian workers in educational
11 services in elementary and secondary schools on a
12 cumulative basis for the 12-month calendar year preceding
13 the fiscal year of the Evidence-Based Funding calculation.

14 "EIS Data" means the employment information system
15 data maintained by the State Board on educators within
16 Organizational Units.

17 "Employee benefits" means health, dental, and vision
18 insurance offered to employees of an Organizational Unit,
19 the costs associated with the statutorily required payment
20 of the normal cost of the Organizational Unit's teacher
21 pensions, Social Security employer contributions, and
22 Illinois Municipal Retirement Fund employer contributions.

23 "English learner" or "EL" means a child included in
24 the definition of "English learners" under Section 14C-2
25 of this Code participating in a program of transitional
26 bilingual education or a transitional program of

1 instruction meeting the requirements and program
2 application procedures of Article 14C of this Code. For
3 the purposes of collecting the number of EL students
4 enrolled, the same collection and calculation methodology
5 as defined above for "ASE" shall apply to English
6 learners, with the exception that EL student enrollment
7 shall include students in grades pre-kindergarten through
8 12.

9 "Essential Elements" means those elements, resources,
10 and educational programs that have been identified through
11 academic research as necessary to improve student success,
12 improve academic performance, close achievement gaps, and
13 provide for other per student costs related to the
14 delivery and leadership of the Organizational Unit, as
15 well as the maintenance and operations of the unit, and
16 which are specified in paragraph (2) of subsection (b) of
17 this Section.

18 "Evidence-Based Funding" means State funding provided
19 to an Organizational Unit pursuant to this Section.

20 "Extended day" means academic and enrichment programs
21 provided to students outside the regular school day before
22 and after school or during non-instructional times during
23 the school day.

24 "Extension Limitation Ratio" means a numerical ratio
25 in which the numerator is the Base Tax Year's Extension
26 and the denominator is the Preceding Tax Year's Extension.

1 "Final Percent of Adequacy" is defined in paragraph
2 (4) of subsection (f) of this Section.

3 "Final Resources" is defined in paragraph (3) of
4 subsection (f) of this Section.

5 "Full-time equivalent" or "FTE" means the full-time
6 equivalency compensation for staffing the relevant
7 position at an Organizational Unit.

8 "Funding Gap" is defined in paragraph (1) of
9 subsection (g).

10 ~~"Guidance counselor" means a licensed guidance~~
11 ~~counselor who provides guidance and counseling support for~~
12 ~~students within an Organizational Unit.~~

13 "Hybrid District" means a partial elementary unit
14 district created pursuant to Article 11E of this Code.

15 "Instructional assistant" means a core or special
16 education, non-licensed employee who assists a teacher in
17 the classroom and provides academic support to students.

18 "Instructional facilitator" means a qualified teacher
19 or licensed teacher leader who facilitates and coaches
20 continuous improvement in classroom instruction; provides
21 instructional support to teachers in the elements of
22 research-based instruction or demonstrates the alignment
23 of instruction with curriculum standards and assessment
24 tools; develops or coordinates instructional programs or
25 strategies; develops and implements training; chooses
26 standards-based instructional materials; provides

1 teachers with an understanding of current research; serves
2 as a mentor, site coach, curriculum specialist, or lead
3 teacher; or otherwise works with fellow teachers, in
4 collaboration, to use data to improve instructional
5 practice or develop model lessons.

6 "Instructional materials" means relevant
7 instructional materials for student instruction,
8 including, but not limited to, textbooks, consumable
9 workbooks, laboratory equipment, library books, and other
10 similar materials.

11 "Laboratory School" means a public school that is
12 created and operated by a public university and approved
13 by the State Board.

14 "Librarian" means a teacher with an endorsement as a
15 library information specialist or another individual whose
16 primary responsibility is overseeing library resources
17 within an Organizational Unit.

18 "Limiting rate for Hybrid Districts" means the
19 combined elementary school and high school limiting rates.

20 "Local Capacity" is defined in paragraph (1) of
21 subsection (c) of this Section.

22 "Local Capacity Percentage" is defined in subparagraph
23 (A) of paragraph (2) of subsection (c) of this Section.

24 "Local Capacity Ratio" is defined in subparagraph (B)
25 of paragraph (2) of subsection (c) of this Section.

26 "Local Capacity Target" is defined in paragraph (2) of

1 subsection (c) of this Section.

2 "Low-Income Count" means, for an Organizational Unit
3 in a fiscal year, the higher of the average number of
4 students for the prior school year or the immediately
5 preceding 3 school years who, as of July 1 of the
6 immediately preceding fiscal year (as determined by the
7 Department of Human Services), are eligible for at least
8 one of the following low-income programs: Medicaid, the
9 Children's Health Insurance Program, Temporary Assistance
10 for Needy Families (TANF), or the Supplemental Nutrition
11 Assistance Program, excluding pupils who are eligible for
12 services provided by the Department of Children and Family
13 Services. Until such time that grade level low-income
14 populations become available, grade level low-income
15 populations shall be determined by applying the low-income
16 percentage to total student enrollments by grade level.
17 The low-income percentage is determined by dividing the
18 Low-Income Count by the Average Student Enrollment. The
19 low-income percentage for programs operated by a regional
20 office of education or an intermediate service center must
21 be set to the weighted average of the low-income
22 percentages of all of the school districts in the service
23 region. The weighted low-income percentage is the result
24 of multiplying the low-income percentage of each school
25 district served by the regional office of education or
26 intermediate service center by each school district's

1 Average Student Enrollment, summarizing those products and
2 dividing the total by the total Average Student Enrollment
3 for the service region.

4 "Maintenance and operations" means custodial services,
5 facility and ground maintenance, facility operations,
6 facility security, routine facility repairs, and other
7 similar services and functions.

8 "Minimum Funding Level" is defined in paragraph (9) of
9 subsection (g) of this Section.

10 "New Property Tax Relief Pool Funds" means, for any
11 given fiscal year, all State funds appropriated under
12 Section 2-3.170 of this ~~the School~~ Code.

13 "New State Funds" means, for a given school year, all
14 State funds appropriated for Evidence-Based Funding in
15 excess of the amount needed to fund the Base Funding
16 Minimum for all Organizational Units in that school year.

17 "Net State Contribution Target" means, for a given
18 school year, the amount of State funds that would be
19 necessary to fully meet the Adequacy Target of an
20 Operational Unit minus the Preliminary Resources available
21 to each unit.

22 "Nurse" means an individual licensed as a certified
23 school nurse, in accordance with the rules established for
24 nursing services by the State Board, who is an employee of
25 and is available to provide health care-related services
26 for students of an Organizational Unit.

1 "Operating Tax Rate" means the rate utilized in the
2 previous year to extend property taxes for all purposes,
3 except Bond and Interest, Summer School, Rent, Capital
4 Improvement, and Vocational Education Building purposes.
5 For Hybrid Districts, the Operating Tax Rate shall be the
6 combined elementary and high school rates utilized in the
7 previous year to extend property taxes for all purposes,
8 except Bond and Interest, Summer School, Rent, Capital
9 Improvement, and Vocational Education Building purposes.

10 "Organizational Unit" means a Laboratory School or any
11 public school district that is recognized as such by the
12 State Board and that contains elementary schools typically
13 serving kindergarten through 5th grades, middle schools
14 typically serving 6th through 8th grades, high schools
15 typically serving 9th through 12th grades, a program
16 established under Section 2-3.66 or 2-3.41, or a program
17 operated by a regional office of education or an
18 intermediate service center under Article 13A or 13B. The
19 General Assembly acknowledges that the actual grade levels
20 served by a particular Organizational Unit may vary
21 slightly from what is typical.

22 "Organizational Unit CWI" is determined by calculating
23 the CWI in the region and original county in which an
24 Organizational Unit's primary administrative office is
25 located as set forth in this paragraph, provided that if
26 the Organizational Unit CWI as calculated in accordance

1 with this paragraph is less than 0.9, the Organizational
2 Unit CWI shall be increased to 0.9. Each county's current
3 CWI value shall be adjusted based on the CWI value of that
4 county's neighboring Illinois counties, to create a
5 "weighted adjusted index value". This shall be calculated
6 by summing the CWI values of all of a county's adjacent
7 Illinois counties and dividing by the number of adjacent
8 Illinois counties, then taking the weighted value of the
9 original county's CWI value and the adjacent Illinois
10 county average. To calculate this weighted value, if the
11 number of adjacent Illinois counties is greater than 2,
12 the original county's CWI value will be weighted at 0.25
13 and the adjacent Illinois county average will be weighted
14 at 0.75. If the number of adjacent Illinois counties is 2,
15 the original county's CWI value will be weighted at 0.33
16 and the adjacent Illinois county average will be weighted
17 at 0.66. The greater of the county's current CWI value and
18 its weighted adjusted index value shall be used as the
19 Organizational Unit CWI.

20 "Preceding Tax Year" means the property tax levy year
21 immediately preceding the Base Tax Year.

22 "Preceding Tax Year's Extension" means the product of
23 the equalized assessed valuation utilized by the county
24 clerk in the Preceding Tax Year multiplied by the
25 Operating Tax Rate.

26 "Preliminary Percent of Adequacy" is defined in

1 paragraph (2) of subsection (f) of this Section.

2 "Preliminary Resources" is defined in paragraph (2) of
3 subsection (f) of this Section.

4 "Principal" means a school administrator duly endorsed
5 to be employed as a principal in this State.

6 "Professional development" means training programs for
7 licensed staff in schools, including, but not limited to,
8 programs that assist in implementing new curriculum
9 programs, provide data focused or academic assessment data
10 training to help staff identify a student's weaknesses and
11 strengths, target interventions, improve instruction,
12 encompass instructional strategies for English learner,
13 gifted, or at-risk students, address inclusivity, cultural
14 sensitivity, or implicit bias, or otherwise provide
15 professional support for licensed staff.

16 "Prototypical" means 450 special education
17 pre-kindergarten and kindergarten through grade 5 students
18 for an elementary school, 450 grade 6 through 8 students
19 for a middle school, and 600 grade 9 through 12 students
20 for a high school.

21 "PTELL" means the Property Tax Extension Limitation
22 Law.

23 "PTELL EAV" is defined in paragraph (4) of subsection
24 (d) of this Section.

25 "Pupil support staff" means a nurse, psychologist,
26 social worker, family liaison personnel, or other staff

1 member who provides support to at-risk or struggling
2 students.

3 "Real Receipts" is defined in paragraph (1) of
4 subsection (d) of this Section.

5 "Regionalization Factor" means, for a particular
6 Organizational Unit, the figure derived by dividing the
7 Organizational Unit CWI by the Statewide Weighted CWI.

8 "School counselor" means a licensed school counselor
9 who provides guidance and counseling support for students
10 within an Organizational Unit.

11 "School site staff" means the primary school secretary
12 and any additional clerical personnel assigned to a
13 school.

14 "Special education" means special educational
15 facilities and services, as defined in Section 14-1.08 of
16 this Code.

17 "Special Education Allocation" means the amount of an
18 Organizational Unit's final Adequacy Target attributable
19 to special education divided by the Organizational Unit's
20 final Adequacy Target, the product of which shall be
21 multiplied by the amount of new funding received pursuant
22 to this Section. An Organizational Unit's final Adequacy
23 Target attributable to special education shall include all
24 special education investment adequacy elements.

25 "Specialist teacher" means a teacher who provides
26 instruction in subject areas not included in core

1 subjects, including, but not limited to, art, music,
2 physical education, health, driver education,
3 career-technical education, and such other subject areas
4 as may be mandated by State law or provided by an
5 Organizational Unit.

6 "Specially Funded Unit" means an Alternative School,
7 safe school, Department of Juvenile Justice school,
8 special education cooperative or entity recognized by the
9 State Board as a special education cooperative,
10 State-approved charter school, or alternative learning
11 opportunities program that received direct funding from
12 the State Board during the 2016-2017 school year through
13 any of the funding sources included within the calculation
14 of the Base Funding Minimum or Glenwood Academy.

15 "Supplemental Grant Funding" means supplemental
16 general State aid funding received by an Organizational
17 Unit during the 2016-2017 school year pursuant to
18 subsection (H) of Section 18-8.05 of this Code (now
19 repealed).

20 "State Adequacy Level" is the sum of the Adequacy
21 Targets of all Organizational Units.

22 "State Board" means the State Board of Education.

23 "State Superintendent" means the State Superintendent
24 of Education.

25 "Statewide Weighted CWI" means a figure determined by
26 multiplying each Organizational Unit CWI times the ASE for

1 that Organizational Unit creating a weighted value,
2 summing all Organizational Units' weighted values, and
3 dividing by the total ASE of all Organizational Units,
4 thereby creating an average weighted index.

5 "Student activities" means non-credit producing
6 after-school programs, including, but not limited to,
7 clubs, bands, sports, and other activities authorized by
8 the school board of the Organizational Unit.

9 "Substitute teacher" means an individual teacher or
10 teaching assistant who is employed by an Organizational
11 Unit and is temporarily serving the Organizational Unit on
12 a per diem or per period-assignment basis to replace
13 another staff member.

14 "Summer school" means academic and enrichment programs
15 provided to students during the summer months outside of
16 the regular school year.

17 "Supervisory aide" means a non-licensed staff member
18 who helps in supervising students of an Organizational
19 Unit, but does so outside of the classroom, in situations
20 such as, but not limited to, monitoring hallways and
21 playgrounds, supervising lunchrooms, or supervising
22 students when being transported in buses serving the
23 Organizational Unit.

24 "Target Ratio" is defined in paragraph (4) of
25 subsection (g).

26 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined

1 in paragraph (3) of subsection (g).

2 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
3 Funding", "Tier 3 Aggregate Funding", and "Tier 4
4 Aggregate Funding" are defined in paragraph (1) of
5 subsection (g).

6 (b) Adequacy Target calculation.

7 (1) Each Organizational Unit's Adequacy Target is the
8 sum of the Organizational Unit's cost of providing
9 Essential Elements, as calculated in accordance with this
10 subsection (b), with the salary amounts in the Essential
11 Elements multiplied by a Regionalization Factor calculated
12 pursuant to paragraph (3) of this subsection (b).

13 (2) The Essential Elements are attributable on a pro
14 rata basis related to defined subgroups of the ASE of each
15 Organizational Unit as specified in this paragraph (2),
16 with investments and FTE positions pro rata funded based
17 on ASE counts in excess of or less than the thresholds set
18 forth in this paragraph (2). The method for calculating
19 attributable pro rata costs and the defined subgroups
20 thereto are as follows:

21 (A) Core class size investments. Each
22 Organizational Unit shall receive the funding required
23 to support that number of FTE core teacher positions
24 as is needed to keep the respective class sizes of the
25 Organizational Unit to the following maximum numbers:

26 (i) For grades kindergarten through 3, the

1 Organizational Unit shall receive funding required
2 to support one FTE core teacher position for every
3 15 Low-Income Count students in those grades and
4 one FTE core teacher position for every 20
5 non-Low-Income Count students in those grades.

6 (ii) For grades 4 through 12, the
7 Organizational Unit shall receive funding required
8 to support one FTE core teacher position for every
9 20 Low-Income Count students in those grades and
10 one FTE core teacher position for every 25
11 non-Low-Income Count students in those grades.

12 The number of non-Low-Income Count students in a
13 grade shall be determined by subtracting the
14 Low-Income students in that grade from the ASE of the
15 Organizational Unit for that grade.

16 (B) Specialist teacher investments. Each
17 Organizational Unit shall receive the funding needed
18 to cover that number of FTE specialist teacher
19 positions that correspond to the following
20 percentages:

21 (i) if the Organizational Unit operates an
22 elementary or middle school, then 20.00% of the
23 number of the Organizational Unit's core teachers,
24 as determined under subparagraph (A) of this
25 paragraph (2); and

26 (ii) if such Organizational Unit operates a

1 high school, then 33.33% of the number of the
2 Organizational Unit's core teachers.

3 (C) Instructional facilitator investments. Each
4 Organizational Unit shall receive the funding needed
5 to cover one FTE instructional facilitator position
6 for every 200 combined ASE of pre-kindergarten
7 children with disabilities and all kindergarten
8 through grade 12 students of the Organizational Unit.

9 (D) Core intervention teacher (tutor) investments.
10 Each Organizational Unit shall receive the funding
11 needed to cover one FTE teacher position for each
12 prototypical elementary, middle, and high school.

13 (E) Substitute teacher investments. Each
14 Organizational Unit shall receive the funding needed
15 to cover substitute teacher costs that is equal to
16 5.70% of the minimum pupil attendance days required
17 under Section 10-19 of this Code for all full-time
18 equivalent core, specialist, and intervention
19 teachers, school nurses, special education teachers
20 and instructional assistants, instructional
21 facilitators, and summer school and extended day
22 teacher positions, as determined under this paragraph
23 (2), at a salary rate of 33.33% of the average salary
24 for grade K through 12 teachers and 33.33% of the
25 average salary of each instructional assistant
26 position.

1 (F) Core school ~~guidance~~ counselor investments.
2 Each Organizational Unit shall receive the funding
3 needed to cover one FTE school ~~guidance~~ counselor for
4 each 450 combined ASE of pre-kindergarten children
5 with disabilities and all kindergarten through grade 5
6 students, plus one FTE school ~~guidance~~ counselor for
7 each 250 grades 6 through 8 ASE middle school
8 students, plus one FTE school ~~guidance~~ counselor for
9 each 250 grades 9 through 12 ASE high school students.

10 (G) Nurse investments. Each Organizational Unit
11 shall receive the funding needed to cover one FTE
12 nurse for each 750 combined ASE of pre-kindergarten
13 children with disabilities and all kindergarten
14 through grade 12 students across all grade levels it
15 serves.

16 (H) Supervisory aide investments. Each
17 Organizational Unit shall receive the funding needed
18 to cover one FTE for each 225 combined ASE of
19 pre-kindergarten children with disabilities and all
20 kindergarten through grade 5 students, plus one FTE
21 for each 225 ASE middle school students, plus one FTE
22 for each 200 ASE high school students.

23 (I) Librarian investments. Each Organizational
24 Unit shall receive the funding needed to cover one FTE
25 librarian for each prototypical elementary school,
26 middle school, and high school and one FTE aide or

1 media technician for every 300 combined ASE of
2 pre-kindergarten children with disabilities and all
3 kindergarten through grade 12 students.

4 (J) Principal investments. Each Organizational
5 Unit shall receive the funding needed to cover one FTE
6 principal position for each prototypical elementary
7 school, plus one FTE principal position for each
8 prototypical middle school, plus one FTE principal
9 position for each prototypical high school.

10 (K) Assistant principal investments. Each
11 Organizational Unit shall receive the funding needed
12 to cover one FTE assistant principal position for each
13 prototypical elementary school, plus one FTE assistant
14 principal position for each prototypical middle
15 school, plus one FTE assistant principal position for
16 each prototypical high school.

17 (L) School site staff investments. Each
18 Organizational Unit shall receive the funding needed
19 for one FTE position for each 225 ASE of
20 pre-kindergarten children with disabilities and all
21 kindergarten through grade 5 students, plus one FTE
22 position for each 225 ASE middle school students, plus
23 one FTE position for each 200 ASE high school
24 students.

25 (M) Gifted investments. Each Organizational Unit
26 shall receive \$40 per kindergarten through grade 12

1 ASE.

2 (N) Professional development investments. Each
3 Organizational Unit shall receive \$125 per student of
4 the combined ASE of pre-kindergarten children with
5 disabilities and all kindergarten through grade 12
6 students for trainers and other professional
7 development-related expenses for supplies and
8 materials.

9 (O) Instructional material investments. Each
10 Organizational Unit shall receive \$190 per student of
11 the combined ASE of pre-kindergarten children with
12 disabilities and all kindergarten through grade 12
13 students to cover instructional material costs.

14 (P) Assessment investments. Each Organizational
15 Unit shall receive \$25 per student of the combined ASE
16 of pre-kindergarten children with disabilities and all
17 kindergarten through grade 12 students to cover
18 assessment costs.

19 (Q) Computer technology and equipment investments.
20 Each Organizational Unit shall receive \$285.50 per
21 student of the combined ASE of pre-kindergarten
22 children with disabilities and all kindergarten
23 through grade 12 students to cover computer technology
24 and equipment costs. For the 2018-2019 school year and
25 subsequent school years, Organizational Units assigned
26 to Tier 1 and Tier 2 in the prior school year shall

1 receive an additional \$285.50 per student of the
2 combined ASE of pre-kindergarten children with
3 disabilities and all kindergarten through grade 12
4 students to cover computer technology and equipment
5 costs in the Organizational Unit's Adequacy Target.
6 The State Board may establish additional requirements
7 for Organizational Unit expenditures of funds received
8 pursuant to this subparagraph (Q), including a
9 requirement that funds received pursuant to this
10 subparagraph (Q) may be used only for serving the
11 technology needs of the district. It is the intent of
12 Public Act 100-465 that all Tier 1 and Tier 2 districts
13 receive the addition to their Adequacy Target in the
14 following year, subject to compliance with the
15 requirements of the State Board.

16 (R) Student activities investments. Each
17 Organizational Unit shall receive the following
18 funding amounts to cover student activities: \$100 per
19 kindergarten through grade 5 ASE student in elementary
20 school, plus \$200 per ASE student in middle school,
21 plus \$675 per ASE student in high school.

22 (S) Maintenance and operations investments. Each
23 Organizational Unit shall receive \$1,038 per student
24 of the combined ASE of pre-kindergarten children with
25 disabilities and all kindergarten through grade 12
26 students for day-to-day maintenance and operations

1 expenditures, including salary, supplies, and
2 materials, as well as purchased services, but
3 excluding employee benefits. The proportion of salary
4 for the application of a Regionalization Factor and
5 the calculation of benefits is equal to \$352.92.

6 (T) Central office investments. Each
7 Organizational Unit shall receive \$742 per student of
8 the combined ASE of pre-kindergarten children with
9 disabilities and all kindergarten through grade 12
10 students to cover central office operations, including
11 administrators and classified personnel charged with
12 managing the instructional programs, business and
13 operations of the school district, and security
14 personnel. The proportion of salary for the
15 application of a Regionalization Factor and the
16 calculation of benefits is equal to \$368.48.

17 (U) Employee benefit investments. Each
18 Organizational Unit shall receive 30% of the total of
19 all salary-calculated elements of the Adequacy Target,
20 excluding substitute teachers and student activities
21 investments, to cover benefit costs. For central
22 office and maintenance and operations investments, the
23 benefit calculation shall be based upon the salary
24 proportion of each investment. If at any time the
25 responsibility for funding the employer normal cost of
26 teacher pensions is assigned to school districts, then

1 position for every 125 Low-Income Count students;

2 (ii) one FTE pupil support staff position for
3 every 125 Low-Income Count students;

4 (iii) one FTE extended day teacher position
5 for every 120 Low-Income Count students; and

6 (iv) one FTE summer school teacher position
7 for every 120 Low-Income Count students.

8 (W) Additional investments in English learner
9 students. In addition to and not in lieu of all other
10 funding under this paragraph (2), each Organizational
11 Unit shall receive funding based on the average
12 teacher salary for grades K through 12 to cover the
13 costs of:

14 (i) one FTE intervention teacher (tutor)
15 position for every 125 English learner students;

16 (ii) one FTE pupil support staff position for
17 every 125 English learner students;

18 (iii) one FTE extended day teacher position
19 for every 120 English learner students;

20 (iv) one FTE summer school teacher position
21 for every 120 English learner students; and

22 (v) one FTE core teacher position for every
23 100 English learner students.

24 (X) Special education investments. Each
25 Organizational Unit shall receive funding based on the
26 average teacher salary for grades K through 12 to

1 cover special education as follows:

2 (i) one FTE teacher position for every 141
3 combined ASE of pre-kindergarten children with
4 disabilities and all kindergarten through grade 12
5 students;

6 (ii) one FTE instructional assistant for every
7 141 combined ASE of pre-kindergarten children with
8 disabilities and all kindergarten through grade 12
9 students; and

10 (iii) one FTE psychologist position for every
11 1,000 combined ASE of pre-kindergarten children
12 with disabilities and all kindergarten through
13 grade 12 students.

14 (3) For calculating the salaries included within the
15 Essential Elements, the State Superintendent shall
16 annually calculate average salaries to the nearest dollar
17 using the employment information system data maintained by
18 the State Board, limited to public schools only and
19 excluding special education and vocational cooperatives,
20 schools operated by the Department of Juvenile Justice,
21 and charter schools, for the following positions:

22 (A) Teacher for grades K through 8.

23 (B) Teacher for grades 9 through 12.

24 (C) Teacher for grades K through 12.

25 (D) School Guidance ~~Guidance~~ counselor for grades K through

26 8.

1 (E) School Guidance counselor for grades 9 through
2 12.

3 (F) School Guidance counselor for grades K through
4 12.

5 (G) Social worker.

6 (H) Psychologist.

7 (I) Librarian.

8 (J) Nurse.

9 (K) Principal.

10 (L) Assistant principal.

11 For the purposes of this paragraph (3), "teacher"
12 includes core teachers, specialist and elective teachers,
13 instructional facilitators, tutors, special education
14 teachers, pupil support staff teachers, English learner
15 teachers, extended day teachers, and summer school
16 teachers. Where specific grade data is not required for
17 the Essential Elements, the average salary for
18 corresponding positions shall apply. For substitute
19 teachers, the average teacher salary for grades K through
20 12 shall apply.

21 For calculating the salaries included within the
22 Essential Elements for positions not included within EIS
23 Data, the following salaries shall be used in the first
24 year of implementation of Evidence-Based Funding:

25 (i) school site staff, \$30,000; and

26 (ii) non-instructional assistant, instructional

1 assistant, library aide, library media tech, or
2 supervisory aide: \$25,000.

3 In the second and subsequent years of implementation
4 of Evidence-Based Funding, the amounts in items (i) and
5 (ii) of this paragraph (3) shall annually increase by the
6 ECI.

7 The salary amounts for the Essential Elements
8 determined pursuant to subparagraphs (A) through (L), (S)
9 and (T), and (V) through (X) of paragraph (2) of
10 subsection (b) of this Section shall be multiplied by a
11 Regionalization Factor.

12 (c) Local Capacity calculation.

13 (1) Each Organizational Unit's Local Capacity
14 represents an amount of funding it is assumed to
15 contribute toward its Adequacy Target for purposes of the
16 Evidence-Based Funding formula calculation. "Local
17 Capacity" means either (i) the Organizational Unit's Local
18 Capacity Target as calculated in accordance with paragraph
19 (2) of this subsection (c) if its Real Receipts are equal
20 to or less than its Local Capacity Target or (ii) the
21 Organizational Unit's Adjusted Local Capacity, as
22 calculated in accordance with paragraph (3) of this
23 subsection (c) if Real Receipts are more than its Local
24 Capacity Target.

25 (2) "Local Capacity Target" means, for an
26 Organizational Unit, that dollar amount that is obtained

1 by multiplying its Adequacy Target by its Local Capacity
2 Ratio.

3 (A) An Organizational Unit's Local Capacity
4 Percentage is the conversion of the Organizational
5 Unit's Local Capacity Ratio, as such ratio is
6 determined in accordance with subparagraph (B) of this
7 paragraph (2), into a cumulative distribution
8 resulting in a percentile ranking to determine each
9 Organizational Unit's relative position to all other
10 Organizational Units in this State. The calculation of
11 Local Capacity Percentage is described in subparagraph
12 (C) of this paragraph (2).

13 (B) An Organizational Unit's Local Capacity Ratio
14 in a given year is the percentage obtained by dividing
15 its Adjusted EAV or PTELL EAV, whichever is less, by
16 its Adequacy Target, with the resulting ratio further
17 adjusted as follows:

18 (i) for Organizational Units serving grades
19 kindergarten through 12 and Hybrid Districts, no
20 further adjustments shall be made;

21 (ii) for Organizational Units serving grades
22 kindergarten through 8, the ratio shall be
23 multiplied by 9/13;

24 (iii) for Organizational Units serving grades
25 9 through 12, the Local Capacity Ratio shall be
26 multiplied by 4/13; and

1 (iv) for an Organizational Unit with a
2 different grade configuration than those specified
3 in items (i) through (iii) of this subparagraph
4 (B), the State Superintendent shall determine a
5 comparable adjustment based on the grades served.

6 (C) The Local Capacity Percentage is equal to the
7 percentile ranking of the district. Local Capacity
8 Percentage converts each Organizational Unit's Local
9 Capacity Ratio to a cumulative distribution resulting
10 in a percentile ranking to determine each
11 Organizational Unit's relative position to all other
12 Organizational Units in this State. The Local Capacity
13 Percentage cumulative distribution resulting in a
14 percentile ranking for each Organizational Unit shall
15 be calculated using the standard normal distribution
16 of the score in relation to the weighted mean and
17 weighted standard deviation and Local Capacity Ratios
18 of all Organizational Units. If the value assigned to
19 any Organizational Unit is in excess of 90%, the value
20 shall be adjusted to 90%. For Laboratory Schools, the
21 Local Capacity Percentage shall be set at 10% in
22 recognition of the absence of EAV and resources from
23 the public university that are allocated to the
24 Laboratory School. For programs operated by a regional
25 office of education or an intermediate service center,
26 the Local Capacity Percentage must be set at 10% in

1 recognition of the absence of EAV and resources from
2 school districts that are allocated to the regional
3 office of education or intermediate service center.
4 The weighted mean for the Local Capacity Percentage
5 shall be determined by multiplying each Organizational
6 Unit's Local Capacity Ratio times the ASE for the unit
7 creating a weighted value, summing the weighted values
8 of all Organizational Units, and dividing by the total
9 ASE of all Organizational Units. The weighted standard
10 deviation shall be determined by taking the square
11 root of the weighted variance of all Organizational
12 Units' Local Capacity Ratio, where the variance is
13 calculated by squaring the difference between each
14 unit's Local Capacity Ratio and the weighted mean,
15 then multiplying the variance for each unit times the
16 ASE for the unit to create a weighted variance for each
17 unit, then summing all units' weighted variance and
18 dividing by the total ASE of all units.

19 (D) For any Organizational Unit, the
20 Organizational Unit's Adjusted Local Capacity Target
21 shall be reduced by either (i) the school board's
22 remaining contribution pursuant to paragraph (ii) of
23 subsection (b-4) of Section 16-158 of the Illinois
24 Pension Code in a given year or (ii) the board of
25 education's remaining contribution pursuant to
26 paragraph (iv) of subsection (b) of Section 17-129 of

1 the Illinois Pension Code absent the employer normal
2 cost portion of the required contribution and amount
3 allowed pursuant to subdivision (3) of Section
4 17-142.1 of the Illinois Pension Code in a given year.
5 In the preceding sentence, item (i) shall be certified
6 to the State Board of Education by the Teachers'
7 Retirement System of the State of Illinois and item
8 (ii) shall be certified to the State Board of
9 Education by the Public School Teachers' Pension and
10 Retirement Fund of the City of Chicago.

11 (3) If an Organizational Unit's Real Receipts are more
12 than its Local Capacity Target, then its Local Capacity
13 shall equal an Adjusted Local Capacity Target as
14 calculated in accordance with this paragraph (3). The
15 Adjusted Local Capacity Target is calculated as the sum of
16 the Organizational Unit's Local Capacity Target and its
17 Real Receipts Adjustment. The Real Receipts Adjustment
18 equals the Organizational Unit's Real Receipts less its
19 Local Capacity Target, with the resulting figure
20 multiplied by the Local Capacity Percentage.

21 As used in this paragraph (3), "Real Percent of
22 Adequacy" means the sum of an Organizational Unit's Real
23 Receipts, CPPRT, and Base Funding Minimum, with the
24 resulting figure divided by the Organizational Unit's
25 Adequacy Target.

26 (d) Calculation of Real Receipts, EAV, and Adjusted EAV

1 for purposes of the Local Capacity calculation.

2 (1) An Organizational Unit's Real Receipts are the
3 product of its Applicable Tax Rate and its Adjusted EAV.
4 An Organizational Unit's Applicable Tax Rate is its
5 Adjusted Operating Tax Rate for property within the
6 Organizational Unit.

7 (2) The State Superintendent shall calculate the
8 equalized assessed valuation, or EAV, of all taxable
9 property of each Organizational Unit as of September 30 of
10 the previous year in accordance with paragraph (3) of this
11 subsection (d). The State Superintendent shall then
12 determine the Adjusted EAV of each Organizational Unit in
13 accordance with paragraph (4) of this subsection (d),
14 which Adjusted EAV figure shall be used for the purposes
15 of calculating Local Capacity.

16 (3) To calculate Real Receipts and EAV, the Department
17 of Revenue shall supply to the State Superintendent the
18 value as equalized or assessed by the Department of
19 Revenue of all taxable property of every Organizational
20 Unit, together with (i) the applicable tax rate used in
21 extending taxes for the funds of the Organizational Unit
22 as of September 30 of the previous year and (ii) the
23 limiting rate for all Organizational Units subject to
24 property tax extension limitations as imposed under PTELL.

25 (A) The Department of Revenue shall add to the
26 equalized assessed value of all taxable property of

1 each Organizational Unit situated entirely or
2 partially within a county that is or was subject to the
3 provisions of Section 15-176 or 15-177 of the Property
4 Tax Code (i) an amount equal to the total amount by
5 which the homestead exemption allowed under Section
6 15-176 or 15-177 of the Property Tax Code for real
7 property situated in that Organizational Unit exceeds
8 the total amount that would have been allowed in that
9 Organizational Unit if the maximum reduction under
10 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
11 in all other counties in tax year 2003 or (II) \$5,000
12 in all counties in tax year 2004 and thereafter and
13 (ii) an amount equal to the aggregate amount for the
14 taxable year of all additional exemptions under
15 Section 15-175 of the Property Tax Code for owners
16 with a household income of \$30,000 or less. The county
17 clerk of any county that is or was subject to the
18 provisions of Section 15-176 or 15-177 of the Property
19 Tax Code shall annually calculate and certify to the
20 Department of Revenue for each Organizational Unit all
21 homestead exemption amounts under Section 15-176 or
22 15-177 of the Property Tax Code and all amounts of
23 additional exemptions under Section 15-175 of the
24 Property Tax Code for owners with a household income
25 of \$30,000 or less. It is the intent of this
26 subparagraph (A) that if the general homestead

1 exemption for a parcel of property is determined under
2 Section 15-176 or 15-177 of the Property Tax Code
3 rather than Section 15-175, then the calculation of
4 EAV shall not be affected by the difference, if any,
5 between the amount of the general homestead exemption
6 allowed for that parcel of property under Section
7 15-176 or 15-177 of the Property Tax Code and the
8 amount that would have been allowed had the general
9 homestead exemption for that parcel of property been
10 determined under Section 15-175 of the Property Tax
11 Code. It is further the intent of this subparagraph
12 (A) that if additional exemptions are allowed under
13 Section 15-175 of the Property Tax Code for owners
14 with a household income of less than \$30,000, then the
15 calculation of EAV shall not be affected by the
16 difference, if any, because of those additional
17 exemptions.

18 (B) With respect to any part of an Organizational
19 Unit within a redevelopment project area in respect to
20 which a municipality has adopted tax increment
21 allocation financing pursuant to the Tax Increment
22 Allocation Redevelopment Act, Division 74.4 of Article
23 11 of the Illinois Municipal Code, or the Industrial
24 Jobs Recovery Law, Division 74.6 of Article 11 of the
25 Illinois Municipal Code, no part of the current EAV of
26 real property located in any such project area that is

1 attributable to an increase above the total initial
2 EAV of such property shall be used as part of the EAV
3 of the Organizational Unit, until such time as all
4 redevelopment project costs have been paid, as
5 provided in Section 11-74.4-8 of the Tax Increment
6 Allocation Redevelopment Act or in Section 11-74.6-35
7 of the Industrial Jobs Recovery Law. For the purpose
8 of the EAV of the Organizational Unit, the total
9 initial EAV or the current EAV, whichever is lower,
10 shall be used until such time as all redevelopment
11 project costs have been paid.

12 (B-5) The real property equalized assessed
13 valuation for a school district shall be adjusted by
14 subtracting from the real property value, as equalized
15 or assessed by the Department of Revenue, for the
16 district an amount computed by dividing the amount of
17 any abatement of taxes under Section 18-170 of the
18 Property Tax Code by 3.00% for a district maintaining
19 grades kindergarten through 12, by 2.30% for a
20 district maintaining grades kindergarten through 8, or
21 by 1.05% for a district maintaining grades 9 through
22 12 and adjusted by an amount computed by dividing the
23 amount of any abatement of taxes under subsection (a)
24 of Section 18-165 of the Property Tax Code by the same
25 percentage rates for district type as specified in
26 this subparagraph (B-5).

1 (C) For Organizational Units that are Hybrid
2 Districts, the State Superintendent shall use the
3 lesser of the adjusted equalized assessed valuation
4 for property within the partial elementary unit
5 district for elementary purposes, as defined in
6 Article 11E of this Code, or the adjusted equalized
7 assessed valuation for property within the partial
8 elementary unit district for high school purposes, as
9 defined in Article 11E of this Code.

10 (4) An Organizational Unit's Adjusted EAV shall be the
11 average of its EAV over the immediately preceding 3 years
12 or its EAV in the immediately preceding year if the EAV in
13 the immediately preceding year has declined by 10% or more
14 compared to the 3-year average. In the event of
15 Organizational Unit reorganization, consolidation, or
16 annexation, the Organizational Unit's Adjusted EAV for the
17 first 3 years after such change shall be as follows: the
18 most current EAV shall be used in the first year, the
19 average of a 2-year EAV or its EAV in the immediately
20 preceding year if the EAV declines by 10% or more compared
21 to the 2-year average for the second year, and a 3-year
22 average EAV or its EAV in the immediately preceding year
23 if the Adjusted EAV declines by 10% or more compared to the
24 3-year average for the third year. For any school district
25 whose EAV in the immediately preceding year is used in
26 calculations, in the following year, the Adjusted EAV

1 shall be the average of its EAV over the immediately
2 preceding 2 years or the immediately preceding year if
3 that year represents a decline of 10% or more compared to
4 the 2-year average.

5 "PTELL EAV" means a figure calculated by the State
6 Board for Organizational Units subject to PTELL as
7 described in this paragraph (4) for the purposes of
8 calculating an Organizational Unit's Local Capacity Ratio.
9 Except as otherwise provided in this paragraph (4), the
10 PTELL EAV of an Organizational Unit shall be equal to the
11 product of the equalized assessed valuation last used in
12 the calculation of general State aid under Section 18-8.05
13 of this Code (now repealed) or Evidence-Based Funding
14 under this Section and the Organizational Unit's Extension
15 Limitation Ratio. If an Organizational Unit has approved
16 or does approve an increase in its limiting rate, pursuant
17 to Section 18-190 of the Property Tax Code, affecting the
18 Base Tax Year, the PTELL EAV shall be equal to the product
19 of the equalized assessed valuation last used in the
20 calculation of general State aid under Section 18-8.05 of
21 this Code (now repealed) or Evidence-Based Funding under
22 this Section multiplied by an amount equal to one plus the
23 percentage increase, if any, in the Consumer Price Index
24 for All Urban Consumers for all items published by the
25 United States Department of Labor for the 12-month
26 calendar year preceding the Base Tax Year, plus the

1 equalized assessed valuation of new property, annexed
2 property, and recovered tax increment value and minus the
3 equalized assessed valuation of disconnected property.

4 As used in this paragraph (4), "new property" and
5 "recovered tax increment value" shall have the meanings
6 set forth in the Property Tax Extension Limitation Law.

7 (e) Base Funding Minimum calculation.

8 (1) For the 2017-2018 school year, the Base Funding
9 Minimum of an Organizational Unit or a Specially Funded
10 Unit shall be the amount of State funds distributed to the
11 Organizational Unit or Specially Funded Unit during the
12 2016-2017 school year prior to any adjustments and
13 specified appropriation amounts described in this
14 paragraph (1) from the following Sections, as calculated
15 by the State Superintendent: Section 18-8.05 of this Code
16 (now repealed); Section 5 of Article 224 of Public Act
17 99-524 (equity grants); Section 14-7.02b of this Code
18 (funding for children requiring special education
19 services); Section 14-13.01 of this Code (special
20 education facilities and staffing), except for
21 reimbursement of the cost of transportation pursuant to
22 Section 14-13.01; Section 14C-12 of this Code (English
23 learners); and Section 18-4.3 of this Code (summer
24 school), based on an appropriation level of \$13,121,600.
25 For a school district organized under Article 34 of this
26 Code, the Base Funding Minimum also includes (i) the funds

1 allocated to the school district pursuant to Section 1D-1
2 of this Code attributable to funding programs authorized
3 by the Sections of this Code listed in the preceding
4 sentence and (ii) the difference between (I) the funds
5 allocated to the school district pursuant to Section 1D-1
6 of this Code attributable to the funding programs
7 authorized by Section 14-7.02 (non-public special
8 education reimbursement), subsection (b) of Section
9 14-13.01 (special education transportation), Section 29-5
10 (transportation), Section 2-3.80 (agricultural
11 education), Section 2-3.66 (truants' alternative
12 education), Section 2-3.62 (educational service centers),
13 and Section 14-7.03 (special education - orphanage) of
14 this Code and Section 15 of the Childhood Hunger Relief
15 Act (free breakfast program) and (II) the school
16 district's actual expenditures for its non-public special
17 education, special education transportation,
18 transportation programs, agricultural education, truants'
19 alternative education, services that would otherwise be
20 performed by a regional office of education, special
21 education orphanage expenditures, and free breakfast, as
22 most recently calculated and reported pursuant to
23 subsection (f) of Section 1D-1 of this Code. The Base
24 Funding Minimum for Glenwood Academy shall be \$625,500.
25 For programs operated by a regional office of education or
26 an intermediate service center, the Base Funding Minimum

1 must be the total amount of State funds allocated to those
2 programs in the 2018-2019 school year and amounts provided
3 pursuant to Article 34 of Public Act 100-586 and Section
4 3-16 of this Code. All programs established after June 5,
5 2019 (the effective date of Public Act 101-10) and
6 administered by a regional office of education or an
7 intermediate service center must have an initial Base
8 Funding Minimum set to an amount equal to the first-year
9 ASE multiplied by the amount of per pupil funding received
10 in the previous school year by the lowest funded similar
11 existing program type. If the enrollment for a program
12 operated by a regional office of education or an
13 intermediate service center is zero, then it may not
14 receive Base Funding Minimum funds for that program in the
15 next fiscal year, and those funds must be distributed to
16 Organizational Units under subsection (g).

17 (2) For the 2018-2019 and subsequent school years, the
18 Base Funding Minimum of Organizational Units and Specially
19 Funded Units shall be the sum of (i) the amount of
20 Evidence-Based Funding for the prior school year, (ii) the
21 Base Funding Minimum for the prior school year, and (iii)
22 any amount received by a school district pursuant to
23 Section 7 of Article 97 of Public Act 100-21.

24 (3) Subject to approval by the General Assembly as
25 provided in this paragraph (3), an Organizational Unit
26 that meets all of the following criteria, as determined by

1 the State Board, shall have District Intervention Money
2 added to its Base Funding Minimum at the time the Base
3 Funding Minimum is calculated by the State Board:

4 (A) The Organizational Unit is operating under an
5 Independent Authority under Section 2-3.25f-5 of this
6 Code for a minimum of 4 school years or is subject to
7 the control of the State Board pursuant to a court
8 order for a minimum of 4 school years.

9 (B) The Organizational Unit was designated as a
10 Tier 1 or Tier 2 Organizational Unit in the previous
11 school year under paragraph (3) of subsection (g) of
12 this Section.

13 (C) The Organizational Unit demonstrates
14 sustainability through a 5-year financial and
15 strategic plan.

16 (D) The Organizational Unit has made sufficient
17 progress and achieved sufficient stability in the
18 areas of governance, academic growth, and finances.

19 As part of its determination under this paragraph (3),
20 the State Board may consider the Organizational Unit's
21 summative designation, any accreditations of the
22 Organizational Unit, or the Organizational Unit's
23 financial profile, as calculated by the State Board.

24 If the State Board determines that an Organizational
25 Unit has met the criteria set forth in this paragraph (3),
26 it must submit a report to the General Assembly, no later

1 than January 2 of the fiscal year in which the State Board
2 makes its determination, on the amount of District
3 Intervention Money to add to the Organizational Unit's
4 Base Funding Minimum. The General Assembly must review the
5 State Board's report and may approve or disapprove, by
6 joint resolution, the addition of District Intervention
7 Money. If the General Assembly fails to act on the report
8 within 40 calendar days from the receipt of the report,
9 the addition of District Intervention Money is deemed
10 approved. If the General Assembly approves the amount of
11 District Intervention Money to be added to the
12 Organizational Unit's Base Funding Minimum, the District
13 Intervention Money must be added to the Base Funding
14 Minimum annually thereafter.

15 For the first 4 years following the initial year that
16 the State Board determines that an Organizational Unit has
17 met the criteria set forth in this paragraph (3) and has
18 received funding under this Section, the Organizational
19 Unit must annually submit to the State Board, on or before
20 November 30, a progress report regarding its financial and
21 strategic plan under subparagraph (C) of this paragraph
22 (3). The plan shall include the financial data from the
23 past 4 annual financial reports or financial audits that
24 must be presented to the State Board by November 15 of each
25 year and the approved budget financial data for the
26 current year. The plan shall be developed according to the

1 guidelines presented to the Organizational Unit by the
2 State Board. The plan shall further include financial
3 projections for the next 3 fiscal years and include a
4 discussion and financial summary of the Organizational
5 Unit's facility needs. If the Organizational Unit does not
6 demonstrate sufficient progress toward its 5-year plan or
7 if it has failed to file an annual financial report, an
8 annual budget, a financial plan, a deficit reduction plan,
9 or other financial information as required by law, the
10 State Board may establish a Financial Oversight Panel
11 under Article 1H of this Code. However, if the
12 Organizational Unit already has a Financial Oversight
13 Panel, the State Board may extend the duration of the
14 Panel.

15 (f) Percent of Adequacy and Final Resources calculation.

16 (1) The Evidence-Based Funding formula establishes a
17 Percent of Adequacy for each Organizational Unit in order
18 to place such units into tiers for the purposes of the
19 funding distribution system described in subsection (g) of
20 this Section. Initially, an Organizational Unit's
21 Preliminary Resources and Preliminary Percent of Adequacy
22 are calculated pursuant to paragraph (2) of this
23 subsection (f). Then, an Organizational Unit's Final
24 Resources and Final Percent of Adequacy are calculated to
25 account for the Organizational Unit's poverty
26 concentration levels pursuant to paragraphs (3) and (4) of

1 this subsection (f).

2 (2) An Organizational Unit's Preliminary Resources are
3 equal to the sum of its Local Capacity Target, CPPRT, and
4 Base Funding Minimum. An Organizational Unit's Preliminary
5 Percent of Adequacy is the lesser of (i) its Preliminary
6 Resources divided by its Adequacy Target or (ii) 100%.

7 (3) Except for Specially Funded Units, an
8 Organizational Unit's Final Resources are equal to the sum
9 of its Local Capacity, CPPRT, and Adjusted Base Funding
10 Minimum. The Base Funding Minimum of each Specially Funded
11 Unit shall serve as its Final Resources, except that the
12 Base Funding Minimum for State-approved charter schools
13 shall not include any portion of general State aid
14 allocated in the prior year based on the per capita
15 tuition charge times the charter school enrollment.

16 (4) An Organizational Unit's Final Percent of Adequacy
17 is its Final Resources divided by its Adequacy Target. An
18 Organizational Unit's Adjusted Base Funding Minimum is
19 equal to its Base Funding Minimum less its Supplemental
20 Grant Funding, with the resulting figure added to the
21 product of its Supplemental Grant Funding and Preliminary
22 Percent of Adequacy.

23 (g) Evidence-Based Funding formula distribution system.

24 (1) In each school year under the Evidence-Based
25 Funding formula, each Organizational Unit receives funding
26 equal to the sum of its Base Funding Minimum and the unit's

1 allocation of New State Funds determined pursuant to this
2 subsection (g). To allocate New State Funds, the
3 Evidence-Based Funding formula distribution system first
4 places all Organizational Units into one of 4 tiers in
5 accordance with paragraph (3) of this subsection (g),
6 based on the Organizational Unit's Final Percent of
7 Adequacy. New State Funds are allocated to each of the 4
8 tiers as follows: Tier 1 Aggregate Funding equals 50% of
9 all New State Funds, Tier 2 Aggregate Funding equals 49%
10 of all New State Funds, Tier 3 Aggregate Funding equals
11 0.9% of all New State Funds, and Tier 4 Aggregate Funding
12 equals 0.1% of all New State Funds. Each Organizational
13 Unit within Tier 1 or Tier 2 receives an allocation of New
14 State Funds equal to its tier Funding Gap, as defined in
15 the following sentence, multiplied by the tier's
16 Allocation Rate determined pursuant to paragraph (4) of
17 this subsection (g). For Tier 1, an Organizational Unit's
18 Funding Gap equals the tier's Target Ratio, as specified
19 in paragraph (5) of this subsection (g), multiplied by the
20 Organizational Unit's Adequacy Target, with the resulting
21 amount reduced by the Organizational Unit's Final
22 Resources. For Tier 2, an Organizational Unit's Funding
23 Gap equals the tier's Target Ratio, as described in
24 paragraph (5) of this subsection (g), multiplied by the
25 Organizational Unit's Adequacy Target, with the resulting
26 amount reduced by the Organizational Unit's Final

1 Resources and its Tier 1 funding allocation. To determine
2 the Organizational Unit's Funding Gap, the resulting
3 amount is then multiplied by a factor equal to one minus
4 the Organizational Unit's Local Capacity Target
5 percentage. Each Organizational Unit within Tier 3 or Tier
6 4 receives an allocation of New State Funds equal to the
7 product of its Adequacy Target and the tier's Allocation
8 Rate, as specified in paragraph (4) of this subsection
9 (g).

10 (2) To ensure equitable distribution of dollars for
11 all Tier 2 Organizational Units, no Tier 2 Organizational
12 Unit shall receive fewer dollars per ASE than any Tier 3
13 Organizational Unit. Each Tier 2 and Tier 3 Organizational
14 Unit shall have its funding allocation divided by its ASE.
15 Any Tier 2 Organizational Unit with a funding allocation
16 per ASE below the greatest Tier 3 allocation per ASE shall
17 get a funding allocation equal to the greatest Tier 3
18 funding allocation per ASE multiplied by the
19 Organizational Unit's ASE. Each Tier 2 Organizational
20 Unit's Tier 2 funding allocation shall be multiplied by
21 the percentage calculated by dividing the original Tier 2
22 Aggregate Funding by the sum of all Tier 2 Organizational
23 Units' Tier 2 funding allocation after adjusting
24 districts' funding below Tier 3 levels.

25 (3) Organizational Units are placed into one of 4
26 tiers as follows:

1 (A) Tier 1 consists of all Organizational Units,
2 except for Specially Funded Units, with a Percent of
3 Adequacy less than the Tier 1 Target Ratio. The Tier 1
4 Target Ratio is the ratio level that allows for Tier 1
5 Aggregate Funding to be distributed, with the Tier 1
6 Allocation Rate determined pursuant to paragraph (4)
7 of this subsection (g).

8 (B) Tier 2 consists of all Tier 1 Units and all
9 other Organizational Units, except for Specially
10 Funded Units, with a Percent of Adequacy of less than
11 0.90.

12 (C) Tier 3 consists of all Organizational Units,
13 except for Specially Funded Units, with a Percent of
14 Adequacy of at least 0.90 and less than 1.0.

15 (D) Tier 4 consists of all Organizational Units
16 with a Percent of Adequacy of at least 1.0.

17 (4) The Allocation Rates for Tiers 1 through 4 are
18 determined as follows:

19 (A) The Tier 1 Allocation Rate is 30%.

20 (B) The Tier 2 Allocation Rate is the result of the
21 following equation: Tier 2 Aggregate Funding, divided
22 by the sum of the Funding Gaps for all Tier 2
23 Organizational Units, unless the result of such
24 equation is higher than 1.0. If the result of such
25 equation is higher than 1.0, then the Tier 2
26 Allocation Rate is 1.0.

1 (C) The Tier 3 Allocation Rate is the result of the
2 following equation: Tier 3 Aggregate Funding, divided
3 by the sum of the Adequacy Targets of all Tier 3
4 Organizational Units.

5 (D) The Tier 4 Allocation Rate is the result of the
6 following equation: Tier 4 Aggregate Funding, divided
7 by the sum of the Adequacy Targets of all Tier 4
8 Organizational Units.

9 (5) A tier's Target Ratio is determined as follows:

10 (A) The Tier 1 Target Ratio is the ratio level that
11 allows for Tier 1 Aggregate Funding to be distributed
12 with the Tier 1 Allocation Rate.

13 (B) The Tier 2 Target Ratio is 0.90.

14 (C) The Tier 3 Target Ratio is 1.0.

15 (6) If, at any point, the Tier 1 Target Ratio is
16 greater than 90%, then ~~than~~ all Tier 1 funding shall be
17 allocated to Tier 2 and no Tier 1 Organizational Unit's
18 funding may be identified.

19 (7) In the event that all Tier 2 Organizational Units
20 receive funding at the Tier 2 Target Ratio level, any
21 remaining New State Funds shall be allocated to Tier 3 and
22 Tier 4 Organizational Units.

23 (8) If any Specially Funded Units, excluding Glenwood
24 Academy, recognized by the State Board do not qualify for
25 direct funding following the implementation of Public Act
26 100-465 from any of the funding sources included within

1 the definition of Base Funding Minimum, the unqualified
2 portion of the Base Funding Minimum shall be transferred
3 to one or more appropriate Organizational Units as
4 determined by the State Superintendent based on the prior
5 year ASE of the Organizational Units.

6 (8.5) If a school district withdraws from a special
7 education cooperative, the portion of the Base Funding
8 Minimum that is attributable to the school district may be
9 redistributed to the school district upon withdrawal. The
10 school district and the cooperative must include the
11 amount of the Base Funding Minimum that is to be
12 reapportioned in their withdrawal agreement and notify the
13 State Board of the change with a copy of the agreement upon
14 withdrawal.

15 (9) The Minimum Funding Level is intended to establish
16 a target for State funding that will keep pace with
17 inflation and continue to advance equity through the
18 Evidence-Based Funding formula. The target for State
19 funding of New Property Tax Relief Pool Funds is
20 \$50,000,000 for State fiscal year 2019 and subsequent
21 State fiscal years. The Minimum Funding Level is equal to
22 \$350,000,000. In addition to any New State Funds, no more
23 than \$50,000,000 New Property Tax Relief Pool Funds may be
24 counted toward the Minimum Funding Level. If the sum of
25 New State Funds and applicable New Property Tax Relief
26 Pool Funds are less than the Minimum Funding Level, than

1 funding for tiers shall be reduced in the following
2 manner:

3 (A) First, Tier 4 funding shall be reduced by an
4 amount equal to the difference between the Minimum
5 Funding Level and New State Funds until such time as
6 Tier 4 funding is exhausted.

7 (B) Next, Tier 3 funding shall be reduced by an
8 amount equal to the difference between the Minimum
9 Funding Level and New State Funds and the reduction in
10 Tier 4 funding until such time as Tier 3 funding is
11 exhausted.

12 (C) Next, Tier 2 funding shall be reduced by an
13 amount equal to the difference between the Minimum
14 Funding Level and New State Funds and the reduction in
15 Tier 4 and Tier 3.

16 (D) Finally, Tier 1 funding shall be reduced by an
17 amount equal to the difference between the Minimum
18 Funding level and New State Funds and the reduction in
19 Tier 2, 3, and 4 funding. In addition, the Allocation
20 Rate for Tier 1 shall be reduced to a percentage equal
21 to the Tier 1 Allocation Rate set by paragraph (4) of
22 this subsection (g), multiplied by the result of New
23 State Funds divided by the Minimum Funding Level.

24 (9.5) For State fiscal year 2019 and subsequent State
25 fiscal years, if New State Funds exceed \$300,000,000, then
26 any amount in excess of \$300,000,000 shall be dedicated

1 for purposes of Section 2-3.170 of this Code up to a
2 maximum of \$50,000,000.

3 (10) In the event of a decrease in the amount of the
4 appropriation for this Section in any fiscal year after
5 implementation of this Section, the Organizational Units
6 receiving Tier 1 and Tier 2 funding, as determined under
7 paragraph (3) of this subsection (g), shall be held
8 harmless by establishing a Base Funding Guarantee equal to
9 the per pupil kindergarten through grade 12 funding
10 received in accordance with this Section in the prior
11 fiscal year. Reductions shall be made to the Base Funding
12 Minimum of Organizational Units in Tier 3 and Tier 4 on a
13 per pupil basis equivalent to the total number of the ASE
14 in Tier 3-funded and Tier 4-funded Organizational Units
15 divided by the total reduction in State funding. The Base
16 Funding Minimum as reduced shall continue to be applied to
17 Tier 3 and Tier 4 Organizational Units and adjusted by the
18 relative formula when increases in appropriations for this
19 Section resume. In no event may State funding reductions
20 to Organizational Units in Tier 3 or Tier 4 exceed an
21 amount that would be less than the Base Funding Minimum
22 established in the first year of implementation of this
23 Section. If additional reductions are required, all school
24 districts shall receive a reduction by a per pupil amount
25 equal to the aggregate additional appropriation reduction
26 divided by the total ASE of all Organizational Units.

1 (11) The State Superintendent shall make minor
2 adjustments to the distribution formula set forth in this
3 subsection (g) to account for the rounding of percentages
4 to the nearest tenth of a percentage and dollar amounts to
5 the nearest whole dollar.

6 (h) State Superintendent administration of funding and
7 district submission requirements.

8 (1) The State Superintendent shall, in accordance with
9 appropriations made by the General Assembly, meet the
10 funding obligations created under this Section.

11 (2) The State Superintendent shall calculate the
12 Adequacy Target for each Organizational Unit and Net State
13 Contribution Target for each Organizational Unit under
14 this Section. No Evidence-Based Funding shall be
15 distributed within an Organizational Unit without the
16 approval of the unit's school board.

17 (3) Annually, the State Superintendent shall calculate
18 and report to each Organizational Unit the unit's
19 aggregate financial adequacy amount, which shall be the
20 sum of the Adequacy Target for each Organizational Unit.
21 The State Superintendent shall calculate and report
22 separately for each Organizational Unit the unit's total
23 State funds allocated for its students with disabilities.
24 The State Superintendent shall calculate and report
25 separately for each Organizational Unit the amount of
26 funding and applicable FTE calculated for each Essential

1 Element of the unit's Adequacy Target.

2 (4) Annually, the State Superintendent shall calculate
3 and report to each Organizational Unit the amount the unit
4 must expend on special education and bilingual education
5 and computer technology and equipment for Organizational
6 Units assigned to Tier 1 or Tier 2 that received an
7 additional \$285.50 per student computer technology and
8 equipment investment grant to their Adequacy Target
9 pursuant to the unit's Base Funding Minimum, Special
10 Education Allocation, Bilingual Education Allocation, and
11 computer technology and equipment investment allocation.

12 (5) Moneys distributed under this Section shall be
13 calculated on a school year basis, but paid on a fiscal
14 year basis, with payments beginning in August and
15 extending through June. Unless otherwise provided, the
16 moneys appropriated for each fiscal year shall be
17 distributed in 22 equal payments at least 2 times monthly
18 to each Organizational Unit. If moneys appropriated for
19 any fiscal year are distributed other than monthly, the
20 distribution shall be on the same basis for each
21 Organizational Unit.

22 (6) Any school district that fails, for any given
23 school year, to maintain school as required by law or to
24 maintain a recognized school is not eligible to receive
25 Evidence-Based Funding. In case of non-recognition of one
26 or more attendance centers in a school district otherwise

1 operating recognized schools, the claim of the district
2 shall be reduced in the proportion that the enrollment in
3 the attendance center or centers bears to the enrollment
4 of the school district. "Recognized school" means any
5 public school that meets the standards for recognition by
6 the State Board. A school district or attendance center
7 not having recognition status at the end of a school term
8 is entitled to receive State aid payments due upon a legal
9 claim that was filed while it was recognized.

10 (7) School district claims filed under this Section
11 are subject to Sections 18-9 and 18-12 of this Code,
12 except as otherwise provided in this Section.

13 (8) Each fiscal year, the State Superintendent shall
14 calculate for each Organizational Unit an amount of its
15 Base Funding Minimum and Evidence-Based Funding that shall
16 be deemed attributable to the provision of special
17 educational facilities and services, as defined in Section
18 14-1.08 of this Code, in a manner that ensures compliance
19 with maintenance of State financial support requirements
20 under the federal Individuals with Disabilities Education
21 Act. An Organizational Unit must use such funds only for
22 the provision of special educational facilities and
23 services, as defined in Section 14-1.08 of this Code, and
24 must comply with any expenditure verification procedures
25 adopted by the State Board.

26 (9) All Organizational Units in this State must submit

1 annual spending plans by the end of September of each year
2 to the State Board as part of the annual budget process,
3 which shall describe how each Organizational Unit will
4 utilize the Base Funding Minimum and Evidence-Based
5 Funding it receives from this State under this Section
6 with specific identification of the intended utilization
7 of Low-Income, English learner, and special education
8 resources. Additionally, the annual spending plans of each
9 Organizational Unit shall describe how the Organizational
10 Unit expects to achieve student growth and how the
11 Organizational Unit will achieve State education goals, as
12 defined by the State Board. The State Superintendent may,
13 from time to time, identify additional requisites for
14 Organizational Units to satisfy when compiling the annual
15 spending plans required under this subsection (h). The
16 format and scope of annual spending plans shall be
17 developed by the State Superintendent and the State Board
18 of Education. School districts that serve students under
19 Article 14C of this Code shall continue to submit
20 information as required under Section 14C-12 of this Code.

21 (10) No later than January 1, 2018, the State
22 Superintendent shall develop a 5-year strategic plan for
23 all Organizational Units to help in planning for adequacy
24 funding under this Section. The State Superintendent shall
25 submit the plan to the Governor and the General Assembly,
26 as provided in Section 3.1 of the General Assembly

1 Organization Act. The plan shall include recommendations
2 for:

3 (A) a framework for collaborative, professional,
4 innovative, and 21st century learning environments
5 using the Evidence-Based Funding model;

6 (B) ways to prepare and support this State's
7 educators for successful instructional careers;

8 (C) application and enhancement of the current
9 financial accountability measures, the approved State
10 plan to comply with the federal Every Student Succeeds
11 Act, and the Illinois Balanced Accountability Measures
12 in relation to student growth and elements of the
13 Evidence-Based Funding model; and

14 (D) implementation of an effective school adequacy
15 funding system based on projected and recommended
16 funding levels from the General Assembly.

17 (11) On an annual basis, the State Superintendent must
18 recalibrate all of the following per pupil elements of the
19 Adequacy Target and applied to the formulas, based on the
20 study of average expenses and as reported in the most
21 recent annual financial report:

22 (A) Gifted under subparagraph (M) of paragraph (2)
23 of subsection (b).

24 (B) Instructional materials under subparagraph (O)
25 of paragraph (2) of subsection (b).

26 (C) Assessment under subparagraph (P) of paragraph

1 (2) of subsection (b).

2 (D) Student activities under subparagraph (R) of
3 paragraph (2) of subsection (b).

4 (E) Maintenance and operations under subparagraph
5 (S) of paragraph (2) of subsection (b).

6 (F) Central office under subparagraph (T) of
7 paragraph (2) of subsection (b).

8 (i) Professional Review Panel.

9 (1) A Professional Review Panel is created to study
10 and review topics related to the implementation and effect
11 of Evidence-Based Funding, as assigned by a joint
12 resolution or Public Act of the General Assembly or a
13 motion passed by the State Board of Education. The Panel
14 must provide recommendations to and serve the Governor,
15 the General Assembly, and the State Board. The State
16 Superintendent or his or her designee must serve as a
17 voting member and chairperson of the Panel. The State
18 Superintendent must appoint a vice chairperson from the
19 membership of the Panel. The Panel must advance
20 recommendations based on a three-fifths majority vote of
21 Panel members present and voting. A minority opinion may
22 also accompany any recommendation of the Panel. The Panel
23 shall be appointed by the State Superintendent, except as
24 otherwise provided in paragraph (2) of this subsection (i)
25 and include the following members:

26 (A) Two appointees that represent district

1 superintendents, recommended by a statewide
2 organization that represents district superintendents.

3 (B) Two appointees that represent school boards,
4 recommended by a statewide organization that
5 represents school boards.

6 (C) Two appointees from districts that represent
7 school business officials, recommended by a statewide
8 organization that represents school business
9 officials.

10 (D) Two appointees that represent school
11 principals, recommended by a statewide organization
12 that represents school principals.

13 (E) Two appointees that represent teachers,
14 recommended by a statewide organization that
15 represents teachers.

16 (F) Two appointees that represent teachers,
17 recommended by another statewide organization that
18 represents teachers.

19 (G) Two appointees that represent regional
20 superintendents of schools, recommended by
21 organizations that represent regional superintendents.

22 (H) Two independent experts selected solely by the
23 State Superintendent.

24 (I) Two independent experts recommended by public
25 universities in this State.

26 (J) One member recommended by a statewide

1 organization that represents parents.

2 (K) Two representatives recommended by collective
3 impact organizations that represent major metropolitan
4 areas or geographic areas in Illinois.

5 (L) One member from a statewide organization
6 focused on research-based education policy to support
7 a school system that prepares all students for
8 college, a career, and democratic citizenship.

9 (M) One representative from a school district
10 organized under Article 34 of this Code.

11 The State Superintendent shall ensure that the
12 membership of the Panel includes representatives from
13 school districts and communities reflecting the
14 geographic, socio-economic, racial, and ethnic diversity
15 of this State. The State Superintendent shall additionally
16 ensure that the membership of the Panel includes
17 representatives with expertise in bilingual education and
18 special education. Staff from the State Board shall staff
19 the Panel.

20 (2) In addition to those Panel members appointed by
21 the State Superintendent, 4 members of the General
22 Assembly shall be appointed as follows: one member of the
23 House of Representatives appointed by the Speaker of the
24 House of Representatives, one member of the Senate
25 appointed by the President of the Senate, one member of
26 the House of Representatives appointed by the Minority

1 Leader of the House of Representatives, and one member of
2 the Senate appointed by the Minority Leader of the Senate.
3 There shall be one additional member appointed by the
4 Governor. All members appointed by legislative leaders or
5 the Governor shall be non-voting, ex officio members.

6 (3) The Panel must study topics at the direction of
7 the General Assembly or State Board of Education, as
8 provided under paragraph (1). The Panel may also study the
9 following topics at the direction of the chairperson:

10 (A) The format and scope of annual spending plans
11 referenced in paragraph (9) of subsection (h) of this
12 Section.

13 (B) The Comparable Wage Index under this Section.

14 (C) Maintenance and operations, including capital
15 maintenance and construction costs.

16 (D) "At-risk student" definition.

17 (E) Benefits.

18 (F) Technology.

19 (G) Local Capacity Target.

20 (H) Funding for Alternative Schools, Laboratory
21 Schools, safe schools, and alternative learning
22 opportunities programs.

23 (I) Funding for college and career acceleration
24 strategies.

25 (J) Special education investments.

26 (K) Early childhood investments, in collaboration

1 with the Illinois Early Learning Council.

2 (4) (Blank).

3 (5) Within 5 years after the implementation of this
4 Section, and every 5 years thereafter, the Panel shall
5 complete an evaluative study of the entire Evidence-Based
6 Funding model, including an assessment of whether or not
7 the formula is achieving State goals. The Panel shall
8 report to the State Board, the General Assembly, and the
9 Governor on the findings of the study.

10 (6) (Blank).

11 (j) References. Beginning July 1, 2017, references in
12 other laws to general State aid funds or calculations under
13 Section 18-8.05 of this Code (now repealed) shall be deemed to
14 be references to evidence-based model formula funds or
15 calculations under this Section.

16 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;
17 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.
18 6-14-19; 101-643, eff. 6-18-20; revised 8-21-20.)

19 (105 ILCS 5/22-88)

20 Sec. 22-88 ~~22-85~~. Parental notification of law enforcement
21 detainment and questioning on school grounds.

22 (a) In this Section, "school grounds" means the real
23 property comprising an active and operational elementary or
24 secondary school during the regular hours in which school is
25 in session and when students are present.

1 (b) Before detaining and questioning a student on school
2 grounds who is under 18 years of age and who is suspected of
3 committing a criminal act, a law enforcement officer, a school
4 resource officer, or other school security personnel must do
5 all of the following:

6 (1) Ensure that notification or attempted notification
7 of the student's parent or guardian is made.

8 (2) Document the time and manner in which the
9 notification or attempted notification under paragraph (1)
10 occurred.

11 (3) Make reasonable efforts to ensure that the
12 student's parent or guardian is present during the
13 questioning or, if the parent or guardian is not present,
14 ensure that school personnel, including, but not limited
15 to, a school social worker, a school psychologist, a
16 school nurse, a school ~~guidance~~ counselor, or any other
17 mental health professional, are present during the
18 questioning.

19 (4) If practicable, make reasonable efforts to ensure
20 that a law enforcement officer trained in promoting safe
21 interactions and communications with youth is present
22 during the questioning. An officer who received training
23 in youth investigations approved or certified by his or
24 her law enforcement agency or under Section 10.22 of the
25 Police Training Act or a juvenile police officer, as
26 defined under Section 1-3 of the Juvenile Court Act of

1 1987, satisfies the requirement under this paragraph.

2 (c) This Section does not limit the authority of a law
3 enforcement officer to make an arrest on school grounds. This
4 Section does not apply to circumstances that would cause a
5 reasonable person to believe that urgent and immediate action
6 is necessary to do any of the following:

7 (1) Prevent bodily harm or injury to the student or
8 any other person.

9 (2) Apprehend an armed or fleeing suspect.

10 (3) Prevent the destruction of evidence.

11 (4) Address an emergency or other dangerous situation.

12 (Source: P.A. 101-478, eff. 8-23-19; revised 8-24-20.)

13 (105 ILCS 5/27-23.7)

14 Sec. 27-23.7. Bullying prevention.

15 (a) The General Assembly finds that a safe and civil
16 school environment is necessary for students to learn and
17 achieve and that bullying causes physical, psychological, and
18 emotional harm to students and interferes with students'
19 ability to learn and participate in school activities. The
20 General Assembly further finds that bullying has been linked
21 to other forms of antisocial behavior, such as vandalism,
22 shoplifting, skipping and dropping out of school, fighting,
23 using drugs and alcohol, sexual harassment, and sexual
24 violence. Because of the negative outcomes associated with
25 bullying in schools, the General Assembly finds that school

1 districts, charter schools, and non-public, non-sectarian
2 elementary and secondary schools should educate students,
3 parents, and school district, charter school, or non-public,
4 non-sectarian elementary or secondary school personnel about
5 what behaviors constitute prohibited bullying.

6 Bullying on the basis of actual or perceived race, color,
7 religion, sex, national origin, ancestry, age, marital status,
8 physical or mental disability, military status, sexual
9 orientation, gender-related identity or expression,
10 unfavorable discharge from military service, association with
11 a person or group with one or more of the aforementioned actual
12 or perceived characteristics, or any other distinguishing
13 characteristic is prohibited in all school districts, charter
14 schools, and non-public, non-sectarian elementary and
15 secondary schools. No student shall be subjected to bullying:

16 (1) during any school-sponsored education program or
17 activity;

18 (2) while in school, on school property, on school
19 buses or other school vehicles, at designated school bus
20 stops waiting for the school bus, or at school-sponsored
21 or school-sanctioned events or activities;

22 (3) through the transmission of information from a
23 school computer, a school computer network, or other
24 similar electronic school equipment; or

25 (4) through the transmission of information from a
26 computer that is accessed at a nonschool-related location,

1 activity, function, or program or from the use of
2 technology or an electronic device that is not owned,
3 leased, or used by a school district or school if the
4 bullying causes a substantial disruption to the
5 educational process or orderly operation of a school. This
6 item (4) applies only in cases in which a school
7 administrator or teacher receives a report that bullying
8 through this means has occurred and does not require a
9 district or school to staff or monitor any
10 nonschool-related activity, function, or program.

11 (a-5) Nothing in this Section is intended to infringe upon
12 any right to exercise free expression or the free exercise of
13 religion or religiously based views protected under the First
14 Amendment to the United States Constitution or under Section 3
15 of Article I of the Illinois Constitution.

16 (b) In this Section:

17 "Bullying" includes "cyber-bullying" and means any severe
18 or pervasive physical or verbal act or conduct, including
19 communications made in writing or electronically, directed
20 toward a student or students that has or can be reasonably
21 predicted to have the effect of one or more of the following:

22 (1) placing the student or students in reasonable fear
23 of harm to the student's or students' person or property;

24 (2) causing a substantially detrimental effect on the
25 student's or students' physical or mental health;

26 (3) substantially interfering with the student's or

1 students' academic performance; or

2 (4) substantially interfering with the student's or
3 students' ability to participate in or benefit from the
4 services, activities, or privileges provided by a school.

5 Bullying, as defined in this subsection (b), may take
6 various forms, including without limitation one or more of the
7 following: harassment, threats, intimidation, stalking,
8 physical violence, sexual harassment, sexual violence, theft,
9 public humiliation, destruction of property, or retaliation
10 for asserting or alleging an act of bullying. This list is
11 meant to be illustrative and non-exhaustive.

12 "Cyber-bullying" means bullying through the use of
13 technology or any electronic communication, including without
14 limitation any transfer of signs, signals, writing, images,
15 sounds, data, or intelligence of any nature transmitted in
16 whole or in part by a wire, radio, electromagnetic system,
17 photoelectronic system, or photooptical system, including
18 without limitation electronic mail, Internet communications,
19 instant messages, or facsimile communications.

20 "Cyber-bullying" includes the creation of a webpage or weblog
21 in which the creator assumes the identity of another person or
22 the knowing impersonation of another person as the author of
23 posted content or messages if the creation or impersonation
24 creates any of the effects enumerated in the definition of
25 bullying in this Section. "Cyber-bullying" also includes the
26 distribution by electronic means of a communication to more

1 than one person or the posting of material on an electronic
2 medium that may be accessed by one or more persons if the
3 distribution or posting creates any of the effects enumerated
4 in the definition of bullying in this Section.

5 "Policy on bullying" means a bullying prevention policy
6 that meets the following criteria:

7 (1) Includes the bullying definition provided in this
8 Section.

9 (2) Includes a statement that bullying is contrary to
10 State law and the policy of the school district, charter
11 school, or non-public, non-sectarian elementary or
12 secondary school and is consistent with subsection (a-5)
13 of this Section.

14 (3) Includes procedures for promptly reporting
15 bullying, including, but not limited to, identifying and
16 providing the school e-mail address (if applicable) and
17 school telephone number for the staff person or persons
18 responsible for receiving such reports and a procedure for
19 anonymous reporting; however, this shall not be construed
20 to permit formal disciplinary action solely on the basis
21 of an anonymous report.

22 (4) Consistent with federal and State laws and rules
23 governing student privacy rights, includes procedures for
24 promptly informing parents or guardians of all students
25 involved in the alleged incident of bullying and
26 discussing, as appropriate, the availability of social

1 work services, counseling, school psychological services,
2 other interventions, and restorative measures.

3 (5) Contains procedures for promptly investigating and
4 addressing reports of bullying, including the following:

5 (A) Making all reasonable efforts to complete the
6 investigation within 10 school days after the date the
7 report of the incident of bullying was received and
8 taking into consideration additional relevant
9 information received during the course of the
10 investigation about the reported incident of bullying.

11 (B) Involving appropriate school support personnel
12 and other staff persons with knowledge, experience,
13 and training on bullying prevention, as deemed
14 appropriate, in the investigation process.

15 (C) Notifying the principal or school
16 administrator or his or her designee of the report of
17 the incident of bullying as soon as possible after the
18 report is received.

19 (D) Consistent with federal and State laws and
20 rules governing student privacy rights, providing
21 parents and guardians of the students who are parties
22 to the investigation information about the
23 investigation and an opportunity to meet with the
24 principal or school administrator or his or her
25 designee to discuss the investigation, the findings of
26 the investigation, and the actions taken to address

1 the reported incident of bullying.

2 (6) Includes the interventions that can be taken to
3 address bullying, which may include, but are not limited
4 to, school social work services, restorative measures,
5 social-emotional skill building, counseling, school
6 psychological services, and community-based services.

7 (7) Includes a statement prohibiting reprisal or
8 retaliation against any person who reports an act of
9 bullying and the consequences and appropriate remedial
10 actions for a person who engages in reprisal or
11 retaliation.

12 (8) Includes consequences and appropriate remedial
13 actions for a person found to have falsely accused another
14 of bullying as a means of retaliation or as a means of
15 bullying.

16 (9) Is based on the engagement of a range of school
17 stakeholders, including students and parents or guardians.

18 (10) Is posted on the school district's, charter
19 school's, or non-public, non-sectarian elementary or
20 secondary school's existing Internet website, is included
21 in the student handbook, and, where applicable, posted
22 where other policies, rules, and standards of conduct are
23 currently posted in the school and provided periodically
24 throughout the school year to students and faculty, and is
25 distributed annually to parents, guardians, students, and
26 school personnel, including new employees when hired.

1 (11) As part of the process of reviewing and
2 re-evaluating the policy under subsection (d) of this
3 Section, contains a policy evaluation process to assess
4 the outcomes and effectiveness of the policy that
5 includes, but is not limited to, factors such as the
6 frequency of victimization; student, staff, and family
7 observations of safety at a school; identification of
8 areas of a school where bullying occurs; the types of
9 bullying utilized; and bystander intervention or
10 participation. The school district, charter school, or
11 non-public, non-sectarian elementary or secondary school
12 may use relevant data and information it already collects
13 for other purposes in the policy evaluation. The
14 information developed as a result of the policy evaluation
15 must be made available on the Internet website of the
16 school district, charter school, or non-public,
17 non-sectarian elementary or secondary school. If an
18 Internet website is not available, the information must be
19 provided to school administrators, school board members,
20 school personnel, parents, guardians, and students.

21 (12) Is consistent with the policies of the school
22 board, charter school, or non-public, non-sectarian
23 elementary or secondary school.

24 "Restorative measures" means a continuum of school-based
25 alternatives to exclusionary discipline, such as suspensions
26 and expulsions, that: (i) are adapted to the particular needs

1 of the school and community, (ii) contribute to maintaining
2 school safety, (iii) protect the integrity of a positive and
3 productive learning climate, (iv) teach students the personal
4 and interpersonal skills they will need to be successful in
5 school and society, (v) serve to build and restore
6 relationships among students, families, schools, and
7 communities, and (vi) reduce the likelihood of future
8 disruption by balancing accountability with an understanding
9 of students' behavioral health needs in order to keep students
10 in school.

11 "School personnel" means persons employed by, on contract
12 with, or who volunteer in a school district, charter school,
13 or non-public, non-sectarian elementary or secondary school,
14 including without limitation school and school district
15 administrators, teachers, ~~school guidance counselors,~~ school
16 social workers, school counselors, school psychologists,
17 school nurses, cafeteria workers, custodians, bus drivers,
18 school resource officers, and security guards.

19 (c) (Blank).

20 (d) Each school district, charter school, and non-public,
21 non-sectarian elementary or secondary school shall create,
22 maintain, and implement a policy on bullying, which policy
23 must be filed with the State Board of Education. The policy or
24 implementing procedure shall include a process to investigate
25 whether a reported act of bullying is within the permissible
26 scope of the district's or school's jurisdiction and shall

1 require that the district or school provide the victim with
2 information regarding services that are available within the
3 district and community, such as counseling, support services,
4 and other programs. School personnel available for help with a
5 bully or to make a report about bullying shall be made known to
6 parents or legal guardians, students, and school personnel.
7 Every 2 years, each school district, charter school, and
8 non-public, non-sectarian elementary or secondary school shall
9 conduct a review and re-evaluation of its policy and make any
10 necessary and appropriate revisions. The policy must be filed
11 with the State Board of Education after being updated. The
12 State Board of Education shall monitor and provide technical
13 support for the implementation of policies created under this
14 subsection (d).

15 (e) This Section shall not be interpreted to prevent a
16 victim from seeking redress under any other available civil or
17 criminal law.

18 (Source: P.A. 99-78, eff. 7-20-15; 100-137, eff. 8-18-17.)

19 (105 ILCS 5/34-18.8) (from Ch. 122, par. 34-18.8)

20 Sec. 34-18.8. AIDS training. School ~~guidance~~ counselors,
21 nurses, teachers and other school personnel who work with
22 pupils may be trained to have a basic knowledge of matters
23 relating to acquired immunodeficiency syndrome (AIDS),
24 including the nature of the disease, its causes and effects,
25 the means of detecting it and preventing its transmission, the

1 availability of appropriate sources of counseling and
2 referral, and any other information that may be appropriate
3 considering the age and grade level of such pupils. The Board
4 of Education shall supervise such training. The State Board of
5 Education and the Department of Public Health shall jointly
6 develop standards for such training.

7 (Source: P.A. 86-900.)

8 Section 10. The Seizure Smart School Act is amended by
9 changing Section 10 as follows:

10 (105 ILCS 150/10)

11 Sec. 10. Definitions. In this Act:

12 "Delegated care aide" means a school employee or
13 paraprofessional who has agreed to receive training in
14 epilepsy and assist a student in implementing his or her
15 seizure action plan and who has entered into an agreement with
16 a parent or guardian of that student.

17 "School" means any primary or secondary public, charter,
18 or nonpublic school located in this State.

19 "School employee" means a person who is employed by a
20 school district or school as a nurse, principal,
21 administrator, school ~~guidance~~ counselor, or teacher, a person
22 who is employed by a local health department and assigned to a
23 school, or a person who contracts with a school or school
24 district to perform services in connection with a student's

1 seizure action plan. This definition may not be interpreted to
2 require a school district, charter school, or nonpublic school
3 to hire additional personnel for the sole purpose of the
4 personnel to serve as a delegated care aide.

5 "Seizure action plan" means a document that specifies the
6 services needed by a student with epilepsy at school and at
7 school-sponsored activities and delegates to a delegated care
8 aide the authority to provide and supervise these services.

9 (Source: P.A. 101-50, eff. 7-1-20.)

10 Section 15. The College and Career Success for All
11 Students Act is amended by changing Section 20 as follows:

12 (105 ILCS 302/20)

13 Sec. 20. Duties of the State Board.

14 (a) In order to fulfill the purposes of this Act, the State
15 Board of Education shall encourage school districts to offer
16 rigorous courses in grades 6 through 11 that prepare students
17 for the demands of Advanced Placement course work. The State
18 Board of Education shall also encourage school districts to
19 make it a goal that all 10th graders take the Preliminary
20 SAT/National Merit Scholars Qualifying Test (PSAT/NMSQT) so
21 that test results will provide each high school with a
22 database of student assessment data that school ~~guidance~~
23 counselors and teachers will be able to use to identify
24 students who are prepared or who need additional work to be

1 prepared to enroll and be successful in Advanced Placement
2 courses, using a research-based Advanced Placement
3 identification program provided by the College Board.

4 (b) The State Board of Education shall do all of the
5 following:

6 (1) Seek federal funding through the Advanced
7 Placement Incentive Program and the Math-Science
8 Partnership Program and use it to support Advanced
9 Placement and Pre-Advanced Placement teacher professional
10 development and to support the implementation of an
11 integrated instructional program for students in grades 6
12 through 12 in reading, writing, and mathematics that
13 prepares all students for enrollment and success in
14 Advanced Placement courses and in college.

15 (2) Focus State and federal funding with the intent to
16 carry out activities that target school districts serving
17 high concentrations of low-income students.

18 (3) Subject to appropriation, provide a plan of
19 communication that includes without limitation
20 disseminating to parents materials that emphasize the
21 importance of Advanced Placement or other advanced courses
22 to a student's ability to gain access to and to succeed in
23 postsecondary education and materials that emphasize the
24 importance of the PSAT/NMSQT, which provides diagnostic
25 feedback on skills and relates student scores to the
26 probability of success in Advanced Placement courses and

1 examinations, and disseminating this information to
2 students, teachers, counselors, administrators, school
3 districts, public community colleges, and State
4 universities.

5 (4) Subject to appropriation, annually evaluate the
6 impact of this Act on rates of student enrollment and
7 success in Advanced Placement courses, on high school
8 graduation rates, and on college enrollment rates.

9 (Source: P.A. 94-534, eff. 1-1-06.)

10 Section 20. The Juvenile Court Act of 1987 is amended by
11 changing Sections 1-8 and 5-901 as follows:

12 (705 ILCS 405/1-8) (from Ch. 37, par. 801-8)

13 Sec. 1-8. Confidentiality and accessibility of juvenile
14 court records.

15 (A) A juvenile adjudication shall never be considered a
16 conviction nor shall an adjudicated individual be considered a
17 criminal. Unless expressly allowed by law, a juvenile
18 adjudication shall not operate to impose upon the individual
19 any of the civil disabilities ordinarily imposed by or
20 resulting from conviction. Unless expressly allowed by law,
21 adjudications shall not prejudice or disqualify the individual
22 in any civil service application or appointment, from holding
23 public office, or from receiving any license granted by public
24 authority. All juvenile court records which have not been

1 expunged are sealed and may never be disclosed to the general
2 public or otherwise made widely available. Sealed juvenile
3 court records may be obtained only under this Section and
4 Section 1-7 and Part 9 of Article V of this Act, when their use
5 is needed for good cause and with an order from the juvenile
6 court. Inspection and copying of juvenile court records
7 relating to a minor who is the subject of a proceeding under
8 this Act shall be restricted to the following:

9 (1) The minor who is the subject of record, his or her
10 parents, guardian, and counsel.

11 (2) Law enforcement officers and law enforcement
12 agencies when such information is essential to executing
13 an arrest or search warrant or other compulsory process,
14 or to conducting an ongoing investigation or relating to a
15 minor who has been adjudicated delinquent and there has
16 been a previous finding that the act which constitutes the
17 previous offense was committed in furtherance of criminal
18 activities by a criminal street gang.

19 Before July 1, 1994, for the purposes of this Section,
20 "criminal street gang" means any ongoing organization,
21 association, or group of 3 or more persons, whether formal
22 or informal, having as one of its primary activities the
23 commission of one or more criminal acts and that has a
24 common name or common identifying sign, symbol or specific
25 color apparel displayed, and whose members individually or
26 collectively engage in or have engaged in a pattern of

1 criminal activity.

2 Beginning July 1, 1994, for purposes of this Section,
3 "criminal street gang" has the meaning ascribed to it in
4 Section 10 of the Illinois Streetgang Terrorism Omnibus
5 Prevention Act.

6 (3) Judges, hearing officers, prosecutors, public
7 defenders, probation officers, social workers, or other
8 individuals assigned by the court to conduct a
9 pre-adjudication or pre-disposition investigation, and
10 individuals responsible for supervising or providing
11 temporary or permanent care and custody for minors under
12 the order of the juvenile court when essential to
13 performing their responsibilities.

14 (4) Judges, federal, State, and local prosecutors,
15 public defenders, probation officers, and designated
16 staff:

17 (a) in the course of a trial when institution of
18 criminal proceedings has been permitted or required
19 under Section 5-805;

20 (b) when criminal proceedings have been permitted
21 or required under Section 5-805 and a minor is the
22 subject of a proceeding to determine the amount of
23 bail;

24 (c) when criminal proceedings have been permitted
25 or required under Section 5-805 and a minor is the
26 subject of a pre-trial investigation, pre-sentence

1 investigation or fitness hearing, or proceedings on an
2 application for probation; or

3 (d) when a minor becomes 18 years of age or older,
4 and is the subject of criminal proceedings, including
5 a hearing to determine the amount of bail, a pre-trial
6 investigation, a pre-sentence investigation, a fitness
7 hearing, or proceedings on an application for
8 probation.

9 (5) Adult and Juvenile Prisoner Review Boards.

10 (6) Authorized military personnel.

11 (6.5) Employees of the federal government authorized
12 by law.

13 (7) Victims, their subrogees and legal
14 representatives; however, such persons shall have access
15 only to the name and address of the minor and information
16 pertaining to the disposition or alternative adjustment
17 plan of the juvenile court.

18 (8) Persons engaged in bona fide research, with the
19 permission of the presiding judge of the juvenile court
20 and the chief executive of the agency that prepared the
21 particular records; provided that publication of such
22 research results in no disclosure of a minor's identity
23 and protects the confidentiality of the record.

24 (9) The Secretary of State to whom the Clerk of the
25 Court shall report the disposition of all cases, as
26 required in Section 6-204 of the Illinois Vehicle Code.

1 However, information reported relative to these offenses
2 shall be privileged and available only to the Secretary of
3 State, courts, and police officers.

4 (10) The administrator of a bonafide substance abuse
5 student assistance program with the permission of the
6 presiding judge of the juvenile court.

7 (11) Mental health professionals on behalf of the
8 Department of Corrections or the Department of Human
9 Services or prosecutors who are evaluating, prosecuting,
10 or investigating a potential or actual petition brought
11 under the Sexually Violent Persons Commitment Act relating
12 to a person who is the subject of juvenile court records or
13 the respondent to a petition brought under the Sexually
14 Violent Persons Commitment Act, who is the subject of
15 juvenile court records sought. Any records and any
16 information obtained from those records under this
17 paragraph (11) may be used only in sexually violent
18 persons commitment proceedings.

19 (12) Collection agencies, contracted or otherwise
20 engaged by a governmental entity, to collect any debts due
21 and owing to the governmental entity.

22 (A-1) Findings and exclusions of paternity entered in
23 proceedings occurring under Article II of this Act shall be
24 disclosed, in a manner and form approved by the Presiding
25 Judge of the Juvenile Court, to the Department of Healthcare
26 and Family Services when necessary to discharge the duties of

1 the Department of Healthcare and Family Services under Article
2 X of the Illinois Public Aid Code.

3 (B) A minor who is the victim in a juvenile proceeding
4 shall be provided the same confidentiality regarding
5 disclosure of identity as the minor who is the subject of
6 record.

7 (C) (0.1) In cases where the records concern a pending
8 juvenile court case, the requesting party seeking to inspect
9 the juvenile court records shall provide actual notice to the
10 attorney or guardian ad litem of the minor whose records are
11 sought.

12 (0.2) In cases where the juvenile court records concern a
13 juvenile court case that is no longer pending, the requesting
14 party seeking to inspect the juvenile court records shall
15 provide actual notice to the minor or the minor's parent or
16 legal guardian, and the matter shall be referred to the chief
17 judge presiding over matters pursuant to this Act.

18 (0.3) In determining whether juvenile court records should
19 be made available for inspection and whether inspection should
20 be limited to certain parts of the file, the court shall
21 consider the minor's interest in confidentiality and
22 rehabilitation over the requesting party's interest in
23 obtaining the information. The State's Attorney, the minor,
24 and the minor's parents, guardian, and counsel shall at all
25 times have the right to examine court files and records.

26 (0.4) Any records obtained in violation of this Section

1 shall not be admissible in any criminal or civil proceeding,
2 or operate to disqualify a minor from subsequently holding
3 public office, or operate as a forfeiture of any public
4 benefit, right, privilege, or right to receive any license
5 granted by public authority.

6 (D) Pending or following any adjudication of delinquency
7 for any offense defined in Sections 11-1.20 through 11-1.60 or
8 12-13 through 12-16 of the Criminal Code of 1961 or the
9 Criminal Code of 2012, the victim of any such offense shall
10 receive the rights set out in Sections 4 and 6 of the Bill of
11 Rights for Victims and Witnesses of Violent Crime Act; and the
12 juvenile who is the subject of the adjudication,
13 notwithstanding any other provision of this Act, shall be
14 treated as an adult for the purpose of affording such rights to
15 the victim.

16 (E) Nothing in this Section shall affect the right of a
17 Civil Service Commission or appointing authority of the
18 federal government, or any state, county, or municipality
19 examining the character and fitness of an applicant for
20 employment with a law enforcement agency, correctional
21 institution, or fire department to ascertain whether that
22 applicant was ever adjudicated to be a delinquent minor and,
23 if so, to examine the records of disposition or evidence which
24 were made in proceedings under this Act.

25 (F) Following any adjudication of delinquency for a crime
26 which would be a felony if committed by an adult, or following

1 any adjudication of delinquency for a violation of Section
2 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the
3 Criminal Code of 2012, the State's Attorney shall ascertain
4 whether the minor respondent is enrolled in school and, if so,
5 shall provide a copy of the dispositional order to the
6 principal or chief administrative officer of the school.
7 Access to the dispositional order shall be limited to the
8 principal or chief administrative officer of the school and
9 any school ~~guidance~~ counselor designated by him or her.

10 (G) Nothing contained in this Act prevents the sharing or
11 disclosure of information or records relating or pertaining to
12 juveniles subject to the provisions of the Serious Habitual
13 Offender Comprehensive Action Program when that information is
14 used to assist in the early identification and treatment of
15 habitual juvenile offenders.

16 (H) When a court hearing a proceeding under Article II of
17 this Act becomes aware that an earlier proceeding under
18 Article II had been heard in a different county, that court
19 shall request, and the court in which the earlier proceedings
20 were initiated shall transmit, an authenticated copy of the
21 juvenile court record, including all documents, petitions, and
22 orders filed and the minute orders, transcript of proceedings,
23 and docket entries of the court.

24 (I) The Clerk of the Circuit Court shall report to the
25 Department of State Police, in the form and manner required by
26 the Department of State Police, the final disposition of each

1 minor who has been arrested or taken into custody before his or
2 her 18th birthday for those offenses required to be reported
3 under Section 5 of the Criminal Identification Act.
4 Information reported to the Department under this Section may
5 be maintained with records that the Department files under
6 Section 2.1 of the Criminal Identification Act.

7 (J) The changes made to this Section by Public Act 98-61
8 apply to juvenile law enforcement records of a minor who has
9 been arrested or taken into custody on or after January 1, 2014
10 (the effective date of Public Act 98-61).

11 (K) Willful violation of this Section is a Class C
12 misdemeanor and each violation is subject to a fine of \$1,000.
13 This subsection (K) shall not apply to the person who is the
14 subject of the record.

15 (L) A person convicted of violating this Section is liable
16 for damages in the amount of \$1,000 or actual damages,
17 whichever is greater.

18 (Source: P.A. 100-285, eff. 1-1-18; 100-720, eff. 8-3-18;
19 100-1162, eff. 12-20-18.)

20 (705 ILCS 405/5-901)

21 Sec. 5-901. Court file.

22 (1) The Court file with respect to proceedings under this
23 Article shall consist of the petitions, pleadings, victim
24 impact statements, process, service of process, orders, writs
25 and docket entries reflecting hearings held and judgments and

1 decrees entered by the court. The court file shall be kept
2 separate from other records of the court.

3 (a) The file, including information identifying the
4 victim or alleged victim of any sex offense, shall be
5 disclosed only to the following parties when necessary for
6 discharge of their official duties:

7 (i) A judge of the circuit court and members of the
8 staff of the court designated by the judge;

9 (ii) Parties to the proceedings and their
10 attorneys;

11 (iii) Victims and their attorneys, except in cases
12 of multiple victims of sex offenses in which case the
13 information identifying the nonrequesting victims
14 shall be redacted;

15 (iv) Probation officers, law enforcement officers
16 or prosecutors or their staff;

17 (v) Adult and juvenile Prisoner Review Boards.

18 (b) The Court file redacted to remove any information
19 identifying the victim or alleged victim of any sex
20 offense shall be disclosed only to the following parties
21 when necessary for discharge of their official duties:

22 (i) Authorized military personnel;

23 (ii) Persons engaged in bona fide research, with
24 the permission of the judge of the juvenile court and
25 the chief executive of the agency that prepared the
26 particular recording: provided that publication of

1 such research results in no disclosure of a minor's
2 identity and protects the confidentiality of the
3 record;

4 (iii) The Secretary of State to whom the Clerk of
5 the Court shall report the disposition of all cases,
6 as required in Section 6-204 or Section 6-205.1 of the
7 Illinois Vehicle Code. However, information reported
8 relative to these offenses shall be privileged and
9 available only to the Secretary of State, courts, and
10 police officers;

11 (iv) The administrator of a bonafide substance
12 abuse student assistance program with the permission
13 of the presiding judge of the juvenile court;

14 (v) Any individual, or any public or private
15 agency or institution, having custody of the juvenile
16 under court order or providing educational, medical or
17 mental health services to the juvenile or a
18 court-approved advocate for the juvenile or any
19 placement provider or potential placement provider as
20 determined by the court.

21 (3) A minor who is the victim or alleged victim in a
22 juvenile proceeding shall be provided the same confidentiality
23 regarding disclosure of identity as the minor who is the
24 subject of record. Information identifying victims and alleged
25 victims of sex offenses, shall not be disclosed or open to
26 public inspection under any circumstances. Nothing in this

1 Section shall prohibit the victim or alleged victim of any sex
2 offense from voluntarily disclosing his or her identity.

3 (4) Relevant information, reports and records shall be
4 made available to the Department of Juvenile Justice when a
5 juvenile offender has been placed in the custody of the
6 Department of Juvenile Justice.

7 (5) Except as otherwise provided in this subsection (5),
8 juvenile court records shall not be made available to the
9 general public but may be inspected by representatives of
10 agencies, associations and news media or other properly
11 interested persons by general or special order of the court.
12 The State's Attorney, the minor, his or her parents, guardian
13 and counsel shall at all times have the right to examine court
14 files and records.

15 (a) The court shall allow the general public to have
16 access to the name, address, and offense of a minor who is
17 adjudicated a delinquent minor under this Act under either
18 of the following circumstances:

19 (i) The adjudication of delinquency was based upon
20 the minor's commission of first degree murder, attempt
21 to commit first degree murder, aggravated criminal
22 sexual assault, or criminal sexual assault; or

23 (ii) The court has made a finding that the minor
24 was at least 13 years of age at the time the act was
25 committed and the adjudication of delinquency was
26 based upon the minor's commission of: (A) an act in

1 furtherance of the commission of a felony as a member
2 of or on behalf of a criminal street gang, (B) an act
3 involving the use of a firearm in the commission of a
4 felony, (C) an act that would be a Class X felony
5 offense under or the minor's second or subsequent
6 Class 2 or greater felony offense under the Cannabis
7 Control Act if committed by an adult, (D) an act that
8 would be a second or subsequent offense under Section
9 402 of the Illinois Controlled Substances Act if
10 committed by an adult, (E) an act that would be an
11 offense under Section 401 of the Illinois Controlled
12 Substances Act if committed by an adult, or (F) an act
13 that would be an offense under the Methamphetamine
14 Control and Community Protection Act if committed by
15 an adult.

16 (b) The court shall allow the general public to have
17 access to the name, address, and offense of a minor who is
18 at least 13 years of age at the time the offense is
19 committed and who is convicted, in criminal proceedings
20 permitted or required under Section 5-805, under either of
21 the following circumstances:

22 (i) The minor has been convicted of first degree
23 murder, attempt to commit first degree murder,
24 aggravated criminal sexual assault, or criminal sexual
25 assault,

26 (ii) The court has made a finding that the minor

1 was at least 13 years of age at the time the offense
2 was committed and the conviction was based upon the
3 minor's commission of: (A) an offense in furtherance
4 of the commission of a felony as a member of or on
5 behalf of a criminal street gang, (B) an offense
6 involving the use of a firearm in the commission of a
7 felony, (C) a Class X felony offense under the
8 Cannabis Control Act or a second or subsequent Class 2
9 or greater felony offense under the Cannabis Control
10 Act, (D) a second or subsequent offense under Section
11 402 of the Illinois Controlled Substances Act, (E) an
12 offense under Section 401 of the Illinois Controlled
13 Substances Act, or (F) an offense under the
14 Methamphetamine Control and Community Protection Act.

15 (6) Nothing in this Section shall be construed to limit
16 the use of a adjudication of delinquency as evidence in any
17 juvenile or criminal proceeding, where it would otherwise be
18 admissible under the rules of evidence, including but not
19 limited to, use as impeachment evidence against any witness,
20 including the minor if he or she testifies.

21 (7) Nothing in this Section shall affect the right of a
22 Civil Service Commission or appointing authority examining the
23 character and fitness of an applicant for a position as a law
24 enforcement officer to ascertain whether that applicant was
25 ever adjudicated to be a delinquent minor and, if so, to
26 examine the records or evidence which were made in proceedings

1 under this Act.

2 (8) Following any adjudication of delinquency for a crime
3 which would be a felony if committed by an adult, or following
4 any adjudication of delinquency for a violation of Section
5 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the
6 Criminal Code of 2012, the State's Attorney shall ascertain
7 whether the minor respondent is enrolled in school and, if so,
8 shall provide a copy of the sentencing order to the principal
9 or chief administrative officer of the school. Access to such
10 juvenile records shall be limited to the principal or chief
11 administrative officer of the school and any school ~~guidance~~
12 counselor designated by him or her.

13 (9) Nothing contained in this Act prevents the sharing or
14 disclosure of information or records relating or pertaining to
15 juveniles subject to the provisions of the Serious Habitual
16 Offender Comprehensive Action Program when that information is
17 used to assist in the early identification and treatment of
18 habitual juvenile offenders.

19 (11) The Clerk of the Circuit Court shall report to the
20 Department of State Police, in the form and manner required by
21 the Department of State Police, the final disposition of each
22 minor who has been arrested or taken into custody before his or
23 her 18th birthday for those offenses required to be reported
24 under Section 5 of the Criminal Identification Act.
25 Information reported to the Department under this Section may
26 be maintained with records that the Department files under

1 Section 2.1 of the Criminal Identification Act.

2 (12) Information or records may be disclosed to the
3 general public when the court is conducting hearings under
4 Section 5-805 or 5-810.

5 (13) The changes made to this Section by Public Act 98-61
6 apply to juvenile court records of a minor who has been
7 arrested or taken into custody on or after January 1, 2014 (the
8 effective date of Public Act 98-61).

9 (Source: P.A. 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14;
10 98-756, eff. 7-16-14.)

11 Section 25. The Sex Offender Community Notification Law is
12 amended by changing Section 121 as follows:

13 (730 ILCS 152/121)

14 Sec. 121. Notification regarding juvenile offenders.

15 (a) The Department of State Police and any law enforcement
16 agency having jurisdiction may, in the Department's or
17 agency's discretion, only provide the information specified in
18 subsection (b) of Section 120 of this Act, with respect to an
19 adjudicated juvenile delinquent, to any person when that
20 person's safety may be compromised for some reason related to
21 the juvenile sex offender.

22 (b) The local law enforcement agency having jurisdiction
23 to register the juvenile sex offender shall ascertain from the
24 juvenile sex offender whether the juvenile sex offender is

1 enrolled in school; and if so, shall provide a copy of the sex
2 offender registration form only to the principal or chief
3 administrative officer of the school and any school ~~guidance~~
4 counselor designated by him or her. The registration form
5 shall be kept separately from any and all school records
6 maintained on behalf of the juvenile sex offender.

7 (Source: P.A. 94-168, eff. 1-1-06; 95-331, eff. 8-21-07.)

8 Section 30. The Murderer and Violent Offender Against
9 Youth Registration Act is amended by changing Section 100 as
10 follows:

11 (730 ILCS 154/100)

12 Sec. 100. Notification regarding juvenile offenders.

13 (a) The Department of State Police and any law enforcement
14 agency having jurisdiction may, in the Department's or
15 agency's discretion, only provide the information specified in
16 subsection (b) of Section 95, with respect to an adjudicated
17 juvenile delinquent, to any person when that person's safety
18 may be compromised for some reason related to the juvenile
19 violent offender against youth.

20 (b) The local law enforcement agency having jurisdiction
21 to register the juvenile violent offender against youth shall
22 ascertain from the juvenile violent offender against youth
23 whether the juvenile violent offender against youth is
24 enrolled in school; and if so, shall provide a copy of the

1 violent offender against youth registration form only to the
2 principal or chief administrative officer of the school and
3 any school ~~guidance~~ counselor designated by him or her. The
4 registration form shall be kept separately from any and all
5 school records maintained on behalf of the juvenile violent
6 offender against youth.

7 (Source: P.A. 94-945, eff. 6-27-06.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2021.