



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5277

Introduced 1/31/2022, by Rep. Denyse Wang Stoneback

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-17a from Ch. 122, par. 10-17a
105 ILCS 5/14A-17
105 ILCS 5/14A-32
105 ILCS 5/18-8.15

Amends the School Code. In provisions concerning the State Board of Education's school report card, makes changes concerning students participating in a gifted education program, accelerated placement, or another advanced academic program. Sets forth what practices may be incorporated into a school district's plan to expand access to its accelerated placement program. Makes changes concerning the evidence-based funding formula with respect to gifted and advanced academic program investments, the utilization of gifted and advanced academic program resources, gifted education representation on the Professional Review Panel, and the Panel's review of gifted and advanced academic programming.

LRB102 23485 CMG 32661 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 10-17a, 14A-17, 14A-32, and 18-8.15 as follows:

6 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

7 (Text of Section before amendment by P.A. 102-594)

8 Sec. 10-17a. State, school district, and school report
9 cards.

10 (1) By October 31, 2013 and October 31 of each subsequent
11 school year, the State Board of Education, through the State
12 Superintendent of Education, shall prepare a State report
13 card, school district report cards, and school report cards,
14 and shall by the most economical ~~economic~~ means provide to
15 each school district in this State, including special charter
16 districts and districts subject to the provisions of Article
17 34, the report cards for the school district and each of its
18 schools. Because of the impacts of the COVID-19 public health
19 emergency during school year 2020-2021, the State Board of
20 Education shall have until December 31, 2021 to prepare and
21 provide the report cards that would otherwise be due by
22 October 31, 2021. During a school year in which the Governor
23 has declared a disaster due to a public health emergency

1 pursuant to Section 7 of the Illinois Emergency Management
2 Agency Act, the report cards for the school districts and each
3 of its schools shall be prepared by December 31.

4 (2) In addition to any information required by federal
5 law, the State Superintendent shall determine the indicators
6 and presentation of the school report card, which must
7 include, at a minimum, the most current data collected and
8 maintained by the State Board of Education related to the
9 following:

10 (A) school characteristics and student demographics,
11 including average class size, average teaching experience,
12 student racial/ethnic breakdown, and the percentage of
13 students classified as low-income; the percentage of
14 students classified as English learners, the number of
15 students who graduate from a bilingual or English learner
16 program, and the number of students who graduate from,
17 transfer from, or otherwise leave bilingual programs; the
18 percentage of students who have individualized education
19 plans or 504 plans that provide for special education
20 services; the number and the percentage of all students in
21 grades kindergarten through 8, disaggregated by the
22 students demographics described in this paragraph (A), who
23 have (i) been assessed for placement in a gifted education
24 program or accelerated placement, (ii) been enrolled in a
25 gifted education program or in accelerated placement, and
26 (iii) received direct instruction from a teacher who holds

1 a gifted education endorsement; the number and percentage
2 of students in grades 9 through 12, disaggregated by the
3 student demographics described in this paragraph (A), who
4 have been enrolled in Advanced Placement, International
5 Baccalaureate, or dual enrollment courses ~~the number and~~
6 ~~percentage of all students who have been assessed for~~
7 ~~placement in a gifted education or advanced academic~~
8 ~~program and, of those students: (i) the racial and ethnic~~
9 ~~breakdown, (ii) the percentage who are classified as~~
10 ~~low income, and (iii) the number and percentage of~~
11 ~~students who received direct instruction from a teacher~~
12 ~~who holds a gifted education endorsement and, of those~~
13 ~~students, the percentage who are classified as low income;~~
14 the percentage of students scoring at the "exceeds
15 expectations" level on the assessments required under
16 Section 2-3.64a-5 of this Code; the percentage of students
17 who annually transferred in or out of the school district;
18 average daily attendance; the per-pupil operating
19 expenditure of the school district; and the per-pupil
20 State average operating expenditure for the district type
21 (elementary, high school, or unit);

22 (B) curriculum information, including, where
23 applicable, Advanced Placement, International
24 Baccalaureate or equivalent courses, dual enrollment
25 courses, foreign language classes, computer science
26 courses, school personnel resources (including Career

1 Technical Education teachers), before and after school
2 programs, extracurricular activities, subjects in which
3 elective classes are offered, health and wellness
4 initiatives (including the average number of days of
5 Physical Education per week per student), approved
6 programs of study, awards received, community
7 partnerships, and special programs such as programming for
8 the gifted and talented, students with disabilities, and
9 work-study students;

10 (C) student outcomes, including, where applicable, the
11 percentage of students deemed proficient on assessments of
12 State standards, the percentage of students in the eighth
13 grade who pass Algebra, the percentage of students who
14 participated in workplace learning experiences, the
15 percentage of students enrolled in post-secondary
16 institutions (including colleges, universities, community
17 colleges, trade/vocational schools, and training programs
18 leading to career certification within 2 semesters of high
19 school graduation), the percentage of students graduating
20 from high school who are college and career ready, and the
21 percentage of graduates enrolled in community colleges,
22 colleges, and universities who are in one or more courses
23 that the community college, college, or university
24 identifies as a developmental course;

25 (D) student progress, including, where applicable, the
26 percentage of students in the ninth grade who have earned

1 5 credits or more without failing more than one core
2 class, a measure of students entering kindergarten ready
3 to learn, a measure of growth, and the percentage of
4 students who enter high school on track for college and
5 career readiness;

6 (E) the school environment, including, where
7 applicable, high school dropout rate by grade level, the
8 percentage of students with less than 10 absences in a
9 school year, the percentage of teachers with less than 10
10 absences in a school year for reasons other than
11 professional development, leaves taken pursuant to the
12 federal Family Medical Leave Act of 1993, long-term
13 disability, or parental leaves, the 3-year average of the
14 percentage of teachers returning to the school from the
15 previous year, the number of different principals at the
16 school in the last 6 years, the number of teachers who hold
17 a gifted education endorsement, the process and criteria
18 used by the district to determine whether a student is
19 eligible for participation in a gifted education program,
20 in accelerated placement, or in another advanced academic
21 program and the manner in which parents and guardians are
22 made aware of the process and criteria, 2 or more
23 indicators from any school climate survey selected or
24 approved by the State and administered pursuant to Section
25 2-3.153 of this Code, with the same or similar indicators
26 included on school report cards for all surveys selected

1 or approved by the State pursuant to Section 2-3.153 of
2 this Code, the combined percentage of teachers rated as
3 proficient or excellent in their most recent evaluation,
4 and, beginning with the 2022-2023 school year, data on the
5 number of incidents of violence that occurred on school
6 grounds or during school-related activities and that
7 resulted in an out-of-school suspension, expulsion, or
8 removal to an alternative setting, as reported pursuant to
9 Section 2-3.162;

10 (F) a school district's and its individual schools'
11 balanced accountability measure, in accordance with
12 Section 2-3.25a of this Code;

13 (G) the total and per pupil normal cost amount the
14 State contributed to the Teachers' Retirement System of
15 the State of Illinois in the prior fiscal year for the
16 school's employees, which shall be reported to the State
17 Board of Education by the Teachers' Retirement System of
18 the State of Illinois;

19 (H) for a school district organized under Article 34
20 of this Code only, State contributions to the Public
21 School Teachers' Pension and Retirement Fund of Chicago
22 and State contributions for health care for employees of
23 that school district;

24 (I) a school district's Final Percent of Adequacy, as
25 defined in paragraph (4) of subsection (f) of Section
26 18-8.15 of this Code;

1 (J) a school district's Local Capacity Target, as
2 defined in paragraph (2) of subsection (c) of Section
3 18-8.15 of this Code, displayed as a percentage amount;

4 (K) a school district's Real Receipts, as defined in
5 paragraph (1) of subsection (d) of Section 18-8.15 of this
6 Code, divided by a school district's Adequacy Target, as
7 defined in paragraph (1) of subsection (b) of Section
8 18-8.15 of this Code, displayed as a percentage amount;

9 (L) a school district's administrative costs;

10 (M) whether or not the school has participated in the
11 Illinois Youth Survey. In this paragraph (M), "Illinois
12 Youth Survey" means a self-report survey, administered in
13 school settings every 2 years, designed to gather
14 information about health and social indicators, including
15 substance abuse patterns and the attitudes of students in
16 grades 8, 10, and 12; and

17 (N) whether the school offered its students career and
18 technical education opportunities.

19 The school report card shall also provide information that
20 allows for comparing the current outcome, progress, and
21 environment data to the State average, to the school data from
22 the past 5 years, and to the outcomes, progress, and
23 environment of similar schools based on the type of school and
24 enrollment of low-income students, special education students,
25 and English learners.

26 As used in this subsection (2):

1 "Accelerated placement" has the meaning ascribed to that
2 term in Section 14A-17 of this Code.

3 "Administrative costs" means costs associated with
4 executive, administrative, or managerial functions within the
5 school district that involve planning, organizing, managing,
6 or directing the school district.

7 "Advanced academic program" has the meaning ascribed to
8 that term in Section 14A-17 of this Code.

9 ~~"Advanced academic program" means a course of study to~~
10 ~~which students are assigned based on advanced cognitive~~
11 ~~ability or advanced academic achievement compared to local age~~
12 ~~peers and in which the curriculum is substantially~~
13 ~~differentiated from the general curriculum to provide~~
14 ~~appropriate challenge and pace.~~

15 "Computer science" means the study of computers and
16 algorithms, including their principles, their hardware and
17 software designs, their implementation, and their impact on
18 society. "Computer science" does not include the study of
19 everyday uses of computers and computer applications, such as
20 keyboarding or accessing the Internet.

21 "Gifted education" means educational services, including
22 differentiated curricula and instructional methods, designed
23 to meet the needs of gifted children as defined in Article 14A
24 of this Code.

25 For the purposes of paragraph (A) of this subsection (2),
26 "average daily attendance" means the average of the actual

1 number of attendance days during the previous school year for
2 any enrolled student who is subject to compulsory attendance
3 by Section 26-1 of this Code at each school and charter school.

4 (3) At the discretion of the State Superintendent, the
5 school district report card shall include a subset of the
6 information identified in paragraphs (A) through (E) of
7 subsection (2) of this Section, as well as information
8 relating to the operating expense per pupil and other finances
9 of the school district, and the State report card shall
10 include a subset of the information identified in paragraphs
11 (A) through (E) and paragraph (N) of subsection (2) of this
12 Section. The school district report card shall include the
13 average daily attendance, as that term is defined in
14 subsection (2) of this Section, of students who have
15 individualized education programs and students who have 504
16 plans that provide for special education services within the
17 school district.

18 (4) Notwithstanding anything to the contrary in this
19 Section, in consultation with key education stakeholders, the
20 State Superintendent shall at any time have the discretion to
21 amend or update any and all metrics on the school, district, or
22 State report card.

23 (5) Annually, no more than 30 calendar days after receipt
24 of the school district and school report cards from the State
25 Superintendent of Education, each school district, including
26 special charter districts and districts subject to the

1 provisions of Article 34, shall present such report cards at a
2 regular school board meeting subject to applicable notice
3 requirements, post the report cards on the school district's
4 Internet web site, if the district maintains an Internet web
5 site, make the report cards available to a newspaper of
6 general circulation serving the district, and, upon request,
7 send the report cards home to a parent (unless the district
8 does not maintain an Internet web site, in which case the
9 report card shall be sent home to parents without request). If
10 the district posts the report card on its Internet web site,
11 the district shall send a written notice home to parents
12 stating (i) that the report card is available on the web site,
13 (ii) the address of the web site, (iii) that a printed copy of
14 the report card will be sent to parents upon request, and (iv)
15 the telephone number that parents may call to request a
16 printed copy of the report card.

17 (6) Nothing contained in Public Act 98-648 repeals,
18 supersedes, invalidates, or nullifies final decisions in
19 lawsuits pending on July 1, 2014 (the effective date of Public
20 Act 98-648) in Illinois courts involving the interpretation of
21 Public Act 97-8.

22 (Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19;
23 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff.
24 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; revised
25 10-18-21.)

1 (Text of Section after amendment by P.A. 102-594)

2 Sec. 10-17a. State, school district, and school report
3 cards.

4 (1) By October 31, 2013 and October 31 of each subsequent
5 school year, the State Board of Education, through the State
6 Superintendent of Education, shall prepare a State report
7 card, school district report cards, and school report cards,
8 and shall by the most economical ~~economic~~ means provide to
9 each school district in this State, including special charter
10 districts and districts subject to the provisions of Article
11 34, the report cards for the school district and each of its
12 schools. Because of the impacts of the COVID-19 public health
13 emergency during school year 2020-2021, the State Board of
14 Education shall have until December 31, 2021 to prepare and
15 provide the report cards that would otherwise be due by
16 October 31, 2021. During a school year in which the Governor
17 has declared a disaster due to a public health emergency
18 pursuant to Section 7 of the Illinois Emergency Management
19 Agency Act, the report cards for the school districts and each
20 of its schools shall be prepared by December 31.

21 (2) In addition to any information required by federal
22 law, the State Superintendent shall determine the indicators
23 and presentation of the school report card, which must
24 include, at a minimum, the most current data collected and
25 maintained by the State Board of Education related to the
26 following:

1 (A) school characteristics and student demographics,
2 including average class size, average teaching experience,
3 student racial/ethnic breakdown, and the percentage of
4 students classified as low-income; the percentage of
5 students classified as English learners, the number of
6 students who graduate from a bilingual or English learner
7 program, and the number of students who graduate from,
8 transfer from, or otherwise leave bilingual programs; the
9 percentage of students who have individualized education
10 plans or 504 plans that provide for special education
11 services; the number and the percentage of all students in
12 grades kindergarten through 8, disaggregated by the
13 students demographics described in this paragraph (A), who
14 have (i) been assessed for placement in a gifted education
15 program or accelerated placement, (ii) been enrolled in a
16 gifted education program or in accelerated placement, and
17 (iii) received direct instruction from a teacher who holds
18 a gifted education endorsement; the number and percentage
19 of students in grades 9 through 12, disaggregated by the
20 student demographics described in this paragraph (A), who
21 have been enrolled in Advanced Placement, International
22 Baccalaureate, or dual enrollment courses ~~the number and~~
23 ~~percentage of all students who have been assessed for~~
24 ~~placement in a gifted education or advanced academic~~
25 ~~program and, of those students: (i) the racial and ethnic~~
26 ~~breakdown, (ii) the percentage who are classified as~~

1 ~~low income, and (iii) the number and percentage of~~
2 ~~students who received direct instruction from a teacher~~
3 ~~who holds a gifted education endorsement and, of those~~
4 ~~students, the percentage who are classified as low income;~~
5 the percentage of students scoring at the "exceeds
6 expectations" level on the assessments required under
7 Section 2-3.64a-5 of this Code; the percentage of students
8 who annually transferred in or out of the school district;
9 average daily attendance; the per-pupil operating
10 expenditure of the school district; and the per-pupil
11 State average operating expenditure for the district type
12 (elementary, high school, or unit);

13 (B) curriculum information, including, where
14 applicable, Advanced Placement, International
15 Baccalaureate or equivalent courses, dual enrollment
16 courses, foreign language classes, computer science
17 courses, school personnel resources (including Career
18 Technical Education teachers), before and after school
19 programs, extracurricular activities, subjects in which
20 elective classes are offered, health and wellness
21 initiatives (including the average number of days of
22 Physical Education per week per student), approved
23 programs of study, awards received, community
24 partnerships, and special programs such as programming for
25 the gifted and talented, students with disabilities, and
26 work-study students;

1 (C) student outcomes, including, where applicable, the
2 percentage of students deemed proficient on assessments of
3 State standards, the percentage of students in the eighth
4 grade who pass Algebra, the percentage of students who
5 participated in workplace learning experiences, the
6 percentage of students enrolled in post-secondary
7 institutions (including colleges, universities, community
8 colleges, trade/vocational schools, and training programs
9 leading to career certification within 2 semesters of high
10 school graduation), the percentage of students graduating
11 from high school who are college and career ready, and the
12 percentage of graduates enrolled in community colleges,
13 colleges, and universities who are in one or more courses
14 that the community college, college, or university
15 identifies as a developmental course;

16 (D) student progress, including, where applicable, the
17 percentage of students in the ninth grade who have earned
18 5 credits or more without failing more than one core
19 class, a measure of students entering kindergarten ready
20 to learn, a measure of growth, and the percentage of
21 students who enter high school on track for college and
22 career readiness;

23 (E) the school environment, including, where
24 applicable, high school dropout rate by grade level, the
25 percentage of students with less than 10 absences in a
26 school year, the percentage of teachers with less than 10

1 absences in a school year for reasons other than
2 professional development, leaves taken pursuant to the
3 federal Family Medical Leave Act of 1993, long-term
4 disability, or parental leaves, the 3-year average of the
5 percentage of teachers returning to the school from the
6 previous year, the number of different principals at the
7 school in the last 6 years, the number of teachers who hold
8 a gifted education endorsement, the process and criteria
9 used by the district to determine whether a student is
10 eligible for participation in a gifted education program,
11 in accelerated placement, or in another advanced academic
12 program and the manner in which parents and guardians are
13 made aware of the process and criteria, the number of
14 teachers who are National Board Certified Teachers,
15 disaggregated by race and ethnicity, 2 or more indicators
16 from any school climate survey selected or approved by the
17 State and administered pursuant to Section 2-3.153 of this
18 Code, with the same or similar indicators included on
19 school report cards for all surveys selected or approved
20 by the State pursuant to Section 2-3.153 of this Code, the
21 combined percentage of teachers rated as proficient or
22 excellent in their most recent evaluation, and, beginning
23 with the 2022-2023 school year, data on the number of
24 incidents of violence that occurred on school grounds or
25 during school-related activities and that resulted in an
26 out-of-school suspension, expulsion, or removal to an

1 alternative setting, as reported pursuant to Section
2 2-3.162;

3 (F) a school district's and its individual schools'
4 balanced accountability measure, in accordance with
5 Section 2-3.25a of this Code;

6 (G) the total and per pupil normal cost amount the
7 State contributed to the Teachers' Retirement System of
8 the State of Illinois in the prior fiscal year for the
9 school's employees, which shall be reported to the State
10 Board of Education by the Teachers' Retirement System of
11 the State of Illinois;

12 (H) for a school district organized under Article 34
13 of this Code only, State contributions to the Public
14 School Teachers' Pension and Retirement Fund of Chicago
15 and State contributions for health care for employees of
16 that school district;

17 (I) a school district's Final Percent of Adequacy, as
18 defined in paragraph (4) of subsection (f) of Section
19 18-8.15 of this Code;

20 (J) a school district's Local Capacity Target, as
21 defined in paragraph (2) of subsection (c) of Section
22 18-8.15 of this Code, displayed as a percentage amount;

23 (K) a school district's Real Receipts, as defined in
24 paragraph (1) of subsection (d) of Section 18-8.15 of this
25 Code, divided by a school district's Adequacy Target, as
26 defined in paragraph (1) of subsection (b) of Section

1 18-8.15 of this Code, displayed as a percentage amount;

2 (L) a school district's administrative costs;

3 (M) whether or not the school has participated in the
4 Illinois Youth Survey. In this paragraph (M), "Illinois
5 Youth Survey" means a self-report survey, administered in
6 school settings every 2 years, designed to gather
7 information about health and social indicators, including
8 substance abuse patterns and the attitudes of students in
9 grades 8, 10, and 12; and

10 (N) whether the school offered its students career and
11 technical education opportunities.

12 The school report card shall also provide information that
13 allows for comparing the current outcome, progress, and
14 environment data to the State average, to the school data from
15 the past 5 years, and to the outcomes, progress, and
16 environment of similar schools based on the type of school and
17 enrollment of low-income students, special education students,
18 and English learners.

19 As used in this subsection (2):

20 "Accelerated placement" has the meaning ascribed to that
21 term in Section 14A-17 of this Code.

22 "Administrative costs" means costs associated with
23 executive, administrative, or managerial functions within the
24 school district that involve planning, organizing, managing,
25 or directing the school district.

26 "Advanced academic program" has the meaning ascribed to

1 that term in Section 14A-17 of this Code.

2 ~~"Advanced academic program" means a course of study to~~
3 ~~which students are assigned based on advanced cognitive~~
4 ~~ability or advanced academic achievement compared to local age~~
5 ~~peers and in which the curriculum is substantially~~
6 ~~differentiated from the general curriculum to provide~~
7 ~~appropriate challenge and pace.~~

8 "Computer science" means the study of computers and
9 algorithms, including their principles, their hardware and
10 software designs, their implementation, and their impact on
11 society. "Computer science" does not include the study of
12 everyday uses of computers and computer applications, such as
13 keyboarding or accessing the Internet.

14 "Gifted education" means educational services, including
15 differentiated curricula and instructional methods, designed
16 to meet the needs of gifted children as defined in Article 14A
17 of this Code.

18 For the purposes of paragraph (A) of this subsection (2),
19 "average daily attendance" means the average of the actual
20 number of attendance days during the previous school year for
21 any enrolled student who is subject to compulsory attendance
22 by Section 26-1 of this Code at each school and charter school.

23 (3) At the discretion of the State Superintendent, the
24 school district report card shall include a subset of the
25 information identified in paragraphs (A) through (E) of
26 subsection (2) of this Section, as well as information

1 relating to the operating expense per pupil and other finances
2 of the school district, and the State report card shall
3 include a subset of the information identified in paragraphs
4 (A) through (E) and paragraph (N) of subsection (2) of this
5 Section. The school district report card shall include the
6 average daily attendance, as that term is defined in
7 subsection (2) of this Section, of students who have
8 individualized education programs and students who have 504
9 plans that provide for special education services within the
10 school district.

11 (4) Notwithstanding anything to the contrary in this
12 Section, in consultation with key education stakeholders, the
13 State Superintendent shall at any time have the discretion to
14 amend or update any and all metrics on the school, district, or
15 State report card.

16 (5) Annually, no more than 30 calendar days after receipt
17 of the school district and school report cards from the State
18 Superintendent of Education, each school district, including
19 special charter districts and districts subject to the
20 provisions of Article 34, shall present such report cards at a
21 regular school board meeting subject to applicable notice
22 requirements, post the report cards on the school district's
23 Internet web site, if the district maintains an Internet web
24 site, make the report cards available to a newspaper of
25 general circulation serving the district, and, upon request,
26 send the report cards home to a parent (unless the district

1 does not maintain an Internet web site, in which case the
2 report card shall be sent home to parents without request). If
3 the district posts the report card on its Internet web site,
4 the district shall send a written notice home to parents
5 stating (i) that the report card is available on the web site,
6 (ii) the address of the web site, (iii) that a printed copy of
7 the report card will be sent to parents upon request, and (iv)
8 the telephone number that parents may call to request a
9 printed copy of the report card.

10 (6) Nothing contained in Public Act 98-648 repeals,
11 supersedes, invalidates, or nullifies final decisions in
12 lawsuits pending on July 1, 2014 (the effective date of Public
13 Act 98-648) in Illinois courts involving the interpretation of
14 Public Act 97-8.

15 (Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19;
16 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff.
17 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594,
18 eff. 7-1-22; revised 10-18-21.)

19 (105 ILCS 5/14A-17)

20 Sec. 14A-17. Accelerated placement; advanced academic
21 program. For purposes of this Article:

22 "Accelerated ~~,"accelerated~~ placement" means the placement
23 of a child in an educational setting with curriculum that is
24 usually reserved for children who are older or in higher
25 grades than the child. "Accelerated placement" under this

1 Article or other school district-adopted policies shall
2 include, but need not be limited to, the following types of
3 acceleration: early entrance to kindergarten or first grade,
4 accelerating a child in a single subject, and grade
5 acceleration.

6 "Advanced academic program" means a course of study,
7 including, but not limited to, accelerated placement, advanced
8 placement coursework, International Baccalaureate coursework,
9 dual enrollment, or any course designated as enriched or
10 honors, that a student is enrolled in based on the student's
11 advanced cognitive ability or advanced academic achievement
12 compared to local age peers and in which the curriculum is
13 substantially differentiated from the general curriculum to
14 provide appropriate challenge and pace.

15 (Source: P.A. 100-421, eff. 7-1-18.)

16 (105 ILCS 5/14A-32)

17 Sec. 14A-32. Accelerated placement; school district
18 responsibilities.

19 (a) Each school district shall have a policy that allows
20 for accelerated placement that includes or incorporates by
21 reference the following components:

22 (1) a provision that provides that participation in
23 accelerated placement is not limited to those children who
24 have been identified as gifted and talented, but rather is
25 open to all children who demonstrate high ability and who

1 may benefit from accelerated placement;

2 (2) a fair and equitable decision-making process that
3 involves multiple persons and includes a student's parents
4 or guardians;

5 (3) procedures for notifying parents or guardians of a
6 child of a decision affecting that child's participation
7 in an accelerated placement program; and

8 (4) an assessment process that includes multiple
9 valid, reliable indicators.

10 (a-5) By no later than the beginning of the 2023-2024
11 school year, a school district's accelerated placement policy
12 shall allow for the automatic enrollment, in the following
13 school term, of a student into the next most rigorous level of
14 advanced coursework offered by the high school if the student
15 meets or exceeds State standards in English language arts,
16 mathematics, or science on a State assessment administered
17 under Section 2-3.64a-5 as follows:

18 (1) A student who meets or exceeds State standards in
19 English language arts shall be automatically enrolled into
20 the next most rigorous level of advanced coursework in
21 English, social studies, humanities, or related subjects.

22 (2) A student who meets or exceeds State standards in
23 mathematics shall be automatically enrolled into the next
24 most rigorous level of advanced coursework in mathematics.

25 (3) A student who meets or exceeds State standards in
26 science shall be automatically enrolled into the next most

1 rigorous level of advanced coursework in science.

2 For a student entering grade 12, the next most rigorous
3 level of advanced coursework in English language arts or
4 mathematics shall be a dual credit course, as defined in the
5 Dual Credit Quality Act, an Advanced Placement course, as
6 defined in Section 10 of the College and Career Success for All
7 Students Act, or an International Baccalaureate course;
8 otherwise, the next most rigorous level of advanced coursework
9 under this subsection (a-5) may include a dual credit course,
10 as defined in the Dual Credit Quality Act, an Advanced
11 Placement course, as defined in Section 10 of the College and
12 Career Success for All Students Act, an International
13 Baccalaureate course, an honors class, an enrichment
14 opportunity, a gifted program, or another program offered by
15 the district.

16 A school district may use the student's most recent State
17 assessment results to determine whether a student meets or
18 exceeds State standards. For a student entering grade 9,
19 results from the State assessment taken in grades 6 through 8
20 may be used. For other high school grades, the results from a
21 locally selected, nationally normed assessment may be used
22 instead of the State assessment if those results are the most
23 recent.

24 A school district must provide the parent or guardian of a
25 student eligible for automatic enrollment under this
26 subsection (a-5) with the option to instead have the student

1 enroll in alternative coursework that better aligns with the
2 student's postsecondary education or career goals.

3 Nothing in this subsection (a-5) may be interpreted to
4 preclude other students from enrolling in advanced coursework
5 per the policy of a school district.

6 (b) Further, a school district's accelerated placement
7 policy may include or incorporate by reference, but need not
8 be limited to, the following components:

9 (1) procedures for annually informing the community
10 at-large, including parents or guardians, community-based
11 organizations, and providers of out-of-school programs,
12 about the accelerated placement program and the methods
13 used for the identification of children eligible for
14 accelerated placement, including strategies to reach
15 groups of students and families who have been historically
16 underrepresented in accelerated placement programs and
17 advanced coursework;

18 (2) a process for referral that allows for multiple
19 referrers, including a child's parents or guardians; other
20 referrers may include licensed education professionals,
21 the child, with the written consent of a parent or
22 guardian, a peer, through a licensed education
23 professional who has knowledge of the referred child's
24 abilities, or, in case of possible early entrance, a
25 preschool educator, pediatrician, or psychologist who
26 knows the child;

1 (3) a provision that provides that children
2 participating in an accelerated placement program and
3 their parents or guardians will be provided a written plan
4 detailing the type of acceleration the child will receive
5 and strategies to support the child;

6 (4) procedures to provide support and promote success
7 for students who are newly enrolled in an accelerated
8 placement program; and

9 (5) a process for the school district to review and
10 utilize disaggregated data on participation in an
11 accelerated placement program to address gaps among
12 demographic groups in accelerated placement opportunities.

13 (c) The State Board of Education shall adopt rules to
14 determine data to be collected and disaggregated by
15 demographic group regarding accelerated placement, including
16 the rates of students who participate in and successfully
17 complete advanced coursework, and a method of making the
18 information available to the public.

19 (d) On or before November 1, 2022, following a review of
20 disaggregated data on the participation and successful
21 completion rates of students enrolled in an accelerated
22 placement program, each school district shall develop a plan
23 to expand access to its accelerated placement program and to
24 ensure the teaching capacity necessary to meet the increased
25 demand. This plan may incorporate one or more of the following
26 practices:

1 (1) the use of multiple tools to assess exceptional
2 potential and provide several pathways into advanced
3 academic programs when assessing student need for advanced
4 academic or accelerated programming;

5 (2) providing enrichment opportunities starting in the
6 early grades to address achievement gaps that occur at
7 school entry and provide students opportunities to
8 demonstrate their advanced potential;

9 (3) the use of universal screening of students to
10 identify advanced potential;

11 (4) the use of local school-based norms for placement
12 in accelerated and advanced academic programs;

13 (5) developing a continuum of services to identify and
14 develop talent in all learners ranging from enriched
15 learning experiences, such as problem-based learning,
16 performance tasks, critical thinking, and career
17 exploration, to accelerated placement and advanced
18 academic programming; and

19 (6) providing professional learning in gifted
20 education for teachers and other appropriate school
21 personnel to appropriately identify and challenge students
22 from diverse cultures and backgrounds who may benefit from
23 accelerated placement or advanced academic programming.

24 (Source: P.A. 101-654, eff. 3-8-21; 102-209, eff. 11-30-21

25 (See Section 5 of P.A. 102-671 for effective date of P.A.

26 102-209).)

1 (105 ILCS 5/18-8.15)

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

4 (a) General provisions.

5 (1) The purpose of this Section is to ensure that, by
6 June 30, 2027 and beyond, this State has a kindergarten
7 through grade 12 public education system with the capacity
8 to ensure the educational development of all persons to
9 the limits of their capacities in accordance with Section
10 1 of Article X of the Constitution of the State of
11 Illinois. To accomplish that objective, this Section
12 creates a method of funding public education that is
13 evidence-based; is sufficient to ensure every student
14 receives a meaningful opportunity to learn irrespective of
15 race, ethnicity, sexual orientation, gender, or
16 community-income level; and is sustainable and
17 predictable. When fully funded under this Section, every
18 school shall have the resources, based on what the
19 evidence indicates is needed, to:

20 (A) provide all students with a high quality
21 education that offers the academic, enrichment, social
22 and emotional support, technical, and career-focused
23 programs that will allow them to become competitive
24 workers, responsible parents, productive citizens of
25 this State, and active members of our national

1 democracy;

2 (B) ensure all students receive the education they
3 need to graduate from high school with the skills
4 required to pursue post-secondary education and
5 training for a rewarding career;

6 (C) reduce, with a goal of eliminating, the
7 achievement gap between at-risk and non-at-risk
8 students by raising the performance of at-risk
9 students and not by reducing standards; and

10 (D) ensure this State satisfies its obligation to
11 assume the primary responsibility to fund public
12 education and simultaneously relieve the
13 disproportionate burden placed on local property taxes
14 to fund schools.

15 (2) The Evidence-Based Funding formula under this
16 Section shall be applied to all Organizational Units in
17 this State. The Evidence-Based Funding formula outlined in
18 this Act is based on the formula outlined in Senate Bill 1
19 of the 100th General Assembly, as passed by both
20 legislative chambers. As further defined and described in
21 this Section, there are 4 major components of the
22 Evidence-Based Funding model:

23 (A) First, the model calculates a unique Adequacy
24 Target for each Organizational Unit in this State that
25 considers the costs to implement research-based
26 activities, the unit's student demographics, and

1 regional wage differences.

2 (B) Second, the model calculates each
3 Organizational Unit's Local Capacity, or the amount
4 each Organizational Unit is assumed to contribute
5 toward its Adequacy Target from local resources.

6 (C) Third, the model calculates how much funding
7 the State currently contributes to the Organizational
8 Unit and adds that to the unit's Local Capacity to
9 determine the unit's overall current adequacy of
10 funding.

11 (D) Finally, the model's distribution method
12 allocates new State funding to those Organizational
13 Units that are least well-funded, considering both
14 Local Capacity and State funding, in relation to their
15 Adequacy Target.

16 (3) An Organizational Unit receiving any funding under
17 this Section may apply those funds to any fund so received
18 for which that Organizational Unit is authorized to make
19 expenditures by law.

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

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

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

26 "Adjusted Local Capacity Target" is defined in

1 paragraph (3) of subsection (c) of this Section.

2 "Adjusted Operating Tax Rate" means a tax rate for all
3 Organizational Units, for which the State Superintendent
4 shall calculate and subtract for the Operating Tax Rate a
5 transportation rate based on total expenses for
6 transportation services under this Code, as reported on
7 the most recent Annual Financial Report in Pupil
8 Transportation Services, function 2550 in both the
9 Education and Transportation funds and functions 4110 and
10 4120 in the Transportation fund, less any corresponding
11 fiscal year State of Illinois scheduled payments excluding
12 net adjustments for prior years for regular, vocational,
13 or special education transportation reimbursement pursuant
14 to Section 29-5 or subsection (b) of Section 14-13.01 of
15 this Code divided by the Adjusted EAV. If an
16 Organizational Unit's corresponding fiscal year State of
17 Illinois scheduled payments excluding net adjustments for
18 prior years for regular, vocational, or special education
19 transportation reimbursement pursuant to Section 29-5 or
20 subsection (b) of Section 14-13.01 of this Code exceed the
21 total transportation expenses, as defined in this
22 paragraph, no transportation rate shall be subtracted from
23 the Operating Tax Rate.

24 "Advanced academic program" has the meaning ascribed to
25 that term in Section 14A-17 of this Code.

26 "Allocation Rate" is defined in paragraph (3) of

1 subsection (g) of this Section.

2 "Alternative School" means a public school that is
3 created and operated by a regional superintendent of
4 schools and approved by the State Board.

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

7 "Assessment" means any of those benchmark, progress
8 monitoring, formative, diagnostic, and other assessments,
9 in addition to the State accountability assessment, that
10 assist teachers' needs in understanding the skills and
11 meeting the needs of the students they serve.

12 "Assistant principal" means a school administrator
13 duly endorsed to be employed as an assistant principal in
14 this State.

15 "At-risk student" means a student who is at risk of
16 not meeting the Illinois Learning Standards or not
17 graduating from elementary or high school and who
18 demonstrates a need for vocational support or social
19 services beyond that provided by the regular school
20 program. All students included in an Organizational Unit's
21 Low-Income Count, as well as all English learner and
22 disabled students attending the Organizational Unit, shall
23 be considered at-risk students under this Section.

24 "Average Student Enrollment" or "ASE" for fiscal year
25 2018 means, for an Organizational Unit, the greater of the
26 average number of students (grades K through 12) reported

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

1 years. For the purposes of this definition, "enrolled in
2 the Organizational Unit" means the number of students
3 reported to the State Board who are enrolled in schools
4 within the Organizational Unit that the student attends or
5 would attend if not placed or transferred to another
6 school or program to receive needed services. For the
7 purposes of calculating "ASE", all students, grades K
8 through 12, excluding those attending kindergarten for a
9 half day and students attending an alternative education
10 program operated by a regional office of education or
11 intermediate service center, shall be counted as 1.0. All
12 students attending kindergarten for a half day shall be
13 counted as 0.5, unless in 2017 by June 15 or by March 1 in
14 subsequent years, the school district reports to the State
15 Board of Education the intent to implement full-day
16 kindergarten district-wide for all students, then all
17 students attending kindergarten shall be counted as 1.0.
18 Special education pre-kindergarten students shall be
19 counted as 0.5 each. If the State Board does not collect or
20 has not collected both an October 1 and March 1 enrollment
21 count by grade or a December 1 collection of special
22 education pre-kindergarten students as of August 31, 2017
23 (the effective date of Public Act 100-465), it shall
24 establish such collection for all future years. For any
25 year in which a count by grade level was collected only
26 once, that count shall be used as the single count

1 available for computing a 3-year average ASE. Funding for
2 programs operated by a regional office of education or an
3 intermediate service center must be calculated using the
4 Evidence-Based Funding formula under this Section for the
5 2019-2020 school year and each subsequent school year
6 until separate adequacy formulas are developed and adopted
7 for each type of program. ASE for a program operated by a
8 regional office of education or an intermediate service
9 center must be determined by the March 1 enrollment for
10 the program. For the 2019-2020 school year, the ASE used
11 in the calculation must be the first-year ASE and, in that
12 year only, the assignment of students served by a regional
13 office of education or intermediate service center shall
14 not result in a reduction of the March enrollment for any
15 school district. For the 2020-2021 school year, the ASE
16 must be the greater of the current-year ASE or the 2-year
17 average ASE. Beginning with the 2021-2022 school year, the
18 ASE must be the greater of the current-year ASE or the
19 3-year average ASE. School districts shall submit the data
20 for the ASE calculation to the State Board within 45 days
21 of the dates required in this Section for submission of
22 enrollment data in order for it to be included in the ASE
23 calculation. For fiscal year 2018 only, the ASE
24 calculation shall include only enrollment taken on October
25 1. In recognition of the impact of COVID-19, the
26 definition of "Average Student Enrollment" or "ASE" shall

1 be adjusted for calculations under this Section for fiscal
2 years 2022 through 2024. For fiscal years 2022 through
3 2024, the enrollment used in the calculation of ASE
4 representing the 2020-2021 school year shall be the
5 greater of the enrollment for the 2020-2021 school year or
6 the 2019-2020 school year.

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

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

15 "Instructional facilitator" means a qualified teacher
16 or licensed teacher leader who facilitates and coaches
17 continuous improvement in classroom instruction; provides
18 instructional support to teachers in the elements of
19 research-based instruction or demonstrates the alignment
20 of instruction with curriculum standards and assessment
21 tools; develops or coordinates instructional programs or
22 strategies; develops and implements training; chooses
23 standards-based instructional materials; provides
24 teachers with an understanding of current research; serves
25 as a mentor, site coach, curriculum specialist, or lead
26 teacher; or otherwise works with fellow teachers, in

1 collaboration, to use data to improve instructional
2 practice or develop model lessons.

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

8 "Laboratory School" means a public school that is
9 created and operated by a public university and approved
10 by the State Board.

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

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

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

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

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

23 "Local Capacity Target" is defined in paragraph (2) of
24 subsection (c) of this Section.

25 "Low-Income Count" means, for an Organizational Unit
26 in a fiscal year, the higher of the average number of

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

1 "Maintenance and operations" means custodial services,
2 facility and ground maintenance, facility operations,
3 facility security, routine facility repairs, and other
4 similar services and functions.

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

7 "New Property Tax Relief Pool Funds" means, for any
8 given fiscal year, all State funds appropriated under
9 Section 2-3.170 of this Code.

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

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

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

24 "Operating Tax Rate" means the rate utilized in the
25 previous year to extend property taxes for all purposes,
26 except Bond and Interest, Summer School, Rent, Capital

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

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

19 "Organizational Unit CWI" is determined by calculating
20 the CWI in the region and original county in which an
21 Organizational Unit's primary administrative office is
22 located as set forth in this paragraph, provided that if
23 the Organizational Unit CWI as calculated in accordance
24 with this paragraph is less than 0.9, the Organizational
25 Unit CWI shall be increased to 0.9. Each county's current
26 CWI value shall be adjusted based on the CWI value of that

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

17 "Preceding Tax Year" means the property tax levy year
18 immediately preceding the Base Tax Year.

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

23 "Preliminary Percent of Adequacy" is defined in
24 paragraph (2) of subsection (f) of this Section.

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

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

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

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

18 "PTELL" means the Property Tax Extension Limitation
19 Law.

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

22 "Pupil support staff" means a nurse, psychologist,
23 social worker, family liaison personnel, or other staff
24 member who provides support to at-risk or struggling
25 students.

26 "Real Receipts" is defined in paragraph (1) of

1 subsection (d) of this Section.

2 "Regionalization Factor" means, for a particular
3 Organizational Unit, the figure derived by dividing the
4 Organizational Unit CWI by the Statewide Weighted CWI.

5 "School counselor" means a licensed school counselor
6 who provides guidance and counseling support for students
7 within an Organizational Unit.

8 "School site staff" means the primary school secretary
9 and any additional clerical personnel assigned to a
10 school.

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

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

22 "Specialist teacher" means a teacher who provides
23 instruction in subject areas not included in core
24 subjects, including, but not limited to, art, music,
25 physical education, health, driver education,
26 career-technical education, and such other subject areas

1 as may be mandated by State law or provided by an
2 Organizational Unit.

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

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

17 "State Adequacy Level" is the sum of the Adequacy
18 Targets of all Organizational Units.

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

20 "State Superintendent" means the State Superintendent
21 of Education.

22 "Statewide Weighted CWI" means a figure determined by
23 multiplying each Organizational Unit CWI times the ASE for
24 that Organizational Unit creating a weighted value,
25 summing all Organizational Units' weighted values, and
26 dividing by the total ASE of all Organizational Units,

1 thereby creating an average weighted index.

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

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

11 "Summer school" means academic and enrichment programs
12 provided to students during the summer months outside of
13 the regular school year.

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

21 "Target Ratio" is defined in paragraph (4) of
22 subsection (g).

23 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined
24 in paragraph (3) of subsection (g).

25 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
26 Funding", "Tier 3 Aggregate Funding", and "Tier 4

1 Aggregate Funding" are defined in paragraph (1) of
2 subsection (g).

3 (b) Adequacy Target calculation.

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

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

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

23 (i) For grades kindergarten through 3, the
24 Organizational Unit shall receive funding required
25 to support one FTE core teacher position for every
26 15 Low-Income Count students in those grades and

1 one FTE core teacher position for every 20
2 non-Low-Income Count students in those grades.

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

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

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

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

23 (ii) if such Organizational Unit operates a
24 high school, then 33.33% of the number of the
25 Organizational Unit's core teachers.

26 (C) Instructional facilitator investments. Each

1 Organizational Unit shall receive the funding needed
2 to cover one FTE instructional facilitator position
3 for every 200 combined ASE of pre-kindergarten
4 children with disabilities and all kindergarten
5 through grade 12 students of the Organizational Unit.

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

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

24 (F) Core school counselor investments. Each
25 Organizational Unit shall receive the funding needed
26 to cover one FTE school counselor for each 450

1 combined ASE of pre-kindergarten children with
2 disabilities and all kindergarten through grade 5
3 students, plus one FTE school counselor for each 250
4 grades 6 through 8 ASE middle school students, plus
5 one FTE school counselor for each 250 grades 9 through
6 12 ASE high school students.

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

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

20 (I) Librarian investments. Each Organizational
21 Unit shall receive the funding needed to cover one FTE
22 librarian for each prototypical elementary school,
23 middle school, and high school and one FTE aide or
24 media technician for every 300 combined ASE of
25 pre-kindergarten children with disabilities and all
26 kindergarten through grade 12 students.

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

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

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

22 (M) Gifted and advanced academic program
23 investments. Each Organizational Unit shall receive
24 \$90 ~~\$40~~ per kindergarten through grade 12 ASE.

25 (N) Professional development investments. Each
26 Organizational Unit shall receive \$125 per student of

1 the combined ASE of pre-kindergarten children with
2 disabilities and all kindergarten through grade 12
3 students for trainers and other professional
4 development-related expenses for supplies and
5 materials.

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

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

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

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

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

19 (S) Maintenance and operations investments. Each
20 Organizational Unit shall receive \$1,038 per student
21 of the combined ASE of pre-kindergarten children with
22 disabilities and all kindergarten through grade 12
23 students for day-to-day maintenance and operations
24 expenditures, including salary, supplies, and
25 materials, as well as purchased services, but
26 excluding employee benefits. The proportion of salary

1 for the application of a Regionalization Factor and
2 the calculation of benefits is equal to \$352.92.

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

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

1 shall be added to the benefit investment. For any
2 fiscal year in which a school district organized under
3 Article 34 of this Code is responsible for paying the
4 employer normal cost of teacher pensions, then that
5 amount of its employer normal cost plus the amount for
6 retiree health insurance as certified by the Public
7 School Teachers' Pension and Retirement Fund of
8 Chicago to be paid by the school district for the
9 preceding school year that is statutorily required to
10 cover employer normal costs and the amount for retiree
11 health insurance shall be added to the 30% specified
12 in this subparagraph (U). The Teachers' Retirement
13 System of the State of Illinois and the Public School
14 Teachers' Pension and Retirement Fund of Chicago shall
15 submit such information as the State Superintendent
16 may require for the calculations set forth in this
17 subparagraph (U).

18 (V) Additional investments in low-income students.
19 In addition to and not in lieu of all other funding
20 under this paragraph (2), each Organizational Unit
21 shall receive funding based on the average teacher
22 salary for grades K through 12 to cover the costs of:

23 (i) one FTE intervention teacher (tutor)
24 position for every 125 Low-Income Count students;

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

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

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

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

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

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

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

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

19 (v) one FTE core teacher position for every
20 100 English learner students.

21 (X) Special education investments. Each
22 Organizational Unit shall receive funding based on the
23 average teacher salary for grades K through 12 to
24 cover special education as follows:

25 (i) one FTE teacher position for every 141
26 combined ASE of pre-kindergarten children with

1 disabilities and all kindergarten through grade 12
2 students;

3 (ii) one FTE instructional assistant for every
4 141 combined ASE of pre-kindergarten children with
5 disabilities and all kindergarten through grade 12
6 students; and

7 (iii) one FTE psychologist position for every
8 1,000 combined ASE of pre-kindergarten children
9 with disabilities and all kindergarten through
10 grade 12 students.

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

19 (A) Teacher for grades K through 8.

20 (B) Teacher for grades 9 through 12.

21 (C) Teacher for grades K through 12.

22 (D) School counselor for grades K through 8.

23 (E) School counselor for grades 9 through 12.

24 (F) School counselor for grades K through 12.

25 (G) Social worker.

26 (H) Psychologist.

1 (I) Librarian.

2 (J) Nurse.

3 (K) Principal.

4 (L) Assistant principal.

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

15 For calculating the salaries included within the
16 Essential Elements for positions not included within EIS
17 Data, the following salaries shall be used in the first
18 year of implementation of Evidence-Based Funding:

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

20 (ii) non-instructional assistant, instructional
21 assistant, library aide, library media tech, or
22 supervisory aide: \$25,000.

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

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

6 (c) Local Capacity calculation.

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

19 (2) "Local Capacity Target" means, for an
20 Organizational Unit, that dollar amount that is obtained
21 by multiplying its Adequacy Target by its Local Capacity
22 Ratio.

23 (A) An Organizational Unit's Local Capacity
24 Percentage is the conversion of the Organizational
25 Unit's Local Capacity Ratio, as such ratio is
26 determined in accordance with subparagraph (B) of this

1 paragraph (2), into a cumulative distribution
2 resulting in a percentile ranking to determine each
3 Organizational Unit's relative position to all other
4 Organizational Units in this State. The calculation of
5 Local Capacity Percentage is described in subparagraph
6 (C) of this paragraph (2).

7 (B) An Organizational Unit's Local Capacity Ratio
8 in a given year is the percentage obtained by dividing
9 its Adjusted EAV or PTELL EAV, whichever is less, by
10 its Adequacy Target, with the resulting ratio further
11 adjusted as follows:

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

15 (ii) for Organizational Units serving grades
16 kindergarten through 8, the ratio shall be
17 multiplied by 9/13;

18 (iii) for Organizational Units serving grades
19 9 through 12, the Local Capacity Ratio shall be
20 multiplied by 4/13; and

21 (iv) for an Organizational Unit with a
22 different grade configuration than those specified
23 in items (i) through (iii) of this subparagraph
24 (B), the State Superintendent shall determine a
25 comparable adjustment based on the grades served.

26 (C) The Local Capacity Percentage is equal to the

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

1 creating a weighted value, summing the weighted values
2 of all Organizational Units, and dividing by the total
3 ASE of all Organizational Units. The weighted standard
4 deviation shall be determined by taking the square
5 root of the weighted variance of all Organizational
6 Units' Local Capacity Ratio, where the variance is
7 calculated by squaring the difference between each
8 unit's Local Capacity Ratio and the weighted mean,
9 then multiplying the variance for each unit times the
10 ASE for the unit to create a weighted variance for each
11 unit, then summing all units' weighted variance and
12 dividing by the total ASE of all units.

13 (D) For any Organizational Unit, the
14 Organizational Unit's Adjusted Local Capacity Target
15 shall be reduced by either (i) the school board's
16 remaining contribution pursuant to paragraph (ii) of
17 subsection (b-4) of Section 16-158 of the Illinois
18 Pension Code in a given year or (ii) the board of
19 education's remaining contribution pursuant to
20 paragraph (iv) of subsection (b) of Section 17-129 of
21 the Illinois Pension Code absent the employer normal
22 cost portion of the required contribution and amount
23 allowed pursuant to subdivision (3) of Section
24 17-142.1 of the Illinois Pension Code in a given year.
25 In the preceding sentence, item (i) shall be certified
26 to the State Board of Education by the Teachers'

1 Retirement System of the State of Illinois and item
2 (ii) shall be certified to the State Board of
3 Education by the Public School Teachers' Pension and
4 Retirement Fund of the City of Chicago.

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

15 As used in this paragraph (3), "Real Percent of
16 Adequacy" means the sum of an Organizational Unit's Real
17 Receipts, CPPRT, and Base Funding Minimum, with the
18 resulting figure divided by the Organizational Unit's
19 Adequacy Target.

20 (d) Calculation of Real Receipts, EAV, and Adjusted EAV
21 for purposes of the Local Capacity calculation.

22 (1) An Organizational Unit's Real Receipts are the
23 product of its Applicable Tax Rate and its Adjusted EAV.
24 An Organizational Unit's Applicable Tax Rate is its
25 Adjusted Operating Tax Rate for property within the
26 Organizational Unit.

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

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

19 (A) The Department of Revenue shall add to the
20 equalized assessed value of all taxable property of
21 each Organizational Unit situated entirely or
22 partially within a county that is or was subject to the
23 provisions of Section 15-176 or 15-177 of the Property
24 Tax Code (i) an amount equal to the total amount by
25 which the homestead exemption allowed under Section
26 15-176 or 15-177 of the Property Tax Code for real

1 property situated in that Organizational Unit exceeds
2 the total amount that would have been allowed in that
3 Organizational Unit if the maximum reduction under
4 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
5 in all other counties in tax year 2003 or (II) \$5,000
6 in all counties in tax year 2004 and thereafter and
7 (ii) an amount equal to the aggregate amount for the
8 taxable year of all additional exemptions under
9 Section 15-175 of the Property Tax Code for owners
10 with a household income of \$30,000 or less. The county
11 clerk of any county that is or was subject to the
12 provisions of Section 15-176 or 15-177 of the Property
13 Tax Code shall annually calculate and certify to the
14 Department of Revenue for each Organizational Unit all
15 homestead exemption amounts under Section 15-176 or
16 15-177 of the Property Tax Code and all amounts of
17 additional exemptions under Section 15-175 of the
18 Property Tax Code for owners with a household income
19 of \$30,000 or less. It is the intent of this
20 subparagraph (A) that if the general homestead
21 exemption for a parcel of property is determined under
22 Section 15-176 or 15-177 of the Property Tax Code
23 rather than Section 15-175, then the calculation of
24 EAV shall not be affected by the difference, if any,
25 between the amount of the general homestead exemption
26 allowed for that parcel of property under Section

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

12 (B) With respect to any part of an Organizational
13 Unit within a redevelopment project area in respect to
14 which a municipality has adopted tax increment
15 allocation financing pursuant to the Tax Increment
16 Allocation Redevelopment Act, Division 74.4 of Article
17 11 of the Illinois Municipal Code, or the Industrial
18 Jobs Recovery Law, Division 74.6 of Article 11 of the
19 Illinois Municipal Code, no part of the current EAV of
20 real property located in any such project area that is
21 attributable to an increase above the total initial
22 EAV of such property shall be used as part of the EAV
23 of the Organizational Unit, until such time as all
24 redevelopment project costs have been paid, as
25 provided in Section 11-74.4-8 of the Tax Increment
26 Allocation Redevelopment Act or in Section 11-74.6-35

1 of the Industrial Jobs Recovery Law. For the purpose
2 of the EAV of the Organizational Unit, the total
3 initial EAV or the current EAV, whichever is lower,
4 shall be used until such time as all redevelopment
5 project costs have been paid.

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

21 (C) For Organizational Units that are Hybrid
22 Districts, the State Superintendent shall use the
23 lesser of the adjusted equalized assessed valuation
24 for property within the partial elementary unit
25 district for elementary purposes, as defined in
26 Article 11E of this Code, or the adjusted equalized

1 assessed valuation for property within the partial
2 elementary unit district for high school purposes, as
3 defined in Article 11E of this Code.

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

25 "PTELL EAV" means a figure calculated by the State
26 Board for Organizational Units subject to PTELL as

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

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

1 (e) Base Funding Minimum calculation.

2 (1) For the 2017-2018 school year, the Base Funding
3 Minimum of an Organizational Unit or a Specially Funded
4 Unit shall be the amount of State funds distributed to the
5 Organizational Unit or Specially Funded Unit during the
6 2016-2017 school year prior to any adjustments and
7 specified appropriation amounts described in this
8 paragraph (1) from the following Sections, as calculated
9 by the State Superintendent: Section 18-8.05 of this Code
10 (now repealed); Section 5 of Article 224 of Public Act
11 99-524 (equity grants); Section 14-7.02b of this Code
12 (funding for children requiring special education
13 services); Section 14-13.01 of this Code (special
14 education facilities and staffing), except for
15 reimbursement of the cost of transportation pursuant to
16 Section 14-13.01; Section 14C-12 of this Code (English
17 learners); and Section 18-4.3 of this Code (summer
18 school), based on an appropriation level of \$13,121,600.
19 For a school district organized under Article 34 of this
20 Code, the Base Funding Minimum also includes (i) the funds
21 allocated to the school district pursuant to Section 1D-1
22 of this Code attributable to funding programs authorized
23 by the Sections of this Code listed in the preceding
24 sentence and (ii) the difference between (I) the funds
25 allocated to the school district pursuant to Section 1D-1
26 of this Code attributable to the funding programs

1 authorized by Section 14-7.02 (non-public special
2 education reimbursement), subsection (b) of Section
3 14-13.01 (special education transportation), Section 29-5
4 (transportation), Section 2-3.80 (agricultural
5 education), Section 2-3.66 (truants' alternative
6 education), Section 2-3.62 (educational service centers),
7 and Section 14-7.03 (special education - orphanage) of
8 this Code and Section 15 of the Childhood Hunger Relief
9 Act (free breakfast program) and (II) the school
10 district's actual expenditures for its non-public special
11 education, special education transportation,
12 transportation programs, agricultural education, truants'
13 alternative education, services that would otherwise be
14 performed by a regional office of education, special
15 education orphanage expenditures, and free breakfast, as
16 most recently calculated and reported pursuant to
17 subsection (f) of Section 1D-1 of this Code. The Base
18 Funding Minimum for Glenwood Academy shall be \$625,500.
19 For programs operated by a regional office of education or
20 an intermediate service center, the Base Funding Minimum
21 must be the total amount of State funds allocated to those
22 programs in the 2018-2019 school year and amounts provided
23 pursuant to Article 34 of Public Act 100-586 and Section
24 3-16 of this Code. All programs established after June 5,
25 2019 (the effective date of Public Act 101-10) and
26 administered by a regional office of education or an

1 intermediate service center must have an initial Base
2 Funding Minimum set to an amount equal to the first-year
3 ASE multiplied by the amount of per pupil funding received
4 in the previous school year by the lowest funded similar
5 existing program type. If the enrollment for a program
6 operated by a regional office of education or an
7 intermediate service center is zero, then it may not
8 receive Base Funding Minimum funds for that program in the
9 next fiscal year, and those funds must be distributed to
10 Organizational Units under subsection (g).

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

18 (3) Subject to approval by the General Assembly as
19 provided in this paragraph (3), an Organizational Unit
20 that meets all of the following criteria, as determined by
21 the State Board, shall have District Intervention Money
22 added to its Base Funding Minimum at the time the Base
23 Funding Minimum is calculated by the State Board:

24 (A) The Organizational Unit is operating under an
25 Independent Authority under Section 2-3.25f-5 of this
26 Code for a minimum of 4 school years or is subject to

1 the control of the State Board pursuant to a court
2 order for a minimum of 4 school years.

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

7 (C) The Organizational Unit demonstrates
8 sustainability through a 5-year financial and
9 strategic plan.

10 (D) The Organizational Unit has made sufficient
11 progress and achieved sufficient stability in the
12 areas of governance, academic growth, and finances.

13 As part of its determination under this paragraph (3),
14 the State Board may consider the Organizational Unit's
15 summative designation, any accreditations of the
16 Organizational Unit, or the Organizational Unit's
17 financial profile, as calculated by the State Board.

18 If the State Board determines that an Organizational
19 Unit has met the criteria set forth in this paragraph (3),
20 it must submit a report to the General Assembly, no later
21 than January 2 of the fiscal year in which the State Board
22 makes its determination, on the amount of District
23 Intervention Money to add to the Organizational Unit's
24 Base Funding Minimum. The General Assembly must review the
25 State Board's report and may approve or disapprove, by
26 joint resolution, the addition of District Intervention

1 Money. If the General Assembly fails to act on the report
2 within 40 calendar days from the receipt of the report,
3 the addition of District Intervention Money is deemed
4 approved. If the General Assembly approves the amount of
5 District Intervention Money to be added to the
6 Organizational Unit's Base Funding Minimum, the District
7 Intervention Money must be added to the Base Funding
8 Minimum annually thereafter.

9 For the first 4 years following the initial year that
10 the State Board determines that an Organizational Unit has
11 met the criteria set forth in this paragraph (3) and has
12 received funding under this Section, the Organizational
13 Unit must annually submit to the State Board, on or before
14 November 30, a progress report regarding its financial and
15 strategic plan under subparagraph (C) of this paragraph
16 (3). The plan shall include the financial data from the
17 past 4 annual financial reports or financial audits that
18 must be presented to the State Board by November 15 of each
19 year and the approved budget financial data for the
20 current year. The plan shall be developed according to the
21 guidelines presented to the Organizational Unit by the
22 State Board. The plan shall further include financial
23 projections for the next 3 fiscal years and include a
24 discussion and financial summary of the Organizational
25 Unit's facility needs. If the Organizational Unit does not
26 demonstrate sufficient progress toward its 5-year plan or

1 if it has failed to file an annual financial report, an
2 annual budget, a financial plan, a deficit reduction plan,
3 or other financial information as required by law, the
4 State Board may establish a Financial Oversight Panel
5 under Article 1H of this Code. However, if the
6 Organizational Unit already has a Financial Oversight
7 Panel, the State Board may extend the duration of the
8 Panel.

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

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

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

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

10 (4) An Organizational Unit's Final Percent of Adequacy
11 is its Final Resources divided by its Adequacy Target. An
12 Organizational Unit's Adjusted Base Funding Minimum is
13 equal to its Base Funding Minimum less its Supplemental
14 Grant Funding, with the resulting figure added to the
15 product of its Supplemental Grant Funding and Preliminary
16 Percent of Adequacy.

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

18 (1) In each school year under the Evidence-Based
19 Funding formula, each Organizational Unit receives funding
20 equal to the sum of its Base Funding Minimum and the unit's
21 allocation of New State Funds determined pursuant to this
22 subsection (g). To allocate New State Funds, the
23 Evidence-Based Funding formula distribution system first
24 places all Organizational Units into one of 4 tiers in
25 accordance with paragraph (3) of this subsection (g),
26 based on the Organizational Unit's Final Percent of

1 Adequacy. New State Funds are allocated to each of the 4
2 tiers as follows: Tier 1 Aggregate Funding equals 50% of
3 all New State Funds, Tier 2 Aggregate Funding equals 49%
4 of all New State Funds, Tier 3 Aggregate Funding equals
5 0.9% of all New State Funds, and Tier 4 Aggregate Funding
6 equals 0.1% of all New State Funds. Each Organizational
7 Unit within Tier 1 or Tier 2 receives an allocation of New
8 State Funds equal to its tier Funding Gap, as defined in
9 the following sentence, multiplied by the tier's
10 Allocation Rate determined pursuant to paragraph (4) of
11 this subsection (g). For Tier 1, an Organizational Unit's
12 Funding Gap equals the tier's Target Ratio, as specified
13 in paragraph (5) of this subsection (g), multiplied by the
14 Organizational Unit's Adequacy Target, with the resulting
15 amount reduced by the Organizational Unit's Final
16 Resources. For Tier 2, an Organizational Unit's Funding
17 Gap equals the tier's Target Ratio, as described in
18 paragraph (5) of this subsection (g), multiplied by the
19 Organizational Unit's Adequacy Target, with the resulting
20 amount reduced by the Organizational Unit's Final
21 Resources and its Tier 1 funding allocation. To determine
22 the Organizational Unit's Funding Gap, the resulting
23 amount is then multiplied by a factor equal to one minus
24 the Organizational Unit's Local Capacity Target
25 percentage. Each Organizational Unit within Tier 3 or Tier
26 4 receives an allocation of New State Funds equal to the

1 product of its Adequacy Target and the tier's Allocation
2 Rate, as specified in paragraph (4) of this subsection
3 (g).

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

19 (3) Organizational Units are placed into one of 4
20 tiers as follows:

21 (A) Tier 1 consists of all Organizational Units,
22 except for Specially Funded Units, with a Percent of
23 Adequacy less than the Tier 1 Target Ratio. The Tier 1
24 Target Ratio is the ratio level that allows for Tier 1
25 Aggregate Funding to be distributed, with the Tier 1
26 Allocation Rate determined pursuant to paragraph (4)

1 of this subsection (g).

2 (B) Tier 2 consists of all Tier 1 Units and all
3 other Organizational Units, except for Specially
4 Funded Units, with a Percent of Adequacy of less than
5 0.90.

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

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

11 (4) The Allocation Rates for Tiers 1 through 4 are
12 determined as follows:

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

14 (B) The Tier 2 Allocation Rate is the result of the
15 following equation: Tier 2 Aggregate Funding, divided
16 by the sum of the Funding Gaps for all Tier 2
17 Organizational Units, unless the result of such
18 equation is higher than 1.0. If the result of such
19 equation is higher than 1.0, then the Tier 2
20 Allocation Rate is 1.0.

21 (C) The Tier 3 Allocation Rate is the result of the
22 following equation: Tier 3 Aggregate Funding, divided
23 by the sum of the Adequacy Targets of all Tier 3
24 Organizational Units.

25 (D) The Tier 4 Allocation Rate is the result of the
26 following equation: Tier 4 Aggregate Funding, divided

1 by the sum of the Adequacy Targets of all Tier 4
2 Organizational Units.

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

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

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

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

9 (6) If, at any point, the Tier 1 Target Ratio is
10 greater than 90%, then all Tier 1 funding shall be
11 allocated to Tier 2 and no Tier 1 Organizational Unit's
12 funding may be identified.

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

17 (8) If any Specially Funded Units, excluding Glenwood
18 Academy, recognized by the State Board do not qualify for
19 direct funding following the implementation of Public Act
20 100-465 from any of the funding sources included within
21 the definition of Base Funding Minimum, the unqualified
22 portion of the Base Funding Minimum shall be transferred
23 to one or more appropriate Organizational Units as
24 determined by the State Superintendent based on the prior
25 year ASE of the Organizational Units.

26 (8.5) If a school district withdraws from a special

1 education cooperative, the portion of the Base Funding
2 Minimum that is attributable to the school district may be
3 redistributed to the school district upon withdrawal. The
4 school district and the cooperative must include the
5 amount of the Base Funding Minimum that is to be
6 reapportioned in their withdrawal agreement and notify the
7 State Board of the change with a copy of the agreement upon
8 withdrawal.

9 (9) The Minimum Funding Level is intended to establish
10 a target for State funding that will keep pace with
11 inflation and continue to advance equity through the
12 Evidence-Based Funding formula. The target for State
13 funding of New Property Tax Relief Pool Funds is
14 \$50,000,000 for State fiscal year 2019 and subsequent
15 State fiscal years. The Minimum Funding Level is equal to
16 \$350,000,000. In addition to any New State Funds, no more
17 than \$50,000,000 New Property Tax Relief Pool Funds may be
18 counted toward the Minimum Funding Level. If the sum of
19 New State Funds and applicable New Property Tax Relief
20 Pool Funds are less than the Minimum Funding Level, than
21 funding for tiers shall be reduced in the following
22 manner:

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

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

6 (C) Next, Tier 2 funding shall be reduced by an
7 amount equal to the difference between the Minimum
8 Funding Level and New State Funds and the reduction in
9 Tier 4 and Tier 3.

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

18 (9.5) For State fiscal year 2019 and subsequent State
19 fiscal years, if New State Funds exceed \$300,000,000, then
20 any amount in excess of \$300,000,000 shall be dedicated
21 for purposes of Section 2-3.170 of this Code up to a
22 maximum of \$50,000,000.

23 (10) In the event of a decrease in the amount of the
24 appropriation for this Section in any fiscal year after
25 implementation of this Section, the Organizational Units
26 receiving Tier 1 and Tier 2 funding, as determined under

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

21 (11) The State Superintendent shall make minor
22 adjustments to the distribution formula set forth in this
23 subsection (g) to account for the rounding of percentages
24 to the nearest tenth of a percentage and dollar amounts to
25 the nearest whole dollar.

26 (h) State Superintendent administration of funding and

1 district submission requirements.

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

5 (2) The State Superintendent shall calculate the
6 Adequacy Target for each Organizational Unit and Net State
7 Contribution Target for each Organizational Unit under
8 this Section. No Evidence-Based Funding shall be
9 distributed within an Organizational Unit without the
10 approval of the unit's school board.

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

22 (4) Annually, the State Superintendent shall calculate
23 and report to each Organizational Unit the amount the unit
24 must expend on special education and bilingual education
25 and computer technology and equipment for Organizational
26 Units assigned to Tier 1 or Tier 2 that received an

1 additional \$285.50 per student computer technology and
2 equipment investment grant to their Adequacy Target
3 pursuant to the unit's Base Funding Minimum, Special
4 Education Allocation, Bilingual Education Allocation, and
5 computer technology and equipment investment allocation.

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

16 (6) Any school district that fails, for any given
17 school year, to maintain school as required by law or to
18 maintain a recognized school is not eligible to receive
19 Evidence-Based Funding. In case of non-recognition of one
20 or more attendance centers in a school district otherwise
21 operating recognized schools, the claim of the district
22 shall be reduced in the proportion that the enrollment in
23 the attendance center or centers bears to the enrollment
24 of the school district. "Recognized school" means any
25 public school that meets the standards for recognition by
26 the State Board. A school district or attendance center

1 not having recognition status at the end of a school term
2 is entitled to receive State aid payments due upon a legal
3 claim that was filed while it was recognized.

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

7 (8) Each fiscal year, the State Superintendent shall
8 calculate for each Organizational Unit an amount of its
9 Base Funding Minimum and Evidence-Based Funding that shall
10 be deemed attributable to the provision of special
11 educational facilities and services, as defined in Section
12 14-1.08 of this Code, in a manner that ensures compliance
13 with maintenance of State financial support requirements
14 under the federal Individuals with Disabilities Education
15 Act. An Organizational Unit must use such funds only for
16 the provision of special educational facilities and
17 services, as defined in Section 14-1.08 of this Code, and
18 must comply with any expenditure verification procedures
19 adopted by the State Board.

20 (9) All Organizational Units in this State must submit
21 annual spending plans by the end of September of each year
22 to the State Board as part of the annual budget process,
23 which shall describe how each Organizational Unit will
24 utilize the Base Funding Minimum and Evidence-Based
25 Funding it receives from this State under this Section
26 with specific identification of the intended utilization

1 of Low-Income, English learner, ~~and~~ special education, and
2 gifted and advanced academic program resources.

3 Additionally, the annual spending plans of each
4 Organizational Unit shall describe how the Organizational
5 Unit expects to achieve student growth and how the
6 Organizational Unit will achieve State education goals, as
7 defined by the State Board. The State Superintendent may,
8 from time to time, identify additional requisites for
9 Organizational Units to satisfy when compiling the annual
10 spending plans required under this subsection (h). The
11 format and scope of annual spending plans shall be
12 developed by the State Superintendent and the State Board
13 of Education. School districts that serve students under
14 Article 14C of this Code shall continue to submit
15 information as required under Section 14C-12 of this Code.

16 (10) No later than January 1, 2018, the State
17 Superintendent shall develop a 5-year strategic plan for
18 all Organizational Units to help in planning for adequacy
19 funding under this Section. The State Superintendent shall
20 submit the plan to the Governor and the General Assembly,
21 as provided in Section 3.1 of the General Assembly
22 Organization Act. The plan shall include recommendations
23 for:

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

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

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

9 (D) implementation of an effective school adequacy
10 funding system based on projected and recommended
11 funding levels from the General Assembly.

12 (11) On an annual basis, the State Superintendent must
13 recalibrate all of the following per pupil elements of the
14 Adequacy Target and applied to the formulas, based on the
15 study of average expenses and as reported in the most
16 recent annual financial report:

17 (A) Gifted under subparagraph (M) of paragraph (2)
18 of subsection (b).

19 (B) Instructional materials under subparagraph (O)
20 of paragraph (2) of subsection (b).

21 (C) Assessment under subparagraph (P) of paragraph
22 (2) of subsection (b).

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

25 (E) Maintenance and operations under subparagraph
26 (S) of paragraph (2) of subsection (b).

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

3 (i) Professional Review Panel.

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

21 (A) Two appointees that represent district
22 superintendents, recommended by a statewide
23 organization that represents district superintendents.

24 (B) Two appointees that represent school boards,
25 recommended by a statewide organization that
26 represents school boards.

1 (C) Two appointees from districts that represent
2 school business officials, recommended by a statewide
3 organization that represents school business
4 officials.

5 (D) Two appointees that represent school
6 principals, recommended by a statewide organization
7 that represents school principals.

8 (E) Two appointees that represent teachers,
9 recommended by a statewide organization that
10 represents teachers.

11 (F) Two appointees that represent teachers,
12 recommended by another statewide organization that
13 represents teachers.

14 (G) Two appointees that represent regional
15 superintendents of schools, recommended by
16 organizations that represent regional superintendents.

17 (H) Two independent experts selected solely by the
18 State Superintendent.

19 (I) Two independent experts recommended by public
20 universities in this State.

21 (J) One member recommended by a statewide
22 organization that represents parents.

23 (K) Two representatives recommended by collective
24 impact organizations that represent major metropolitan
25 areas or geographic areas in Illinois.

26 (L) One member from a statewide organization

1 focused on research-based education policy to support
2 a school system that prepares all students for
3 college, a career, and democratic citizenship.

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

6 The State Superintendent shall ensure that the
7 membership of the Panel includes representatives from
8 school districts and communities reflecting the
9 geographic, socio-economic, racial, and ethnic diversity
10 of this State. The State Superintendent shall additionally
11 ensure that the membership of the Panel includes
12 representatives with expertise in bilingual education, ~~and~~
13 special education, and gifted education. Staff from the
14 State Board shall staff the Panel.

15 (2) In addition to those Panel members appointed by
16 the State Superintendent, 4 members of the General
17 Assembly shall be appointed as follows: one member of the
18 House of Representatives appointed by the Speaker of the
19 House of Representatives, one member of the Senate
20 appointed by the President of the Senate, one member of
21 the House of Representatives appointed by the Minority
22 Leader of the House of Representatives, and one member of
23 the Senate appointed by the Minority Leader of the Senate.
24 There shall be one additional member appointed by the
25 Governor. All members appointed by legislative leaders or
26 the Governor shall be non-voting, ex officio members.

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

5 (A) The format and scope of annual spending plans
6 referenced in paragraph (9) of subsection (h) of this
7 Section.

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

9 (C) Maintenance and operations, including capital
10 maintenance and construction costs.

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

12 (E) Benefits.

13 (F) Technology.

14 (G) Local Capacity Target.

15 (H) Funding for Alternative Schools, Laboratory
16 Schools, safe schools, and alternative learning
17 opportunities programs.

18 (I) Funding for college and career acceleration
19 strategies.

20 (J) Special education investments.

21 (K) Early childhood investments, in collaboration
22 with the Illinois Early Learning Council.

23 (4) (Blank).

24 (5) Within 5 years after the implementation of this
25 Section, and every 5 years thereafter, the Panel shall
26 complete an evaluative study of the entire Evidence-Based

1 Funding model, including an assessment of whether or not
2 the formula is achieving State goals. The Panel shall
3 report to the State Board, the General Assembly, and the
4 Governor on the findings of the study.

5 (6) (Blank).

6 (7) To ensure that (i) the Adequacy Target calculation
7 under subsection (b) accurately reflects the needs of
8 students living in poverty or attending schools located in
9 areas of high poverty, (ii) racial equity within the
10 Evidence-Based Funding formula is explicitly explored and
11 advanced, and (iii) the funding goals of the formula
12 distribution system established under this Section are
13 sufficient to provide adequate funding for every student
14 and to fully fund every school in this State, the Panel
15 shall review the Essential Elements under paragraph (2) of
16 subsection (b). The Panel shall consider all of the
17 following in its review:

18 (A) The financial ability of school districts to
19 provide instruction in a foreign language to every
20 student and whether an additional Essential Element
21 should be added to the formula to ensure that every
22 student has access to instruction in a foreign
23 language.

24 (B) The adult-to-student ratio for each Essential
25 Element in which a ratio is identified. The Panel
26 shall consider whether the ratio accurately reflects

1 the staffing needed to support students living in
2 poverty or who have traumatic backgrounds.

3 (C) Changes to the Essential Elements that may be
4 required to better promote racial equity and eliminate
5 structural racism within schools.

6 (D) The impact of investing \$350,000,000 in
7 additional funds each year under this Section and an
8 estimate of when the school system will become fully
9 funded under this level of appropriation.

10 (E) Provide an overview of alternative funding
11 structures that would enable the State to become fully
12 funded at an earlier date.

13 (F) The potential to increase efficiency and to
14 find cost savings within the school system to expedite
15 the journey to a fully funded system.

16 (G) The appropriate levels for reenrolling and
17 graduating high-risk high school students who have
18 been previously out of school. These outcomes shall
19 include enrollment, attendance, skill gains, credit
20 gains, graduation or promotion to the next grade
21 level, and the transition to college, training, or
22 employment, with an emphasis on progressively
23 increasing the overall attendance.

24 (H) The evidence-based or research-based practices
25 that are shown to reduce the gaps and disparities
26 experienced by African American students in academic

1 achievement and educational performance, including
2 practices that have been shown to reduce disparities
3 ~~parities~~ in disciplinary rates, drop-out rates,
4 graduation rates, college matriculation rates, and
5 college completion rates.

6 (I) The evidence-based or research-based practices
7 that are shown to reduce gaps in high academic
8 achievement experienced by socioeconomically,
9 culturally, racially, and linguistically diverse
10 demographic groups, as well as to support equity,
11 access, and inclusion, so that all children have
12 access to appropriate gifted and advanced academic
13 programming that meets their learning needs.

14 On or before December 31, 2021, the Panel shall report
15 to the State Board, the General Assembly, and the Governor
16 on the findings of its review. This paragraph (7) is
17 inoperative on and after July 1, 2022.

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

23 (Source: P.A. 101-10, eff. 6-5-19; 101-17, eff. 6-14-19;
24 101-643, eff. 6-18-20; 101-654, eff. 3-8-21; 102-33, eff.
25 6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21; revised
26 10-12-21.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.